

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appointing Joseph Hardy, Jr. to the Tohono O'odham Judicial Court)**

RESOLUTION NO. 21-152

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 provides in part that “a candidate for Judicial
10 Court judge who possesses a juris doctorate shall be licensed to practice in any
11 state, be a member in good standing with a state bar association, and have at least
12 three years of experience as a practicing attorney. . .” (Section 1103(C)(3)(a)); and
13 **WHEREAS,** 6 Tohono O'odham Code Chapter 1 further provides that “[t]rial court judges shall
14 serve six-year terms, provided that an appointment to fill a vacancy occurring
15 before the expiration of a term shall be made only for the remaining balance of
16 that term” (Section 1103(A)); and
17 **WHEREAS,** candidate Joseph Hardy, Jr. has applied for appointment to the Judicial Court,
18 possesses a juris doctorate, is licensed to practice law in Arizona, is a member in
19 good standing with the State Bar of Arizona, and has at least three years of
20 experience as a practicing attorney; and
21 **WHEREAS,** the Judiciary Committee, having legislative oversight of matters pertaining to the
22 Tohono O'odham Judicial Court, has reviewed Mr. Hardy's application and
23 background information, and has interviewed Mr. Hardy; and
24 **WHEREAS,** there are currently three vacancies on the Tohono O'odham Judicial Court with
25 two terms expiring January 31, 2027 and the other term expiring January 31, 2025;
26 and
27 **WHEREAS,** the Legislative Council has likewise interviewed candidate Joseph Hardy, Jr. and
28 reviewed his application materials and background investigation report.
29 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that it appoints
30 Joseph Hardy, Jr. as a Tohono O'odham Judicial Court judge for a term beginning
31 June 14, 2021 and ending January 31, 2025, provided that he shall continue to
32 discharge the duties of the office until a successor is appointed and sworn in if he
33 satisfies the requirements of 6 Tohono O'odham Code Chapter 1, Section 1103
34 (C)(2) and (3).

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; -0- NOT VOTING; and -0- 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 2:20 o'clock, p.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

DISAPPROVED

on the 12 day of May, 2021

at 2:40 o'clock, p.m.

Ned Norris, Jr.

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

RESOLUTION NO. 21-152

(Appointing Joseph Hardy, Jr. to the Tohono O'odham Judicial Court)

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Returned to the Legislative Secretary on the 12 day of
May, 2021, at 3:00 o'clock, P.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: APPOINTING JOSEPH HARDY, JR. TO THE TOHONO O'ODHAM JUDICIAL COURT

MOVED: COUNCILMAN LEANDER MASE

SECOND: COUNCILWOMAN GLORIA RAMIREZ

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			
GU VO 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			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ()	273.55	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-	-0-	-0-