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CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: _____

ORDINANCE NO.: _____ (2025)

An ordinance to amend C.C. Section 75-55 to remove the Attorney General's Office as a voting member of the Editorial Board of the Cherokee One Feather newspaper.

WHEREAS, Cherokee Code (C.C.) Section 75-1 designates and recognizes the Cherokee One Feather as the official publication of the Eastern Band of Cherokee Indians; and

WHEREAS, editorial decisions of the One Feather, such as what stories and editorials to publish, are made by the Editorial Board established in C.C. Section 75-55; and

WHEREAS, Section 75-55 states that the Editorial Board shall consist of all members of the One Feather staff, one member appointed by the EBCI Executive Committee, one member appointed by Tribal Council, and a staff member from the EBCI Office of the Attorney General designated by the Attorney General; and

WHEREAS, the Office of the Attorney General is required under C.C. Chapter 114 to provide legal advice and representation to the Tribe and all of its programs, and to comply with the Rules of Professional Responsibility when doing so; and

WHEREAS, the practice of an attorney advising a governing board and also being a member thereon and casting votes on editorial matters presents a potential conflict of interest that, depending on the circumstances, may violate the Rules of Professional Responsibility; and

WHEREAS, having a member of the Office of the Attorney General serve as a voting member of the Editorial Board blurs the line between attorney and client, jeopardizes protections that apply to communications between the attorney the client through the Attorney/Client privilege, and is discouraged by the Rules of Professional Responsibility.

WHEREAS, C.C. Section 75-55 should be amended to remove the member of the Office of the Attorney General as a voting member of the Editorial Board of the Cherokee One Feather, so that the member may provide legal advice as opposed to editorial input.

NOW THEREFORE BE IT ORDAINED, by the Tribal Council of the Eastern Band of Cherokee Indians, in council assembled at which a quorum is present, that Cherokee Code Chapter 75 is hereby amended as follows:

1 **Sec. 75-55. Editorial Board and Editor.**

- 2 (a) An Editorial Board is hereby created and shall consist of all members of the One Feather
3 staff as well as one member appointed by the EBCI Executive Committee, and one
4 member appointed by the Tribal Council, ~~and a staff member from the EBCI Office of the~~
5 ~~Attorney General designated by the Attorney General.~~ The One Feather will provide
6 recommendations for the appointed seats. The appointed members will serve on the Board
7 indefinitely and will only be replaced if they resign their position or are removed by a
8 majority vote of the remaining members of the Board after being found in violation of the
9 Society of Professional Journalists Code of Ethics or subsection (e) in this Section.
10 Appointed Board members will be replaced by being appointed by the current body (i.e.
11 EBCI Executive Office or Tribal Council) that originally appointed the person leaving.
12 (b) All members of the Editorial Board certify that he or she will adhere to the standards of
13 accepted ethics of journalism as defined by the Society of Professional Journalists and
14 endorsed by the Native American Journalists Association.
15 (c) The Editorial Board will develop written guidelines and policies for the publication of
16 articles, editorials, op-ed submissions and all other items published in the One Feather.
17 (d) The Editorial Board shall operate free from political influence from any Executive or
18 Legislative Officials of any Branch, Division or Department of the Government of the
19 Tribe.
20 (e) No Board member shall directly or indirectly, solicit, receive or in any manner be
21 concerned in soliciting or receiving any assessment, subscription or contribution for any
22 political organization, candidacy or other political activity, except to exercise his or her
23 right as a citizen to express his or her individual opinion and cast his or her right to vote.
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26 BE IT FINALLY ORDAINED, that all ordinances and resolutions inconsistent with this ordinance
27 are rescinded, and this ordinance shall become effective upon ratification by the
28 Principal Chief.
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31 *Submitted by Michael McConnell, Attorney General.*