

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Reaffirming the Legislative Attorney's Office's Authorization to Represent the Legislative
Council in Election-Related Litigation)**

LEGISLATIVE ORDER NO. 11-360

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham Legislative**
2 **Council with broad legislative powers, including the authority to "enact an election**
3 **ordinance . . . which shall prescribe the qualifications of candidates, the registration**
4 **requirements for voting and such other rules and procedures necessary to the orderly**
5 **conduct of elections, including but not limited to procedures for validation of**
6 **petitions and the settlement of any and all election disputes." (Constitution, Article X,**
7 **Section 7); and**

8 **WHEREAS, on May 28, 2011 the Nation held a general election for several offices, including the**
9 **Nation's chairperson and vice-chairperson, Legislative Council representatives,**
10 **district council representatives, and district chairpersons and vice-chairpersons; and**

11 **WHEREAS, since the general election, several election-related actions have been filed in the**
12 **Tohono O'odham Judicial Court in which the Legislative Council and representatives**
13 **have been named as parties or in which the Legislative Council has a substantial**
14 **interest; and**

15 **WHEREAS, the Legislative Attorney's Office advises the Council in election matters, including**
16 **election contests, and the Legislative Council has previously authorized the Legislative**
17 **Attorney's Office to represent the Council in election-related litigation and to**
18 **coordinate with the Office of Attorney General (Legislative Order No. 11-273 and**
19 **Resolution No. 11-295); and**

20 **WHEREAS, it is in the best interest of the Legislative Council to reaffirm the Legislative Attorney's**
21 **Office's authority to represent the Legislative Council in election-related litigation,**
22 **including the authority to file amicus curiae briefs.**

23 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it hereby**
24 **reaffirms the Legislative Attorney's Office's authority to represent the Legislative**
25 **Council in election-related litigation as necessary, including filing amicus curiae**
26 **briefs, which are hereby authorized by the Legislative Council, and to coordinate with**
27 **the Office of the Attorney General; provided that the Legislative Attorney's Office shall**
28 **act under the direction of the chairperson and vice-chairperson of the Judiciary**
29 **Committee, the chairperson and vice-chairperson of the Rules Committee, and the**
30 **Legislative Council officers.**

31 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 22ND day of**
32 **JULY, 2011 at a meeting at which a quorum was present with a vote of 2,553.90 FOR; -0- AGAINST;**
33 **226.70[01] NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article**
34 **V, Article VI and Section 7 of Article X of the Constitution of the Tohono O'odham Nation, adopted**
35 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
36 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
37 **18, 1934 (48 Stat. 984).**


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Page 2 of 2

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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

27 day of July, 2011

ATTEST:



Evonne Wilson, Legislative Secretary

27 day of July, 2011