

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: JUL 08 2021

ORDINANCE NO. 537 (2021)

Short Title: an ordinance to amend C.C. Sec. 7-7 regarding compensation for associate justices of the Cherokee Supreme Court.

WHEREAS, Tribal law requires the Cherokee Supreme Court to have a Chief Justice and two associate justices, all of whom are nominated by the Principal Chief and confirmed by Tribal Council. Associate justices serve terms of four years and may be reappointed. (C.C. Sec. 7-1; C.C. Sec. 7-6).

WHEREAS, currently, C.C. Sec. 7-7 states that associate justices of the Cherokee Supreme Court shall be paid on a per case basis, but for many years associate justices have also been paid a retainer fee because doing so is necessary to reserve the services of the limited number of attorneys who are sufficiently experienced and qualified to be associate justices.

WHEREAS, C.C. Sec. 7-7 should be amended and updated to reflect established practice regarding compensation of associate justices of the Cherokee Supreme Court.

NOW, THEREFORE, BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council assembled, at which a quorum is present, that the Cherokee Code Sec. 7-7 shall be amended to read as follows:

Sec. 7-7. - Compensation.

The Justices and Judges shall be paid reasonable compensation as established by law which shall not be decreased during a term of office. The Chief Justice of the Supreme Court shall be paid an annual salary. The Associate Justices of the Supreme Court shall be paid ~~on a per case basis~~ a monthly retainer in an amount determined by the Chief Justice. The Chief Judge and Associate Judges of the Trial Court shall be paid an annual salary. Associate Judges for Trial Courts of Special Jurisdiction shall be paid on a per case basis.

BE IT FINALLY RESOLVED that this ordinance shall be effective upon ratification by the Principal Chief and all prior ordinances or portions thereof that conflict with this ordinance are rescinded to the extent necessary to resolve the conflict.

Submitted by the Chief Justice Kirk G. Saunooke.