

1 WHEREAS, the Health and Human Services Committee have identified
2 \$10,000.00 remaining in the Health Board's budget that
3 can be legally used for payment of these legal fees
4 leaving a balance of approximately \$5,000.00 to be
5 acquired from other sources; and

6 WHEREAS, under the Nation's Constitution and Federal Law, the
7 choice of legal counsel and the fixing of fees are
8 subject to approval by the Secretary of the Interior,
9 and therefore the increase in legal fees from \$75.00 per
10 hour to \$125.00 per hour, if employed under the terms of
11 the existing General Counsel Contract would require a
12 modification of this contract increasing the fees to be
13 paid to Mr. S. Bobo Dean or members of his firm to
14 \$125.00 per hour, and that said increase in fees be
15 approved by the Secretary of the Interior or his
16 authorized representative.


17 NOW THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative
18 Council that the \$10,000.00 remaining in the Health
19 Board's budget be rebudgeted for the purposes of paying
20 Mr. S. Bobo Dean or members of his firm for legal
21 services and expenses performed or incurred in the
22 appeal process regarding the rescision of the Tohono
23 O'odham Psychological Services Contract by the Indian
24 Health Services and any legal fees or expenses incurred
25 over and above \$10,000.00 shall be funded from the
26 General Counsel budget for FY 1989 or if the General
27 Counsel Contract is not renewed or before September 24,
28 1988, the Nation shall enter into a special Attorney
29 Contract with the Law firm of Hobbs, Straus, Dean and
30 Wilder, subject to approval by the Secretary of the
31 Interior.

32 BE IT FURTHER RESOLVED that paragraph 4 of the existing General
Counsel Contract be amended by increasing the legal fees


1 to be paid to Mr. S. Bobo Dean and members of his firm
 2 to \$125.00 per hour, and that under the provision of
 3 paragraph 6 of said General Counsel Contract the
 4 attorneys shall employ Mr. S. Bobo Dean of the law firm
 5 of Hobbs, Straus, Dean and Wilder as special attorney to
 6 represent the Nation in its appeal of the recision of
 7 the Tohono O'odham Psychological Services contract by
 8 the Indian Health Services.

9
 10 The foregoing Resolution was passed by the Tohono O'odham Council
 11 on the 6th day of September, 1988 at a meeting at which a
 12 quorum was present with a vote of 1,460.0 for; -0- against;
 13 180.0 not voting; and 01 absent, pursuant to the powers vested
 14 in the Council by Section 1 (d)(2) & Section 2 (a) of Article
 15 VI of the Constitution of the Tohono O'odham Nation, adopted by
 16 the Tohono O'odham Nation on January 18, 1986, and approved by
 17 the Acting Deputy Assistant Secretary - Indian Affairs
 18 (Operations) on March 6, 1986, pursuant to Section 16 of the Act
 19 of June 18, 1934 (48 Stat. 984).

20 TOHONO O'ODHAM LEGISLATIVE COUNCIL

21
 22 
 23 Harriet Toro, Legislative Chairperson
 24 9th day of September, 1988.

25 ATTEST:

26
 27 
 28 Teresa M. Choyguha, Legislative Secretary
 29 9th day of September, 1988.

30 Said Resolution was submitted for approval to the office of the
 31 Chairman of the Tohono O'odham Nation on the 9 day of
 32 Sept., 1988, at 1:54 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


Harriet Toro, Legislative Chairperson

MOVED: Julia Carrillo

SUBJECT: Legal Counsel Selec-

SECOND: Rosita Ruiz

tion for Tohono O'Odham Psycho-

DATE: September 6, 1988

logical Services Appeal

RESOLUTION #223-88

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 138.0	1. Nicholas Jose (Letitia Garcia)	69.0	X			X
	2. Willard Juan, Sr. (Melissa Gregorio)	69.0	X			
SELLS 257.0	1. Andrew Patricio (Daniel Lopez)	128.5	X			
	2. Fred Stevens ()	128.5	X			
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco)	52.5	X			
	2. Joseph Juan (Frances Francisco)	52.5	X			
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios)	63.0			X	
	2. Tony Felix (Carmelita Mattias)	63.0	X			
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. ()	120.5	X			
	2. Joann Garcia (Frances Miguel)	120.5	X			
GU ACHI 158.0	1. Percy Lopez ()	79.0	X			
	2. Fernando Joaquin ()	79.0	X			
PISINEMO 116.0	1. Johnson Jose ()	58.0	X			
	2. Edward Manuel ()	58.0	X			
SAN LUCY 85.0	1. Max Jose (Dewey Ortega)	42.5	X			
	2. John Reno ()	42.5	X			
GU VO 117.0	1. Virgil Lewis (Roy Montana)	58.5			X	
	2. Cross Antone (Juan Joe Cipriano)	58.5			X	
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel)	64.0	X			
	2. Lloyd Francisco (Eleanor Santos)	64.0	X			
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez)	84.5	X			
	2. Harriet Toro ()	84.5	X			
TOTAL		1,640.0	1460.0	-0-	180.0	01