

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Kyle Fields to the Tohono O'odham Judicial Court)

RESOLUTION NO. 16-173

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to appoint**
2 **judges to the Tohono O'odham Judicial Court pursuant to the Constitution of the**
3 **Tohono O'odham Nation, which states, "The Tohono O'odham Courts shall be**
4 **courts of record and shall consist of at least six (6) judges appointed by the Tohono**
5 **O'odham Council." (Constitution, Article VIII, Section 3); and**

6 **WHEREAS, the Constitution requires the judges' terms to be staggered so that two judges**
7 **shall be appointed every other year (Constitution, Article VIII, Section 4); and**

8 **WHEREAS, 6 Tohono O'odham Code Chapter 1 – Courts and Procedures, provides in part that**
9 **trial court judges shall serve six-year terms, provided that an appointment to fill**
10 **a vacancy occurring before the expiration of a term shall be made only for the**
11 **remaining balance of that term (Section 1103(A)); and**

12 **WHEREAS, 6 Tohono O'odham Code Chapter 1 also provides in part that "a candidate for**
13 **Judicial Court judge who possesses a juris doctorate shall be licensed to practice**
14 **in any state, be a member in good standing with a state bar association, and have**
15 **at least three years of experience as a practicing attorney. . ." (Section**
16 **1103(C)(3)(a)); and**

17 **WHEREAS, candidate Kyle Fields possesses a juris doctorate, is licensed to practice law in**
18 **Arizona, is a member in good standing with the State Bar of Arizona, but doesn't**
19 **have three years' experience as a practicing attorney; and**

20 **WHEREAS, the Judiciary Committee, having legislative oversight of matters pertaining to the**
21 **Tohono O'odham Judicial Court, has reviewed Mr. Fields' application packet and**
22 **background information, including his years of experience in the legal field, and**
23 **interviewed Mr. Fields; and**

24 **WHEREAS, there are currently three vacancies on the Tohono O'odham Judicial Court with**
25 **two terms expiring January 31, 2021 and one vacancy with a term expiring January**
26 **31, 2019; and**

27 **WHEREAS, the Judiciary Committee recommends that notwithstanding Section 1103(C)(3)(a)**
28 **of 6 Tohono O'odham Code Chapter 1, Mr. Fields be appointed a Tohono O'odham**
29 **Judicial Court judge for a term expiring January 31, 2021; and**

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1 **WHEREAS, the Legislative Council has likewise interviewed and considered the judicial**
2 **candidate appearing before the Council.**

3 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that**
4 **notwithstanding Section 1103(C)(3)(a) of 6 Tohono O'odham Code Chapter 1, it**
5 **appoints Kyle Fields as a Tohono O'odham Judicial Court judge for a term**
6 **beginning on June 13, 2016 and ending January 31, 2021.**

7 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 03RD**
8 **day of MAY, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; -0-**
9 **AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by**
10 **Article VIII, Section 3 of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**
11 **O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
12 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934**
13 **(48 Stat.984).**

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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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19 **Timothy Joaquin, Legislative Chairman**

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21 9th day of May, 2016

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24 **ATTEST:**

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27 **Evonne Wilson, Legislative Secretary**

28 5 day of May, 2016

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31 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
32 **O'odham Nation on the 9 day of May, 2016 at 11:07 o'clock, a .m.,**
33 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
34 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
35 **hours of submittal.**

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38 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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42 **Timothy Joaquin, Legislative Chairman**

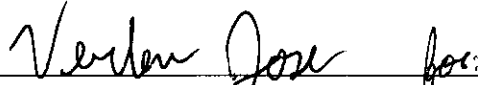
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APPROVED

on the 11 day of May, 2016

DISAPPROVED

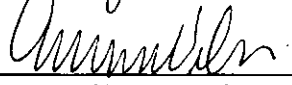
at 9:04 o'clock, a.m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 11 day of

May, 2016, at 9:56 o'clock, a.m.



Evonne Wilson, Legislative Secretary

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