



Mashpee Wampanoag Tribe

2021-RES- 008

APPROVAL OF MASHPEE WAMPANOAG TRIBE SUPREME COURT JUDGE APPOINTMENT

WHEREAS, The Mashpee Wampanoag Tribe (the "Tribe") is a federally-recognized Indian tribe with a duly-enacted Constitution, and the governing body of the Tribe is known as the Mashpee Wampanoag Tribal Council (the "Tribal Council"); and

WHEREAS, Article V, Section 1, of the Mashpee Wampanoag Tribal Constitution provides for a separation of Tribal government powers upon the appointment of the three judges of the Tribal Supreme Court under Article X of the Constitution; and

WHEREAS, Article X, Section 2(a) provides that the Tribal Council shall by ordinance establish a procedure for selection and appointment of Tribal Judges; and

WHEREAS, Chapter 2, Section 1 of the 2008-ORD-002, Mashpee Tribal Judiciary (the "Judiciary Ordinance") as amended, establishes the Mashpee Wampanoag Tribal Judiciary, which consists of a Tribal Supreme Court, a District Court, and a Peacemaker Court; and

WHEREAS, the Judiciary Ordinance, Chapter 2, Section 4(g), provides that the Tribal Council is empowered to select and appoint a Judge of the Supreme Court who shall perform judicial duties of the Supreme Court as prescribed in the above-mentioned Constitution and Ordinance; and

WHEREAS, in accordance with Judiciary Ordinance, Chapter 2, Section 4(a), the Elders Judiciary Committee (the "EJC") recommended by letter dated December 14, 2021 that Tribal Council appoint Thomas Weathers as a Judge of the Mashpee Wampanoag Tribal Supreme Court; and

WHEREAS, the Tribal Council has considered the EJC's recommendation and confirms that Thomas Weathers meets the qualifications enumerated in the Judiciary Ordinance, Chapter 2, Section 4(d), and deems it in the best interests of the Tribe and its Tribal members to accept the recommendation of the EJC; and

WHEREAS, pursuant to Article X, Section 2(d) of the Constitution and Chapter 2, Section 4(c) of the Judiciary Ordinance, a Supreme Court Judge is appointed for a term of eight years; and

WHEREAS, the Tribal Council has reviewed and deems it in the best interests of the Tribe and its Tribal members to approve the Mashpee Wampanoag Tribe Supreme Court Judge Contract



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(the "Contract") between the Tribe and Thomas Weathers in the substantially the same form as attached in Exhibit A.

NOW, THEREFORE BE IT RESOLVED, the Tribal Council hereby selects and appoints Thomas Weathers to serve as Judge of the Mashpee Wampanoag Tribal Supreme Court pursuant to the substantive terms of Contract attached hereto as Exhibit A (the "Contract"); and

BE IT FURTHER RESOLVED, the Tribal Council approves the Contract between the Tribe and Thomas Weathers in a form substantially similar to the document attached hereto as Exhibit A; and

BE IT FINALLY RESOLVED, that the Tribal Council authorizes the Tribal Council Vice Chairperson and Tribal Secretary, or in their absence or unavailability, two (2) other Tribal Council Members to execute the Contract and to take such other actions as are reasonable and necessary in furtherance of the execution or performance of the Contract.

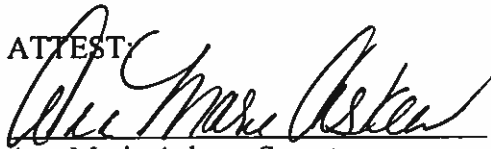
All resolutions or parts of resolutions inconsistent with this resolution are repealed. This resolution is effective immediately and until revoked or modified by the Tribal Council, pursuant to the authority vested in the Tribal Council pursuant to Article V, Section 1, and Article X, Section 2(a) of the Constitution of the Mashpee Wampanoag Tribe.


CERTIFICATION

We, the undersigned Vice-Chairperson and Secretary of the Mashpee Wampanoag Tribal Council do hereby certify that the Tribal Council is composed of 13 members of whom 9, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened, and held on the 11th day of January, 2021, and that the foregoing Resolution was duly adopted by the affirmative vote of 4 members, with 2 opposing, and with 3 not voting.

DATED this 11th day of January 2021.

ATTEST


Ann Marie Askew, Secretary
Mashpee Wampanoag Tribal Council


Jessie Baird, Vice-Chairwoman
Mashpee Wampanoag Tribal Council



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EXHIBIT A

CONTRACT WITH THOMAS WEATHERS

