

Ta'an Kwäch'än Judicial Council

Decision on Request to Cancel the January 2007 Ta'an Kwäch'än General Assembly

Date: January 12, 2007

Case Number: TKJC06-23

Applicant: Bonnie Harpe

The Ta'an Kwäch'än Judicial Council received a complaint from the applicant, dated December 19, 2006. The applicant requests that the Judicial Council postpone a General Assembly for the Ta'an Kwäch'än scheduled for January 26, 2007, until after the Judicial Council has deliberated on a number of matters related to the appointment of Family Directors to the Board. In the view of the applicant, the Ta'an Kwäch'än Council Board did not have the required quorum to call a General Assembly.

6.2 of the Ta'an Kwäch'än Constitution requires that a General Assembly be held at least once each calendar year and the Judicial Council finds that this provision of the Constitution provides the mandate for holding the Assembly and that the Board is carrying out its responsibility under 6.4 to make administrative arrangements for its conduct.

In 6.1.1, the Constitution requires that each Traditional Family identify six representatives for the meeting of the General Assembly. It is reasonable to expect that the Traditional Families will comply with this obligation under the Constitution, and further that the quorum requirements for the General Assembly provided in 6.6 of the Constitution will be satisfied. The Judicial Council concludes that it is not appropriate for it to postpone or otherwise interfere with the conduct of the General Assembly, but rather to defer to the Assembly to decide what business may or may not be conducted by it.

Decision: The Judicial Council dismisses the request by Bonnie Harpe that it postpone the January 26, 2007, Ta'an Kwäch'än General Assembly.

Issued by the Ta'an Kwäch'än Judicial Council this 12th day of January 2007.

per: Omdemke
Chuck Hume
Judge

Michael Dougherty
Michael Dougherty
Judge

John Bailey
John Bailey
Judge

c. TKC Board of Directors