

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving an Attorney Contract with the Law Firm of
Durant, Piper & Sorci)**

RESOLUTION NO. 93-048

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3 **WHEREAS, the Indian Child Welfare Act of 1978, Public Law 95-608,**
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5 **25 U.S.C. §§ 1901 et seq. (the "Act"), was enacted to establish**
6 **federal standards for the removal of Indian children from their**
7 **families and the placement of such children in foster or**
8 **adoptive homes which will reflect the unique values of Indian**
9 **culture; and**

10
11 **WHEREAS, the Act provides the Indian child's tribe certain rights with**
12 **respect to state court proceedings involving Indian children, as**
13 **well as certain rights with respect to the placement of Indian**
14 **children in adoptive, foster, or pre-adoptive homes; and**

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16 **WHEREAS, by Resolution No. 230-84, the Papago Human Service**
17 **Department (now known as the Tohono O'Odham Social**
18 **Service Department) was designated as the agency of the Nation**
19 **to discharge the solemn responsibilities placed upon the Nation**
20 **by the Act and was delegated all necessary authority to meet the**
21 **responsibilities arising under the Act; and**

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25 **WHEREAS, Tohono O'Odham Social Service received notice of a pending**
26 **action in the Kalamazoo County Michigan Probate Court,**
27 **Juvenile Division, captioned In the Matter of the Smith Minors**
28 **(Case No. NA 92-78) (the "Smith Case"), involving children of**

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an enrolled member of the Nation; and

**WHEREAS, Tohono O'Odham Social Service recommends intervention in
the Smith Case so that the Nation's rights and interests under
the Act may adequately be represented; and**

**WHEREAS, it is necessary to retain legal representation in the State of
Michigan to represent the Nation's interests in the Smith Case;
and**

**WHEREAS, the Operating Budget for the Office of Attorney General for
fiscal year 1993, as approved by the Legislative Council, has
sufficient funds for an attorney contract in the amount of
\$5,000 for representation in the Smith Case; and**

**WHEREAS, the Attorney General has proposed an attorney contract with
the law firm of Durant, Piper & Sorci of Kalamazoo, Michigan
in the amount of \$5,000., a copy of which is attached hereto,
for purposes of representing the Nation's interests in the Smith
Case during this fiscal year.**

**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham
Legislative Council hereby approves the attorney contract with
the law firm of Durant, Piper & Sorci in the form attached**

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**(Approving an Attorney Contract with the Law Firm of
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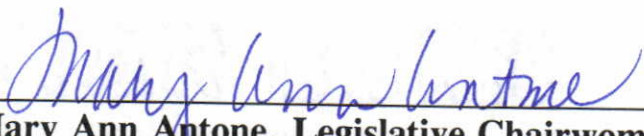
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hereto, and authorizes and directs the execution of the contract
by the Chairman of the Nation.

BE IT FURTHER RESOLVED that payment of all fees and expenses pursuant
to the attorney contract shall be paid from the Fiscal Year 1993
Operating Budget for the Office of the Attorney General.

The foregoing Resolution was passed by the Tohono O'Odham Legislative
Council on the 3RD. day of FEBRUARY, 1993 at a meeting at which a
quorum was present with a vote of 1,724.0 FOR; -0- AGAINST; -0- NOT
VOTING; and 01 ABSENT, pursuant to the powers vested in the Council by
Section 2 (a) of Article VI 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).

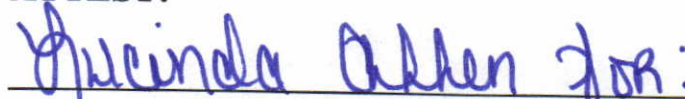
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Mary Ann Antone, Legislative Chairwoman

04th day of February, 1993

ATTEST:



Teresa M. Choyguha, Legislative Secretary

4th. day of FEBRUARY, 1993.

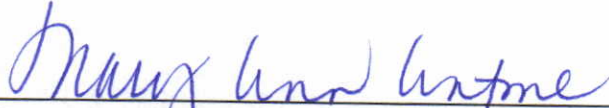
RESOLUTION NO. 93-048

(Approving an Attorney Contract with the Law Firm of
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 04th day of February, 1993, at 1:57 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

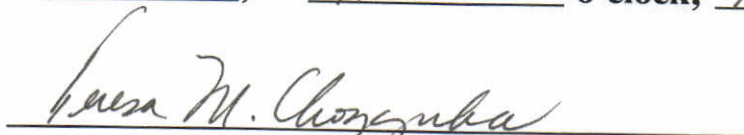

Mary Ann Antone, Legislative Chairwoman

APPROVED on the 4 day of February, 1993

DISAPPROVED) at 10:45 o'clock, P.M.


JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 08th day of February,
1993, at 11:40 o'clock, A.M.


Teresa M. Choyguha, Legislative Secretary

MOVED: COUNCILMAN MANUEL OSEQUEDA, JR SUBJECT: APPROVING AN ATTORNEY CONTRACT WITH THESECOND: COUNCILMAN EARL A. FRANCISCO LAW FIRM OF DURANT, PIPER & SORCIDATE: FEBRUARY 03, 1993

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			
	2. Alberta M. Lopez (Berdella Jose)	81.5	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Manuel Osequeda, Jr. ()	62.5	X			
GU VO 114.0	1. Michael Flores	57.0	X			
	2. Emilio Lewis (Anthony Flores)	57.0	X			X
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	** 2. John Reno ()	53.0	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Chester Antone (Fernando Valentine)	59.5	X			
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0	X			
	2. Willard Anita ()	83.0	X			
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Frances Miguel ()	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5	X			
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			
	2. Frances Francisco (Joseph Juan)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Lucille Encinas)	155.0	X			
SIF OIDAK 158.0	** 1. Mary Ann Antone (Nina Jose)	79.0	X			
	2. Willard Juan, Sr. (Delbert Thomas)	79.0	X			
TOTAL		1,724.0	1,724.0	-0-	-0-	01

**PASSED VOTES