

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving an Attorney Contract with California Indian Legal Services)**

RESOLUTION NO. 93-290

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

9
10 **WHEREAS,** the Act provides the Indian child's tribe certain rights with
11 respect to state court proceedings involving Indian children, as
12 well as certain rights with respect to the placement of Indian
13 children in adoptive, foster, or pre-adoptive homes; and

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

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23 **WHEREAS,** Tohono O'odham Social Service received notice of a pending
24 action in the Orange County California Juvenile Court,
25 captioned In the Matter of the Machado Minors Case Nos.
26 J-424922 and J-424923) (the "Machado Case"), involving
27 children of an enrolled member of the Nation; and
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WHEREAS, Tohono O'odham Social Service recommends intervention in the Machado Case so that the Nation's rights and interests under the Act may adequately be represented; and

WHEREAS, Tohono O'odham Social Service has received, and continues to receive, a number of notices of pending actions in California courts which involve the Nation's rights under the Act; and

WHEREAS, it is necessary to retain legal representation in the State of California to represent the Nation's interests in the Machado Case and other California cases involving the Nation's rights under the Act; 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 Machado Case and other California cases involving the Nation's rights under the Act; and

WHEREAS, the Attorney General has proposed an attorney contract with California Indian Legal Services in the amount of \$5,000, a copy of which is attached hereto, for purposes of representing the Nation's interests in the Machado Case and such other

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California cases arising under the Act as the Attorney General
may from time to time direct during this fiscal year.

NOW, THEREFORE, BE IT RESOLVED THAT the Tohono O'odham
Legislative Council hereby approves the attorney contract with
California Indian Legal Services in the form attached 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 Attorney
General.

The foregoing Resolution was passed by the Tohono O'Odham Legislative
Council on the 4TH. day of AUGUST, 1993 at a meeting at which a quorum
was present with a vote of 1,665.0 FOR; -0- AGAINST; 98.0 NOT
VOTING; and 04 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



Alex J. Ramon, Legislative Chairman

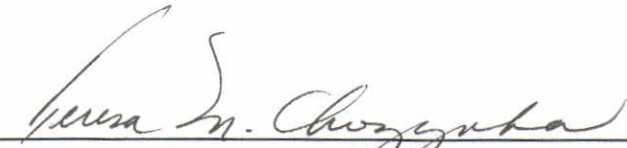
5th day of August, 1993

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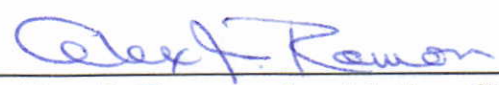
ATTEST:


Teresa M. Choyguha, Legislative Secretary

5th day of August, 19 93.


Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 5th day of August, 19 93 at 1:17 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

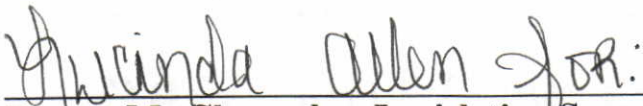

Alex J. Ramon, Legislative Chairman

APPROVED on the 6 day of August, 1993

DISAPPROVED) at 3:32 o'clock, P.M.


SYLVESTER LISTO, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 6th day of August,
19 93, at 3:57 o'clock, P.M.


Teresa M. Choyguha, Legislative Secretary

ACTION: APPROVING AN ATTORNEY CONTRACT WITH CALIFORNIA INDIAN LEGAL SERVICES

MOVED: COUNCILMAN EUGENE ENIS, SR.

SECOND: COUNCILMAN WILLARD ANITA

DATE: AUGUST 04, 1993

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5	X			X
	2. MARY ANN ANTONE (Nellie Miguel)	75.5	X			
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garica, Jr.)	145.0	X			
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ()	56.5	X			
	2. KENNETH J. ANTONE ()	56.5	X			
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ()	67.5	X			
	2. DENNIS RAMON ()	67.5	X			
BABOQUIVARI 230.0	1. FRANCES MIGUEL ()	115.0	X			
	2. EARL A. FRANCISCO (Lucilda Norris)	115.0	X			
GU ACHI 180.0	1. WILLARD ANITA ()	90.0	X			
	2. ALEX J. RAMON (Marian Johnson)	90.0	X			
PISINEMO 128.0	1. CHESTER ANTONE (Fernando Valentine)	64.0	X			X
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0	X			
SAN LUCY 98.0	1. JOHN RENO ()	49.0			X	
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0			X	
GU VO 124.0	1. EMILIO LEWIS ()	62.0	X			
	2. MICHAEL FLORES (Fern Salcido)	62.0	X			
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ()	68.0	X			X
	2. LLOYD FRANCISCO (Henry A. Ramon)	68.0	X			
CHUKUT KUK 178.0	1. ALBERTA M. LOPEZ (Berdella Jose)	89.0	X			X
	2. KENNETH WILLIAMS ()	89.0	X			
TOTAL		1,763.0	1,665.0	-0-	98.0	04

**PASSED VOTES