

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving August 2024 Amendments to 6 Tohono O'odham Code Chapter 1 –
Courts and Procedures Section 1103(C) to Strengthen Judicial Qualifications)**

RESOLUTION NO. 24-278

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **the power to appoint Judicial Court judges, to protect and promote individual**
3 **rights, and to enact laws providing for the administration of justice and other**
4 **aspects of the Nation's justice system (Constitution, Article III; Article V, Section**
5 **1; Article VI, Section 1(c)(6); and Article VIII, Section 3); and**

6 **WHEREAS, the Legislative Council has enacted 6 Tohono O'odham Code Chapter 1 – Courts**
7 **and Procedures, to set judicial qualifications, provide for the protection and**
8 **promotion of individual rights, provide due process by requiring the publication**
9 **of court opinions and rules, and provide for the administration of justice; and**

10 **WHEREAS, the Tohono O'odham Tribal Court Assessment performed on the Tohono**
11 **O'odham Judicial Court in May 2023 identified inconsistencies in Judicial Court**
12 **judges' practices and rulings, the need for additional training of judges, and the**
13 **need for judges presiding over certain criminal matters to possess sufficient**
14 **qualifications; and**

15 **WHEREAS, the Judiciary Committee developed and submitted for public comment**
16 **amendments to 6 Tohono O'odham Code Chapter 1 – Courts and Procedures,**
17 **Section 1103(C) Qualifications that are designed to (1) strengthen criminal law**
18 **experience requirements for at least two of the Court's attorney-judges and (2)**
19 **require that all future candidates for Nation's judge possess in-court litigation**
20 **experience as an attorney, advocate, or judge; and**

21 **WHEREAS, the Judiciary Committee published draft judicial qualification amendments for**
22 **public comment, reviewed the resulting comments and incorporated further**
23 **amendments, and, at the Legislative Council's request, conducted a second**
24 **public comment and review with further edits that appear in the Section 1103(C)**
25 **Qualifications amendments (the "August 2024 Amendments"), which are**
26 **incorporated by this reference and which the Committee recommends that the**
27 **Legislative Council approve.**

28 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
29 **August 2024 Amendments to 6 Tohono O'odham Code Chapter 1 – Courts and**
30 **Procedures.**

31

RESOLUTION NO. 24-278

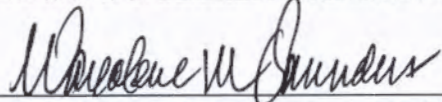
(Approving August 2024 Amendments to 6 Tohono O'odham Code Chapter 1 – Courts and Procedures Section 1103(C) to Strengthen Judicial Qualifications)

Page 2 of 3

1 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the August 2024
2 **Amendments to 6 Tohono O'odham Code Chapter 1 - Courts and Procedures shall**
3 **not apply to judicial appointments made before the effective date of this**
4 **Resolution.**

5 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH**
6 **day of SEPTEMBER 2024 at a meeting at which a quorum was present with a vote of 2,874.4 FOR;**
7 **388.9 AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council**
8 **by Article III; Article V, Section 1; Article VI, Section 1(c)(6); and Article VIII, Section 3 of the**
9 **Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on**
10 **January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
11 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**
12
13

14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

15 
16
17
18 **Wavalene M. Saunders, Legislative Chairwoman**

19 00 day of September, 2024
20
21

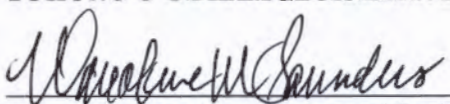
22
23
24 **ATTEST:**

25 
26
27 **Evonne Wilson, Legislative Secretary**

28 19 day of September, 2024
29
30

31 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
32 **O'odham Nation on the 00 day of September, 2024 at 10:58 o'clock, 2 .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.**
36
37

38 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

39 
40
41
42 **Wavalene M. Saunders, Legislative Chairwoman**
43
44
45
46
47
48

RESOLUTION NO. 24-278

(Approving August 2024 Amendments to 6 Tohono O'odham Code Chapter 1 – Courts and Procedures Section 1103(C) to Strengthen Judicial Qualifications)

Page 3 of 3

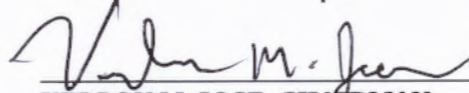
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

APPROVED

on the 23 day of September, 2024

DISAPPROVED

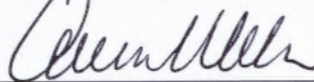
at 10:40 o'clock, p.m.



VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 24 day of

September, 2024, at 9:13 o'clock, a.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING AUGUST 2024 AMENDMENTS TO 6 TOHONO O'ODHAM CODE CHAPTER 1 – COURTS AND PROCEDURES SECTION 1103(C) TO STRENGTHEN JUDICIAL QUALIFICATIONS

MOVED: COUNCILMAN EDWARD D. MANUEL

SECOND: COUNCILWOMAN EVELYN JUAN MANUEL

DATE: SEPTEMBER 12, 2024

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (Alberta J. Ray)	197.1 197.1	X	X		
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ()	177.35 177.35	X X			
GUACHI 282.7	1. VICTORIA HOBBS (<i>Absent</i>) (Tonya L. Joaquin) (<i>Present</i>) 2. JEROME F. JOAQUIN ()	141.35 141.35	X X			
GU VO 276.0	1. DALLAS LEWIS () 2. LESLIE LUNA ()	138.0 138.0	X X			
HICKIWAN 220.5	1. DELMA M. GARCIA () 2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25 110.25	X X			
PISINEMO 236.2	1. EDWARD D. MANUEL () 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			
SAN LUCY 257.6	1. ROGER MANUEL (Christina Andrews) 2. GLORIA M. RAMIREZ (Lorraine M. Eiler)	128.8 128.8	X X			
SAN XAVIER 244.5	1. JANICE FELIX () 2. DANIEL L.A. PRESTON III ()	122.25 122.25	X X			
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9		X X		
SELLS 558.0	1. EVELYN JUAN MANUEL (Arvada Liston) 2. JANET B. ELEANDO ()	279.0 279.0	X X			
SIF OIDAK 247.1	1. FRANCIS HOMEWYTEWA () 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			
	TOTAL	3,263.30	2,874.4	388.9	-0-	-0-