

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Adopting Amendments to 6 T.O.C. Chapter 1, Subsection 1103(C), Qualifications)**

RESOLUTION NO. 12-395

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham Legislative**
2 **Council with the power to appoint Judicial Court judges, to protect and promote**
3 **individual rights, and to enact laws providing for the administration of justice and**
4 **other aspects of the Nation's justice system (Constitution, Article III, Article V, Section**
5 **1, Article VI, Section 1 and Article VIII); and**

6 **WHEREAS, in December 2008, the Legislative Council repealed the Nation's outdated and**
7 **conflicting court laws and enacted 6 Tohono O'odham Code Chapter 1, Courts and**
8 **Procedures, which addresses the jurisdiction of the Nation's courts, qualifications and**
9 **appointment of judges, the protection and promotion of individual rights, and other**
10 **matters pertaining to the Judicial Branch (Resolution No. 08-704, veto overridden by**
11 **Resolution No. 08-713; subsequently amended by Resolutions No. 11-489, No. 12-169,**
12 **and No. 12-267); and**

13 **WHEREAS, the Legislative Council continues to exercise its legislative power to clarify and amend**
14 **the Nation's laws; and**

15 **WHEREAS, in order to fully exercise its right to self-determination as a sovereign tribal**
16 **government, to protect and maintain individual rights, and to provide for the**
17 **administration of justice, it is in the Nation's best interest to appoint highly qualified**
18 **Judicial Court judges while also promoting the appointment of enrolled members of**
19 **the Nation; and**

20 **WHEREAS, the Judiciary Committee accordingly recommends that the Legislative Council amend**
21 **6 T.O.C. Chapter 1, subsection 1103(C) in accordance with the October 2012 Courts and**
22 **Procedures Amendments, which are incorporated by this reference.**

23 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby amends**
24 **6 T.O.C. Chapter 1, subsection 1103(C) in accordance with the October 2012 Courts and**
25 **Procedures Amendments; provided that the Amendments shall not apply to judicial**
26 **appointments made prior to the effective date of this resolution.**

27 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH Day**
28 **of OCTOBER, 2012 at a meeting at which a quorum was present with a vote of 1,933.35 FOR; 847.25**
29 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article**
30 **III; Article V, Section 1; Article VI, Section 1; and Article VIII of the Constitution of the Tohono**
31 **O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by**
32 **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to**
33 **Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

12 day of October, 2012

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

09 day of October, 2012.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12 day of October, 2012 at 9:54 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

Timothy Joaquin
Timothy Joaquin, Legislative Chairman

APPROVED

on the 16 day of October, 2012

DISAPPROVED

at 4:20 o'clock, P.M.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 16 day of

October, 2012, at 4:54 o'clock, P.M.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: ADOPTING AMENDMENTS TO 6 T.O.C. CHAPTER 1, SUBSECTION 1103(C), QUALIFICATIONS

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILMAN HILARION CAMPUS

DATE: OCTOBER 09, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL <i>(Absent)</i> (Roberta Harvey) <i>(Present)</i>	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN ()	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15		X		
	2. SANDRA ORTEGA ()	93.15		X		
PISINEMO 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35		X		
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			X
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90		X		
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85		X		
	2. EVELYN B. JUAN MANUEL ()	237.85		X		
SIF Oidak 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			X
TOTAL		2,780.60	1,933.35	847.25	-0-	[02]