

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Supporting the Continuation of a Separate Service Area for Legal  
Services Funding to the Tohono O'odham)**

**RESOLUTION NO. 98-494**

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4 **WHEREAS, since 1967 the federal government and the Legal Services Corporation have**  
5 **funded legal services to the people of the Tohono O'odham Nation**  
6 **separately from other legal services in the State of Arizona; and**

7 **WHEREAS, since 1967 Papago Legal Services has received this funding and provided**  
8 **services to Tohono O'odham, both on and off-reservation, from one**  
9 **centrally located office in Sells; and**

10 **WHEREAS, Papago Legal Services is governed by a board on which twelve of the**  
11 **fourteen members are members of the Tohono O'odham Nation, is staffed**  
12 **by a majority of Tohono O'odham community members, and provides**  
13 **services to individuals and families who most need help, while respecting**  
14 **the O'odham culture and staying out of political matters; and**

15 **WHEREAS, Southern Arizona Legal Aid has for over thirty years been receiving federal**  
16 **and legal services funding to serve the on-reservation Pima County Tohono**  
17 **O'odham, and until recently has made no attempt to spend the money**  
18 **received to provide such services; and**

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20 **WHEREAS, Southern Arizona Legal Aid is funded to serve nine tribes, but has only one**  
21 **tribal representative and one other Native American on its twenty-one-**  
22 **member board, and has recently incurred the dissatisfaction of several**  
23 **tribal communities it is funded to serve; and**

24 **WHEREAS, the Legal Services Corporation has announced its intention, beginning in**  
25 **the year 2000, to merge the service area of Papago Legal Services into the**  
26 **service area of Southern Arizona Legal Aid, but has failed to provide any**  
27 **reason for this policy, instead requesting the State Bar of Arizona to**  
28 **analyze the issue and make recommendations on the wisdom of the**

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**intended merger; and**

**WHEREAS, the State Bar of Arizona, after consultation with a wide sample of Arizona's providers of services to poor people, decided strongly that the service area of Papago Legal Services should not be merged with that of Southern Arizona Legal Aid; and**

**WHEREAS, forced merger of Papago Legal Services' service area into that of Southern Arizona Legal Aid would eliminate a program which has dedicated itself entirely to providing services to the Tohono O'odham with respect for the people, the Tohono O'odham culture, and the legal and jurisdictional setting in which cases must be litigated, and would substitute a program funded to serve many other groups, with far less incentive to tailor services to the Tohono O'odham, with serious underrepresentation of Native American people on its governing board, with a recent history of incurring Native American client community dissatisfaction, and with no experience providing services to Tohono O'odham or litigating in the Tohono O'odham Judicial Court; and**

**WHEREAS, the Tohono O'odham Nation recognizes the value of an independent, locally-controlled program to serve its people, and has previously supported not only funding for Papago Legal Services but also adequate funding for the Legal Services Corporation (see Resolution No. 27-81); and**

**WHEREAS, once the service area of Papago Legal Services is merged with that of Southern Arizona Legal Aid, the decision cannot be reversed after the negative impacts of the merger have been felt.**

**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Nation supports the continuation of a separate Legal Services Corporation service area for**

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3 residents of the Tohono O'odham Reservation and members of the Tohono  
4 O'odham Nation, and calls on all individuals, including members of  
5 Congress and of the Board of Directors of the Legal Services Corporation,  
6 concerned with the quality of the delivery of legal services to poor people  
7 and Native American people to examine the wisdom of continuing the  
8 policy of forced merger of small programs which are efficiently run and  
9 whose continuation is supported by the states and client communities they  
10 serve, and specifically to oppose the merger of the service area of Papago  
11 Legal Services into that of any other program.

12 **BE IT FINALLY RESOLVED** that the appropriate officers are hereby authorized  
13 and directed to bring this request to the appropriate members of Congress.

14 **The foregoing Resolution was passed by the Tohono O'odham Council on the 07TH, day of**  
15 **DECEMBER, 1998 at a meeting at which a quorum was present with a vote of 1,927.0 FOR;**  
16 **-0- AGAINST; -0- NOT VOTING; and [0] ABSENT, pursuant to the powers vested in the Council**  
17 **by Section 1 (j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by**  
18 **the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy**  
19 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16**  
20 **of the Act of June 18, 1934 (48 Stat. 984).**

21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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23 \_\_\_\_\_  
24 **Dennis Ramon, Legislative Chairman**

25 15<sup>th</sup> day of December, 19 98

26 **ATTEST:**

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28 \_\_\_\_\_  
29 **Julianna Saraficio, Acting Legislative Secretary**

30 7 day of December, 19 98.

31 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
32 **O'Odham Nation on the 15<sup>th</sup> day of December, 19 98 at 2:18**  
33 **o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution**  
34 **and will become effective upon his approval or upon his failure to either approve or**  
35 **disapprove it within 48 hours of submittal.**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**


  
**Dennis Ramon, Legislative Chairman**

**APPROVED**

on the 16<sup>th</sup> day of December, 1998

**DISAPPROVED**

at 1:35 o'clock, P.M.

  
**EDWARD D. MANUEL, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 16 day of

December, 1998, at 1:52 o'clock, P.M.

  
**Julianna Saraficio, Acting Legislative Secretary**

ACTION: SUPPORTING THE CONTINUATION OF A SEPARATE SERVICE AREA FOR LEGAL SERVICES FUNDING TO THE TOHONO O'ODHAM

MOVED: COUNCILMAN DAVID GARCIA

SECOND: COUNCILWOMAN FERN SALCIDO

DATE: DECEMBER 07, 1998

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>CHUKUT KUK</b> <b>189.0</b>	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			
<b>HICKIWAN</b> <b>146.0</b>	1. ALEX JOSE ( )	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
<b>GU VO</b> <b>142.0</b>	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
<b>SAN LUCY</b> <b>114.0</b>	1. JOHN RENO (Mary Hoffman)	57.0	X			
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
<b>PISINEMO</b> <b>139.0</b>	1. BARBARA SALVICIO ( )	69.5	X			
	2. JOHNSON JOSE ( )	69.5	X			
<b>GU ACHI</b> <b>190.0</b>	1. LOUIS JOHNSON ( )	95.0	X			
	2. ALEX J. RAMON ( )	95.0	X			
<b>BABOQUIVARI</b> <b>258.0</b>	1. FRANCES MIGUEL ( )	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
<b>SAN XAVIER</b> <b>146.0</b>	1. TONY BURRELL ( )	73.0	X			
	2. DENNIS RAMON ( )	73.0	X			
<b>SCHUK TOAK</b> <b>120.0</b>	1. JOSEPH JUAN ( )	60.0	X			
	2. AMBROSE ENCINAS ( )	60.0	X			
<b>SELLS</b> <b>322.0</b>	1. DENNIS E. JOSE ( )	161.0	X			
	2. EVELYN JUAN** ( )	161.0	X			
<b>SIF OIDAK</b> <b>161.0</b>	1. RITA MARTINEZ (Maxine Norris)	80.5	X			
	2. MARY ANN ANTONE** (Darlene Andrew)	80.5	X			
<b>TOTAL</b>		<b>1,927.0</b>	<b>1,927.0</b>	<b>-0-</b>	<b>-0-</b>	<b>[0]</b>

\*\*PASSED VOTES