

**RESOLUTION OF THE TOHONO O’ODHAM LEGISLATIVE COUNCIL
(Appointing Judge Kyle Fields to the Tohono O’odham Judicial Court for Another Term)**

RESOLUTION NO. 21-150

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, “[t]he 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 approximately**
7 **one-third of the judges are appointed every other year (Constitution, Article VIII,**
8 **Section 4); and**

9 **WHEREAS, 6 Tohono O’odham Code Chapter 1 - Courts and Procedures, provides in part that**
10 **trial court judges “serve six-year terms. . .” and “shall continue to discharge the**
11 **duties of that office, although the judge’s term has expired, until a successor is**
12 **appointed and sworn in.” (Section 1103(A) and (B)); and**

13 **WHEREAS, Judge Kyle Fields’ term expired on January 31, 2021 and he continues in office**
14 **until his successor is appointed and sworn in; and**

15 **WHEREAS, Judge Kyle Fields possesses a juris doctorate, is licensed to practice law in**
16 **Arizona, and is a member in good standing with the State Bar of Arizona; and**

17 **WHEREAS, the Judiciary Committee, having legislative oversight of matters pertaining to the**
18 **Tohono O’odham Judicial Court, has reviewed Judge Fields’ application and**
19 **background information, and has interviewed Judge Fields; and**

20 **WHEREAS, there are currently three vacancies on the Tohono O’odham Judicial Court with**
21 **two terms expiring January 31, 2027 and the other term expiring January 31, 2025;**
22 **and**

23 **WHEREAS, the Legislative Council has likewise interviewed Judge Fields and reviewed his**
24 **application materials and background investigation report.**

25 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O’odham Legislative Council that it appoints**
26 **Judge Kyle Fields as a Tohono O’odham Judicial Court judge for another term**
27 **beginning on the effective date of this resolution and ending January 31, 2027,**
28 **provided that he shall continue to discharge the duties of the office until a**
29 **successor is appointed and sworn in if he satisfies the requirements of 6 Tohono**
30 **O’odham Code Chapter 1, Section 1103 (C)(2) and (3).**

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH day of MAY, 2021 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0- AGAINST; [01] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VIII, Section 3 of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

11 day of May, 2021

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

10 day of May, 2021

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 11 day of May, 2021 at 2:00 o'clock, 10 .m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

APPROVED

on the 12 day of May, 2021

DISAPPROVED

at 2:30 o'clock, 8 .m.

Ned Norris, Jr.

NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

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1 **Returned to the Legislative Secretary on the 12 day of**
2
3 May, 2021, at 3:10 o'clock, p.m.

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5 Evonne Wilson
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7 **Evonne Wilson, Legislative Secretary**

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ACTION: APPOINTING JUDGE KYLE FIELDS TO THE TOHONO O'ODHAM JUDICIAL COURT FOR ANOTHER TERM

MOVED: COUNCILMAN DANIEL L.A. PRESTON III

SECOND: VICE CHAIRMAN QUINTIN C. LOPEZ

DATE: MAY 07, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GUACHI 279.3	1. VICTORIA HOBBS ()	139.65	X			
	2. TIMOTHY L. JOAQUIN ()	139.65	X			
GUVO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ()	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ()	106.90	X			
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ()	115.35	X			
	2. MARIETTA MARTIN ()	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ()	117.80	X			
	2. JANA MONTANA (Lorraine M. Eiler)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (<i>Absent</i>) (Adam Andrews) (<i>Present</i>)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			X
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ()	273.55	X		X	
	2. ARTHUR WILSON ()	273.55	X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
TOTAL		3,175.7	3,175.7	-0-	[01]	[01]