

SECTION 4. Terms of Office. The President and Vice President shall serve four (4) year terms. The President and Vice President shall serve no more than two (2) consecutive terms.

SECTION 5. Procedures.

- (a) **Veto Authority.** The President shall have the authority to approve or veto an action passed by the Legislature including line item veto. The President shall have five (5) working days to approve or veto an action passed by the Legislature, which is presented to the President for signature. If the President fails to approve or veto any such action of the Legislature, then such action shall be deemed approved and such action shall become law. For veto items, the President shall attach, for the record, the reasons for declining to approve the measure. The Legislature shall have authority to override the Presidents veto as defined in Article VI, Section 5, letter (c) of this constitution.
- (b) The veto power of the President shall not extend to measures approved by popular vote.

ARTICLE VIII – JUDICIAL BRANCH

SECTION 1. Composition. The Judiciary shall be composed of a Court of Appeals, a Trial Court, and other lower courts as deemed necessary by the Legislature. The Legislature shall establish the Judicial Branch by law.

- (a) The Trial Court shall be composed of a Chief Judge and two (2) Associate Judges.
- (b) A Chief Judge will be appointed by the President and ratified by the Legislature. The Chief Judge will appoint two Associate Judges, ratified by the Legislature, who will elect from their own body a Chief Judge to serve a one (1) year term. The Chief Judge of the Trial Court may appoint qualified Pro Tem Judges and/or arbitrators to hear specific cases in the Trial court when others may be unavailable.
- (c) The Court of Appeals shall be composed of three (3) judges appointed by the President subject to confirmation by the Legislature. Qualifications of Appeal Judges: must possess a law degree and be in good standing.

SECTION 2. Powers of the Judiciary.

- (a) Judicial powers shall be vested in the Judiciary. The Judiciary shall have the power to interpret and apply the Constitution and laws of the Nation.

The Trial Court shall have the power to make findings of fact and conclusions of law. The Trial Court shall have the power to issue all remedies in law and equity including injunctive and declaratory relief and all writs including attachment and mandamus. The Trial Court shall have the power to declare the laws of the Nation void if such laws are not in agreement with this constitution. The Trial Court shall have the power to establish written rules for the Judiciary, including

qualifications to practice before the Nation's courts, provided such rules are consistent with the laws of the Nation.

The Court of Appeals shall have the power to make conclusions of law. The Court of Appeals shall not have the power to make findings of fact except as provided by law. The Court of Appeals shall have the power to declare the laws of the Nation void if such laws are not in agreement with this Constitution. Any decision of the Supreme Court shall be final.

SECTION 3. Compensation. All Judges shall receive compensation proposed by the salary commission and approved by the Legislature in the annual budget. Judges will receive no additional compensation of any form.

SECTION 4. Terms of Office. Appointed term for Chief Judge shall be for six (6) years. Associate Trial Court Judges shall be four year appointments. Appointed term for Appeals Court Judges shall be (5) five years.

SECTION 5. Jurisdiction of the Judiciary.

- (a) The Trial Court shall have original jurisdiction over all cases and controversies, both criminal and civil, in law and equity, arising under the Constitution, laws, customs, and traditions of the Nation, including cases in which the Nation, or its officials and employees, shall be a party. Any such case or controversy arising within the Territory of the Nation shall be filed and exhausted in the Judiciary before it is filed in any other jurisdiction. This grant of jurisdiction shall not be construed to be a waiver of the Nation's sovereign immunity.
- (b) The Court of Appeals shall have appellate jurisdiction over any case on appeal from the Trial Court.

ARTICLE IX – FORFEITURE, RECALL, AND VACANCIES

SECTION 1. Forfeiture of Office.

- (a) Any elected official who is convicted of a felony or any serious misdemeanor forfeits his/her office.
- (b) Any elected official who submits a written resignation forfeits his/her office.
- (c) Any Legislature who fails or refuses to attend two regular meetings in succession, unless excused due to illness or other causes for which he cannot be held responsible, shall forfeit his office.
- (d) Any Legislator who moves out of their respective District and any elected official who moves off the reservation shall forfeit his/her office.

SECTION 2. Recall

- (a) Any elected official shall be subject to recall for neglect of duty, corruption in office, becoming incapable of performing his duties or violations of constitutional oaths. A valid petition shall be submitted to the Judicial Department, stating the cause of action and signed by not less than twenty-five percent (25%) of the