

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Modification No. 1 to Budget of Advocate Program
for Fiscal Year 1994 and Related Attorney Contracts)**

**D E F E A T E D
RESOLUTION NO. 94-355**

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4 **WHEREAS, there are no attorneys and insufficient advocate staff in**
5 **the Nation's Advocate Program to meet the increasing**
6 **needs of tribal members for legal representation in civil**
7 **and criminal matters; and**

8
9 **WHEREAS, pending Legislative Council consideration of the**
10 **Advocate Program's request for funding to hire**
11 **additional legal and support staff, private law firms were**
12 **engaged in an effort to maintain adequate**
13 **representation of existing clients and provide legal**
14 **assistance to some of those members seeking services**
15 **from the Advocate Program; and**

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18 **WHEREAS, during the period from July 21, 1993 through January 4,**
19 **1994, the law firm of Gust Rosenfeld (the "Gust Firm")**
20 **was paid \$43,869., (\$17,680., in fiscal year 1993 and**
21 **\$26,189., in fiscal year 1994) from the Advocate Program**
22 **budget to provide legal services for Program clients; and**

23
24 **WHEREAS, the sum of \$56,801., is outstanding and unpaid for legal**
25 **services provided to Program clients by the Gust Firm**
26 **during such period; and**
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4 **WHEREAS, during the period from January 5, 1994 through June 30,**
5 **1994, the law firm of Shimmel, Hill, Bishop & Gruender**
6 **(the "Shimmel Firm") was paid \$26,189., from the**
7 **Advocate Program budget to provide legal services for**
8 **Program clients; and**

9
10 **WHEREAS, the sum of \$133,199., is outstanding and unpaid for legal**
11 **services provided to Program clients by the Shimmel**
12 **Firm during such period; and**

13
14 **WHEREAS, the Advocate Program wishes to retain the services of the**
15 **Shimmel Firm for the fourth quarter of this fiscal year**
16 **and projects the cost of such services at \$90,000.; and**

17
18 **WHEREAS, conflicts of interest among existing and prospective**
19 **Program clients bar the Shimmel Firm from**
20 **representing certain of these persons, requiring the**
21 **engagement of other legal counsel; and**

22
23 **WHEREAS, the Advocate Program projects the services of conflict**
24 **attorneys will cost \$10,000., through September 30, 1994;**
25 **and**

26
27 **WHEREAS, the Advocate Program has presented attorney contracts**
28 **for the Gust Firm in the amount of \$100,670., (including**

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**\$17,680., in services performed and paid in fiscal year
1993) and Shimmel Firm in the amount of \$249,388.,
which confirm and ratify the terms and conditions
related to past and future services, copies of which are
attached; and**

**WHEREAS, the Advocate Program has submitted the attached
Modification No. 1 to the Program's budget for fiscal year
1994 which requests an appropriation of \$276,252., by
Legislative Council for the attorney contracts noted
above and would transfer the additional time of \$66,126.,
in budget savings from certain line items to professional
services for expenditure under such contracts.**

NOW, THEREFORE, BE IT RESOLVED that:

- 1. The Legislative Council ratifies and approves the
attorney contracts, in the form attached hereto, for (a)
the Gust Firm for the period from July 21, 1993
through January 4, 1994 in the amount of \$100,670.,
and (b) the Shimmel Firm for the period from January
5, 1994 through September 30, 1994 in the amount of
\$249,388.**

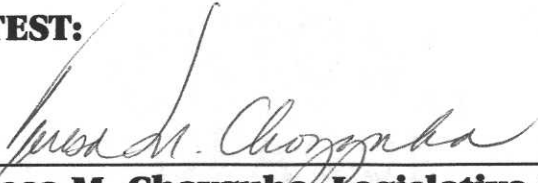
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ATTEST:



Teresa M. Choyguha, Legislative Secretary

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ACTION: APPROVING MODIFICATION NO. 1 TO BUDGET OF ADVOCATE PROGRAM FOR FISCAL YEAR 1994 AND RELATED ATTORNEY CONTRACTS

Moved: COUNCILMAN MICHAEL FLORES

SECOND: COUNCILMAN DENNIS RAMON

DATE: SEPTEMBER 12, 1994

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5		X		
	2. MARY ANN ANTONE (Nellie Miguel)	75.5		X		
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0		X		X
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0		X		
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ()	56.5		X		
	2. KENNETH J. ANTONE ()	56.5		X		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 ()	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			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			
	2. LLOYD FRANCISCO ()	68.0	X			
CHUKUT KUK 178.0	1. MARILYN FRANCISCO	89.0		X		
	2. KENNETH WILLIAMS ()	89.0		X		
TOTAL		1,763.0	621.0	1,142.0	-0-	04

****PASSED VOTES**