

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Continued Representation in Courts and Procedures Litigation)

LEGISLATIVE ORDER NO. 11-206

1 **WHEREAS, the members of the Tohono O'odham Nation adopted the Nation's Constitution, in**
2 **part, "to establish a responsive form of government, to provide for the free expression**
3 **of our people, to promote the rights, education and welfare of the present and future**
4 **generations of our people" (Constitution, Preamble); and**

5 **WHEREAS, the Constitution vests the Tohono O'odham Legislative Council with broad legislative**
6 **powers, including but not limited to the power to enact laws "to provide for. . .the**
7 **administration of justice," to set judicial compensation, appoint judges, approve**
8 **Judicial Branch budgets, and enacts laws governing certain other aspects of the**
9 **Nation's courts (Constitution, Article V, Section 1, Article VI, Section 1 and Article VIII);**
10 **and**

11 **WHEREAS, in order to resolve conflicts in the Nation's laws and to ensure due process and equal**
12 **protection to all persons appearing within the Nation's Judicial Court, the Legislative**
13 **Council passed Resolution No. 08-704, "Repealing Papago Law and Order Code Chapter**
14 **One and Ordinance No. 01-89, and Enacting and Codifying Tohono O'odham Code Title**
15 **6, Chapter 1, Courts and Procedures"; and**

16 **WHEREAS, while the Council overrode a veto of Title 6, Chapter 1 by Resolution No. 08-713, there**
17 **is ongoing litigation challenging the validity of sections of Title 6, Chapter 1; and**

18 **WHEREAS, it is in the Legislative Council's best interest to pursue all available options for**
19 **ensuring the public's right to the administration of justice is protected.**

20 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it hereby**
21 **directs the Legislative Attorney's Office to continue representing the Legislative**
22 **Council in the Tohono O'odham Judicial Court case *In Re: Petition of the Judicial***
23 ***Branch*, including any appeal, provided that the Legislative Attorney's Office shall act**
24 **under the direction of the Judiciary Committee and the Legislative Officers.**

25 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 26TH day of**
26 **MAY, 2011 at a meeting at which a quorum was present with a vote of 1,906.20 FOR; -0- AGAINST;**
27 **-0- NOT VOTING; and 689.30[09] ABSENT, pursuant to the powers vested in the Council by Section**
28 **1 of Article V and Section 1 (l) of Article VI of the Constitution of the Tohono O'odham Nation,**
29 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**
30 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act**
31 **of June 18, 1934 (48 Stat. 984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL




Verlon M. Jose, Legislative Chairman

7 day of June, 2011

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Page 2 of 2

- 1
- 2
- 3
- 4
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ATTEST:



Evonne Wilson, Legislative Secretary

7 day of June, 2011

ACTION: AUTHORIZING CONTINUED REPRESENTATION IN COURTS AND PROCEDURES LITIGATION

MOVED: COUNCILWOMAN ETHEL GARCIA

SECOND: COUNCILWOMAN KIMBERLY MULL

DATE: MAY 26, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			X
SELLS 449.6	1. KIMBERLY MULL ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Stanley Stephens)	79.50				X
	2. FREDERICK JOSE (Phyllis Cachora)	79.50				X
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			X
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15				X
	2. PAMELA ANGHILL (Angela Ortiz)	103.15				X
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			X
BABOQIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0				X
	2. FRANCES G. ANTONE (Vernon Smith)	162.0				X
TOTAL		2,595.50	1,906.20	-0-	-0-	689.30 [09]