

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Attorney Contract with Buescher & Franke, L.L.C.)

RESOLUTION NO. 2000-495

- 1 **WHEREAS, the Indian Child Welfare Act of 1978, Public Law 95-608, 25 U.S.C. § 1901 et seq. (the**
2 **“Act”), was enacted to establish minimum federal standards for the removal of Indian**
3 **children from their families and the placement of such children in foster or adoptive**
4 **homes which will reflect the unique values of Indian culture; and**
- 5 **WHEREAS, the Act provides the Indian child’s tribe certain rights with respect to state court**
6 **proceedings involving Indian children, as well as certain rights with respect to the**
7 **placement of Indian children in adoptive, foster, or pre-adoptive homes; and**
- 8 **WHEREAS, by Resolution No. 230-84, the Papago Human Services Department (now known as the**
9 **Tohono O’odham Department of Human Services) was designated as the agency of the**
10 **Nation to discharge the solemn responsibilities placed upon the Nation by the Act and**
11 **delegated all necessary authority to meet the responsibilities arising under the act;**
12 **and**
- 13 **WHEREAS, by Resolution No. 96-020 the Attorney General of the Tohono O’odham Nation was**
14 **designated the agent for service of notice required under the act; and**
- 15 **WHEREAS, the Attorney General received notice of a juvenile proceeding in Franklin County,**
16 **Missouri, involving a child who is an enrolled member of the Nation; and**
- 17 **WHEREAS, Tohono O’odham Department of Human Services recommends intervention in the**
18 **Franklin County Juvenile proceedings so that the Nation’s rights and interests under**
19 **the Act may be adequately represented; and**
- 20 **WHEREAS, it is necessary to retain legal representation in the State of Missouri to provide legal**
21 **advice and representation to the Nation with respect to the proceedings arising**
22 **under the Indian Child Welfare Act; and**
- 23 **WHEREAS, the Operating Budget for the Office of Attorney General for Fiscal Year 2001, as**
24 **approved by the Legislative Council, has sufficient funds for an attorney contract in**
25 **the amount of \$5,000.00 for representation in these proceedings; and**
- 26 **WHEREAS, the Attorney General has proposed an attorney contract with Buescher & Franke,**
27 **L.L.C., in the amount of \$5,000.00, a copy of which is attached hereto.**

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1 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
2 **the Attorney Contract with Buescher & Franke, L.L.C., in the form attached hereto,**
3 **and authorizes and directs the execution of the contract by the Chairman of the**
4 **Nation.**

5 **BE IT FURTHER RESOLVED that funds in the amount of \$5,000.00 shall be**
6 **provided under the FY 2001 Operational Budget of the Office of Attorney General.**


7 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 24TH. Day**
8 **of OCTOBER, 2000 at a meeting at which a quorum was present with a vote of 2,037.4 FOR; -0-**
9 **AGAINST; -0- NOT VOTING; and 128.1 [04] ABSENT, pursuant to the powers vested in the Council**
10 **by Section 2 (a) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
11 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
12 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
13 **18, 1934 (48 Stat. 984).**

14
15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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17 _____
18 **Dennis Ramon, Legislative Chairman**

19
20 25th day of October, 20 00


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22 **ATTEST:**

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24 _____
25 **Julianna Saraficio, Acting Legislative Secretary**

26
27 24 day of October, 20 00.

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30 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
31 **Nation on the 25th day of October, 20 00 at 3:44 o'clock, P.M.,**
32 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
33 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
34 **submittal.**

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36 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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38 _____
39 **Dennis Ramon, Legislative Chairman**

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APPROVED

on the 2TH day of OCTOBER, 2000

DISAPPROVED

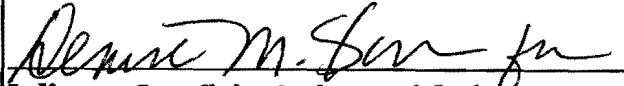
at 2:06 o'clock, P.M.



**EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 2TH day of

October, 2000, at 2:22 o'clock, P.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING ATTORNEY CONTRACT WITH BUESCHER & FRANKE, L.L.C.

MOVED: COUNCILWOMAN FRANCES ANTONE

SECOND: COUNCILWOMAN MARY ANN ANTONE

DATE: OCTOBER 24, 2000

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE ()	186.35	X			
	2. EVELYN JUAN ** ()	186.35	X			
SCHUK TOAK 133.4	1. MARY FLORES ()	66.7	X			
	2. AMBROSE ENCINAS ()	66.7	X			
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			X
	2. DENNIS RAMON ()	82.95	X			
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			X
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05				X
	2. GLORIA RAMIREZ ()	64.05				X
GU VO 160.0	1. FERN SALCIDO ()	80.0	X			
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
HICKIWAN 158.1	1. SHIRLEY MOLINA ()	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	2,037.4	-0-	-0-	128.1 [04]

**PASSED VOTES