

CROW TRIBAL LEGISLATURE

DECEMBER 16, 2008 SPECIAL SESSION

LEGISLATIVE RESOLUTION LR08-22

**INTRODUCED BY CARL E. VENNE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH**

CONFIRMATION OF EXECUTIVE BRANCH APPOINTMENTS

TRIBAL COURT JUDGE JONNI DREAMER-BIG HAIR

WHEREAS, Article X of the Crow Tribal Constitution and Bylaws provides that the election process for the Judicial Branch judges of the Crow Tribal Government shall be in accordance with the Crow Law and Order Code; and

WHEREAS, a vacancy exists in the position of Judge of the Crow Tribal Court; and

WHEREAS, Title 3, Section 3-3-310 of the Crow Law and Order Code, as amended by the Legislative Branch and approved the Executive Branch, provides that vacancies in the Tribal Court judges positions shall be filled for the unexpired term by appointment of the Chairman of the Executive Branch and confirmation by the Legislature; and

WHEREAS, Title 3, Section 3-3-303 (4) of the Crow Law and Order Code sets forth the qualifications for Judge as follows:

3-3-304. Associate Judges Qualifications. The Associate Judges must be at least thirty (30) years of age when elected; must have a high school education; must be an enrolled member of the Apsáalooke (Crow) Tribe; must not have ever been convicted of a felony and must not have been convicted of a misdemeanor offense within five (5) years of the election, not to include minor traffic offenses. Driving under the influence of drugs or alcohol is not a minor traffic offense. To be eligible for election of appointment, a background investigation including tribal, state, and federal criminal and child protection history must be completed prior to certification of candidacy or confirmation. In order to be eligible to run for election as Associate Judge in all elections after the October 2001 election, and prior to certification as a candidate for election, each candidate shall have passed the Crow Tribal bar examination. Elections for Associate Judges shall be conducted in accordance with Chapter VIII of this Title.

and,

Confirmation of Tribal Court Judge Jonni Dreamer- Big Hair

Bill or Resolution Number LR08-22 Introduced by Executive Date of Vote 12/16/2008

| <u>Representative:</u> | Yes | No | Abstained |
|--|-----------|----------|-----------|
| L. Plain Bull, Sr. | _____ | _____ | _____ ✓ |
| C. Goes Ahead | _____ ✓ | _____ | _____ |
| O. Costa | _____ ✓ | _____ | _____ |
| V. Crooked Arm | _____ ✓ | _____ | _____ |
| M. Not Afraid | _____ ✓ | _____ | _____ |
| P. Alden, Jr. | _____ ✓ | _____ | _____ |
| B. House | _____ | _____ | _____ |
| E. Fighter, Sr. | _____ ✓ | _____ | _____ |
| C.J. Stewart | _____ ✓ | _____ | _____ |
| L. Hogan, Jr. | _____ ✓ | _____ | _____ |
| S. Fitzpatrick, Jr. | _____ ✓ | _____ | _____ |
| O. Half, Jr. | _____ ✓ | _____ | _____ |
| R. Old Crow, Sr. | _____ ✓ | _____ | _____ |
| W. Plainfeather | _____ ✓ | _____ | _____ |
| D. Wilson | _____ | _____ | _____ |
| J.D. Stone, Sr. | _____ ✓ | _____ | _____ |
| B. Shane <i>Secretary of the House</i> | _____ ✓ | _____ | _____ |
| M. Covers Up, Sr. <i>Speaker of the House</i> | _____ ✓ | _____ | _____ |
| Totals: | <u>15</u> | <u>0</u> | <u>1</u> |

Result of Vote:

Passed

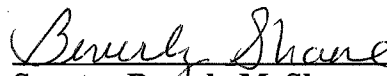
Not Passed

Tabled

Veto-Override



Senator Manuel Covers Up, Sr. **Date**
Speaker of the House



Senator Beverly M. Shane **Date**
Secretary of the House

WHEREAS, the Chairman has requested confirmation of Jonni Dreamer-Big Hair to serve as Judge of the Crow Tribal Court and the nominee meets the statutory qualifications for the appointment and is in all respects otherwise qualified; and

WHEREAS, a majority of a quorum of the Legislature has voted to confirm the appointment,

NOW, THEREFORE, the Crow Legislature adopts the following Resolution.

RESOLVED:

The appointment of Jonni Dreamer-Big Hair to serve as Judge of the Crow Tribal Court for the remaining term of the office is CONFIRMED, effective on the date of appointment by the Chairman of the Executive Branch.

CERTIFICATION

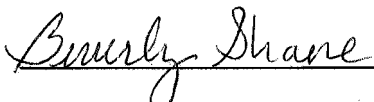
I hereby certify that this Resolution was duly adopted by the Crow Tribal Legislature with a vote of 15 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 16TH day of December, 2008.



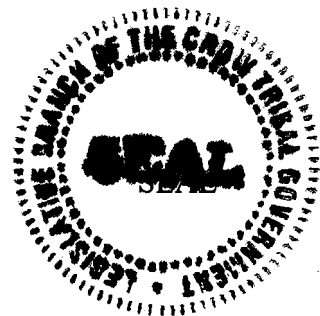
Speaker of the House

Crow Tribal Legislature

ATTEST:



Secretary, Crow Tribal Legislature





CROW TRIBE EXECUTIVE BRANCH

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P.O. Box 159
Crow Agency, Montana 59022
Phone: (406) 638-3732- Fax: (406) 638-3773

Carl Venne
CHAIRMAN

Cedric Black Eagle
VICE CHAIRMAN

Scott Russell
SECRETARY

Darrin Old Coyote
VICE SECRETARY

Office of the Chairman

October 18, 2008

Ms. Jonni Dreamer-Big Hair
P.O. Box 134
Crow Agency, MT 59022

Dear Ms. Dreamer-Big Hair:

If you are willing to accept, I hereby re-appoint you to serve as Associate Judge of the Crow Tribal Court. This appointment is made pursuant to Section 3-3-110 of the Crow Law and Order code:

3-3-310. Filling Vacancies in Tribal Judges Positions. If a vacancy shall occur in any of the positions of the elected Tribal Court Judges by reason of death, resignation, or removal for cause, a replacement shall be appointed by the Chairman of the Executive Branch, who shall meet the qualifications for the vacated position and whose appointment shall be confirmed by majority vote of the Legislature. The term of any Judge so appointed and confirmed to fill the vacancy shall be for the unexpired term of the vacated position until the next general election of Tribal Court Judges.

Your re-appointment will be effective immediately upon acceptance, subject to confirmation by the Crow Legislature. A request for confirmation by the Legislature will be submitted early at the special session in December 2008. As required by law, a background investigation must be completed before the request for confirmation.

Associate Judges are supervised by the Chief Judge. The qualifications and duties of an Associate Judge are set out in Section 3-3-304 of the Code:

3-3-304. Associate Judge's Qualifications. (1) The Associate Judges must be at (30) years of age when elected; must have a high school diploma

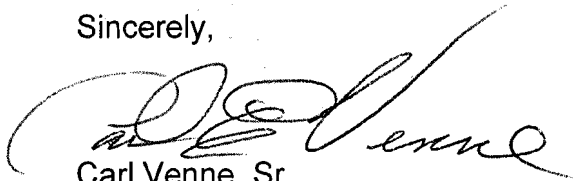
education; must be an enrolled member of the Apsaalooke (Crow) Tribe; must not have ever been convicted of a felony and must not have been convicted of a misdemeanor offense within five (5) years of the election, not to include a minor traffic offense. Driving under the influence of drugs or alcohol is not a minor offense. To be eligible for election or appointment, a criminal and child protection history must be completed prior to certification of candidacy or confirmation. In order to be eligible to run for election as Associate Judge in all elections after the October 2001 for election, and prior to certification as a candidate for election, each candidate shall have passed the Crow Tribal bar examination. Elections for Associate Judges shall be conducted in accordance with Chapter VIII of this Title, a copy is herein attached.

By accepting this re-appointment, you certify that you meet the statutory qualifications.

If you accept this re-appointment, please sign below and return a copy of this letter with your original signature to my office. I will then advise the Chief Judge, who will meet with you to complete the necessary personnel forms.

Thank you for your willingness to serve the Apsáalooke Nation. Please call me or the Chief Judge if you have any questions concerning this re-appointment or the position of Associate Judge.

Sincerely,



Carl Venne, Sr.
Chairman, Crow Tribe of Montana

I, Jonni Dreamer-Big Hair, accept the re-appointment to serve as an Associate Judge of the Crow Tribal Court, subject to confirmation by the Crow Legislature, and certify that I meet the statutory qualifications and that I am capable of performing the duties to be assigned by the Chief Judge.



Jonnie Dreamer-Big Hair

Dated: 12/14/08