

**PROCEDURES FOR SELECTION OF A TRIBAL OGEMA OR TRIBAL COUNCIL MEMBER IN THE EVENT OF
A VACANCY REGULATIONS**
Regulation # R100-02:TC

**Chapter 1. Procedures For Selection of a Tribal Ogema with Less than 18 Months Remaining in
Term of Office**

Section 1. Authority; Purpose

1-1. *Authority.* In accordance with Article X, Section 4(a) of the Constitution of the Little River Band of Ottawa Indians hereby promulgates these regulations for appointment of a Tribal Ogema where a vacancy occurs with less than 18 months remaining in the term of office.

1-2. *Purpose.* The purpose of these regulations is to set forth clear procedures for the selection and approval processes will provide for a smooth transition in governmental responsibilities of the office of Tribal Ogema which is in the best interests of the Tribe, the members and the Tribal Council in carrying out its governmental responsibilities.

Section 2. Definitions

2-1. *General.* For purposes of this regulation, certain terms are defined in this section. The word "shall" is always mandatory and not merely advisory. Unless defined elsewhere, terms defined in Chapter 1 and the Constitution of the Little River Band of Ottawa Indians are defined for the purposes of all these Regulations.

Section 3. Procedures

3-1. *Mailing of Notice of Vacancy and Request for Submissions.* A mailing, on a date determined by the Tribal Council, will go out to all Tribal members, aged 25 or older who live in the nine (9) county service area announcing that Tribal Council is looking for Tribal members who would be interested in filling the position of Ogema for the remainder of the unexpired term. The mailing announcement should contain the following.

- a. Clearly identify qualifications.
- b. Clearly state that the Tribal Council Speaker must receive all information by a date determined by the Tribal Council. All items must be received and the deadline will be adhered to, no exceptions will be allowed.
- c. Identify that the individual is expected to assume office on the next Tribal Council meeting date.
- d. Clearly state that the individual must be available for an interview sometime during a week identified by the Tribal Council. The interview will be scheduled at Tribal Council's discretion.

3-2. *Information Required to be Submitted.* Eligible tribal members who are interested in the Ogema position will be required to submit the following information by the deadline date.

- a. A recent resume or vita outlining the applicant's education, work experience, and any other relevant experience.
- b. A typed essay explaining why the applicant is interested in the Ogema position and what he/she feels they can bring to the position in terms of leadership, planning, vision, etc.
- c. Verification of eligibility as per constitutional requirements.

3-4. *Tribal Council Review.* Tribal Council will review the applications received, during a period identified by the Tribal Council, and schedule interviews with candidates during the following week.

3-5. *Deliberation; Final Decision.* Tribal Council will deliberate and make a final decision on a meeting specifically identified by the Tribal Council.

3-6. *Acting Ogema Period.* The Tribal Council Speaker will serve as Acting Ogema until a new Ogema is taken the oath of office.

Section 4. Adoption; Amendment; Repeal

4-1. *Adoption.* This Section is adopted by resolution # 02-0410-05.

4-2. *Amendment.* This regulation may be amended by the Tribal Council in accordance with the Constitution and any rules set forth governing amendment of regulation of the Little River Band of Ottawa Indians.

4-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.

4-4. *Compliance.* In regards to compliance with this regulation, substantial compliance with the 'spirit' of this regulation rather than complete compliance is acceptable.

Chapters 2-4. Reserved for Future Vacancy Regulations