

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Attorney Contracts, copies of which are attached,
with the Firms of Gust Rosenfeld and Shimmel, Hill,
Bishop and Gruender, for services provided by
Pete Delgado and Judy Dworkin)**

RESOLUTION NO. 94-417

**WHEREAS, there were no attorneys and insufficient advocate staff in
the Nation's Advocate Program to meet the increasing
needs of tribal members for legal representation in civil
and criminal matters during the last quarter of FY-93
and FY-94; and**

**WHEREAS, pending Legislative Council consideration of the
Advocate Program's request for funding to hire
additional legal and support staff, Pete Delgado was
asked by the Executive to provide services in an effort to
maintain adequate representation of existing clients and
provide legal assistance to those members seeking
services from the Advocate Program during FY-93 and 94;
and**

**WHEREAS, during the period from July 21, 1993 through January 4,
1994, the law firm of Gust Rosenfeld (the "Gust Firm")
was paid \$43,869., (\$17,680., in fiscal year 1993 and
\$26,189., in fiscal year 1994) from the Advocate Program
budget to pay for legal services provided by Mr. Delgado
and Ms. Dworkin for Program clients; and**

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WHEREAS, the sum of \$56,801., is outstanding and unpaid for legal services provided to Program clients by Mr. Delgado and Ms. Dworkin through the Gust Firm during such period; and

WHEREAS, during the period from January 5, 1994 through June 30, 1994, the law firm of Shimmel, Hill, Bishop & Gruender (the "Shimmel Firm") was paid \$26,189., from the Advocate Program budget to provide legal services performed by Mr. Delgado and Ms. Dworkin for Program clients; and

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

WHEREAS, the Advocate Program wishes to pay for the services of Mr. Delgado and Ms. Dworkin through the Shimmel Firm, performed during the fourth quarter of the FY-94 and projects the cost of such services at \$90,000.; and

WHEREAS, the Advocate Program has presented attorney contracts for the Gust Firm in the amount of \$100,670., (including \$17,680., in services performed and paid in fiscal year

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1993 and \$26,189., in services performed and paid in fiscal year 1994) and Shimmel Firm in the amount of \$249,388., which confirm and ratify the terms and conditions related to past services, copies of which are attached; and

WHEREAS, the source of this funding is Resolution 94-415, (\$72,896., from the General Revenue Fund and \$193,356., from Gaming Revenue); and

WHEREAS, the Budget and Finance and Domestic Affairs Committees have approved these contracts as to form.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The Legislative Council ratifies and approves the attorney contracts, in the form attached hereto, for services rendered by Pete Delgado and Judy Dworkin through (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 October 14, 1994 in the amount of \$249,388.**

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2. For the purpose of funding obligations under the attorney contracts with the Gust and Shimmel Firms during fiscal year 1994, the Legislative Council hereby approves the line item transfer of existing funds presently available in the FY-94 Advocate Budget to the Advocate's professional services line item.
3. The Chairman of the Nation is authorized and directed to execute the attorney contracts.

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 30TH day of SEPTEMBER, 1994 at a meeting at which a quorum was present with a vote of 841.0 FOR; 405.0 AGAINST; 258.0 NOT VOTING; and 259.0 [07] ABSENT, pursuant to the powers vested in the Council by Section 1(d)(3) and 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

30th day of September, 1994

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ATTEST:

Guacinda Allen

Acting Legislative Secretary

30th day of September, 1994.

**Said Resolution was submitted for approval to the office of the
Chairman of the Tohono O'Odham Nation on the 30th day of
September, 1994 at 3:55 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

Alex J. Ramon, Legislative Chairman

APPROVED

on the 30 day of September, 1994

DISAPPROVED

at 4:25 o'clock, P.M.

Sylvester Listo

**SYLVESTER LISTO, Chairman
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 30th day of

September, 1994, at 4:35 o'clock, P.M.

Guacinda Allen

Acting Legislative Secretary

ACTION: APPROVING ATTORNEY CONTRACTS, COPIES OF WHICH ARE ATTACHED, WITH THE FIRMS OF GUST ROSENFELD AND SHIMMEL, HILL, BISHOP AND GRUENDER, FOR SERVICES PROVIDED BY PETE DELGADO AND JUDY DWORKIN

Moved: COUNCILMAN WILLARD ANITA

SECOND: COUNCILMAN ALBERT MANUEL, JR.

DATE: SEPTEMBER 30, 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			
	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		
	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			X
TOTAL		1,763.0	841.0	405.0	258.0	259.0 [07]

****PASSED VOTES**