

AMENDMENT "E"

ARTICLE XVII - TRIBAL COURT

Section 1. Establishment. Except as limited by this Constitution, the judicial power of the Nation shall be vested in the judicial branch.

Section 2. Composition. The judicial branch shall be composed of one trial court and one court of appeals.

Section 3. Jurisdiction. The judicial power shall extend to all cases and controversies arising under this Constitution and the laws of the Nation, and such other cases as may come within the jurisdiction of the Nation. The Court of Appeals shall be the final and supreme interpreter of this Constitution and all laws of the Nation.

Section 4. Review of Legislative Action. Judicial authority shall include, but not be limited to, the power to review and overturn legislative actions found to be in violation of the Nation's Constitution or the Indian Civil Rights Act of 1968. The Court shall not be empowered to abrogate the Nation's sovereign immunity from civil lawsuits for monetary damages.

Section 5. Election of Judicial Officers. All judicial officers shall be appointed by the Executive Committee for a term of six (6) years.

Section 6. Removal. Judges of the Tribal Court may be removed by a majority of the full Appellate Court only upon the grounds of abandonment of office, neglect of duty, dishonesty, incompetency, or if convicted of a felony in any court of competent jurisdiction. A judge subject to removal shall be provided adequate notice of the specific charges and granted an opportunity to respond. The decision of the Appellate Court shall be final. Justices of the Appellate Court may only be removed by the Executive Committee upon the grounds of abandonment of office, neglect of duty, dishonesty, incompetency, or if convicted of a felony in any court of competent jurisdiction.

Section 7. Vacancies. If a Judge or Justice does not fulfill the six (6) year term, the Executive Committee is authorized to appoint an interim Judge or Justice to fill the remainder of the six (6) year term.

Section 8. Ordinance. The Executive Committee shall adopt an ordinance to implement this Article within one-hundred twenty (120) days of approval of this Amendment.

VOTE:

Yes, I approve Amendment "E."

No, I do not approve Amendment "E."