

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing Representation in Litigation Regarding Dismissal of Attorney**  
**General of the Tohono O'odham Nation)**

**LEGISLATIVE ORDER NO. 19-022**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation authorizes the Legislative**  
2 **Council to "employ legal counsel for the protection and advancement of the**  
3 **rights of the Tohono O'odham Nation. . ." (Constitution, Article VI, Section 2(a));**  
4 **and**

5 **WHEREAS, the "Statute Creating the Office of the Attorney General of the Tohono O'odham**  
6 **Nation" provides in part that the "Attorney General may be dismissed only with**  
7 **the concurrence of the Chairman of the Nation and of a majority of the Legislative**  
8 **Council" (Section 2.C.); and**

9 **WHEREAS, by Resolution No. 18-453, Attorney General Chadwick Smith was dismissed; and**

10 **WHEREAS, the Legislative Council Chairperson is delegated authority to. . . "With the consent**  
11 **of a majority of the Legislative Council, authorize litigation on the Council's**  
12 **behalf." (Amended Delegation of Authority to Legislative Council Chairperson**  
13 **and Vice Chairperson, approved by Legislative Order No. 06-047); and**

14 **WHEREAS, on December 21, 2018, former Attorney General Chadwick Smith filed a Petition**  
15 **for Declaratory Judgment and Injunctive Relief in the Judicial Court and listed as**  
16 **respondents the Tohono O'odham Nation, Chairman Edward Manuel, the**  
17 **Legislative Council, and certain Legislative Council representatives in their**  
18 **official capacities; and**

19 **WHEREAS, it is in the best interest of the Legislative Council to expressly authorize the**  
20 **Legislative Attorney's Office to represent the Council in the litigation.**

21 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it**  
22 **authorizes the Legislative Attorney's Office to represent the Legislative Council**  
23 **and representatives in the litigation regarding the dismissal of the former**  
24 **Attorney General Chadwick Smith, provided that the Legislative Attorney's Office**  
25 **shall act under the direction of the Legislative Council officers and the Domestic**  
26 **Affairs Committee.**

27 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 10<sup>TH</sup> day of**  
28 **JANUARY, 2019 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0-**  
29 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
30 **Article VI, Section 1(a) of the Constitution of the Tohono O'odham Nation, adopted by the**  
31 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
32 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
33 **18, 1934 (48 Stat.984).**

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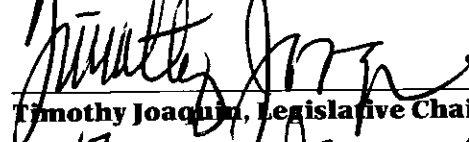
**LEGISLATIVE ORDER NO. 19-022**

**(Authorizing Representation in Litigation Regarding Dismissal of Attorney General of the Tohono O'odham Nation)**

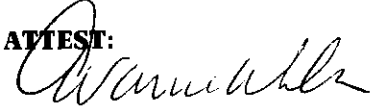
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
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**Timothy Joaquin, Legislative Chairman**  
17 day of January, 2019

**ATTEST:**

  
\_\_\_\_\_  
**Evonne Wilson, Legislative Secretary**  
17 day of January, 2019

**ACTION: AUTHORIZING REPRESENTATION IN LITIGATION REGARDING DISMISSAL OF ATTORNEY GENERAL OF THE TOHONO O'ODHAM NATION****MOVED: VICE CHAIRMAN QUINTIN C. LOPEZ****SECOND: COUNCILMAN ARTHUR WILSON****DATE: JANUARY 10, 2019**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ( ) 2. LUCINDA ALLEN (Yolonda Garcia)	117.9 117.9	X X			X
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel) 2. ADRIANNE TILLER (Idaleen Reyes)	263.6 263.6	X X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR (Teresa F. Donahue) 2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85 92.85	X X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez) 2. JANICE FELIX ( )	116.15 116.15	X X			X
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel) 2. GLORIA RAMIREZ (Lorraine Eller)	115.55 115.55	X X			
PISINEMO 225.9	1. CHESTER ANTONE ( <i>Absent</i> ) (Caroline D. Garcia) ( <i>Present</i> ) 2. MONICA K. MORGAN ( )	112.95 112.95	X X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina) 2. SANDRA D. ORTEGA ( )	104.5 104.5	X X			
GU VO 256.9	1. GRACE MANUEL ( ) 2. DALLAS LEWIS (Nacho Flores)	128.45 128.45	X X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson) 2. LORETTA LEWIS (Victoria Hobbs)	135.45 135.45	X X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone) 2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85 168.85	X X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey) 2. LEANDER MASE (Francine Schooling)	186.05 186.05	X X			
<b>TOTAL</b>		<b>3,084.6</b>	<b>3,084.6</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>