

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appointing Donald Harvey to the Tohono O'odham Judicial Court)

RESOLUTION NO. 13-184

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to appoint judges to**
2 **the Tohono O'odham Judicial Court pursuant to the Constitution of the Tohono**
3 **O'odham Nation, ("Constitution") which states, "The Tohono O'odham Courts shall be**
4 **courts of record and shall consist of at least six (6) judges appointed by the Tohono**
5 **O'odham Council." (Constitution, Article VIII, Section 3); and**

6 **WHEREAS, the Constitution requires the judges' terms to be staggered so that two judges shall be**
7 **appointed every other year (Constitution, Article VIII, Section 4); and**

8 **WHEREAS, pursuant to 6 T.O.C. Chapter 1, Section 1103(B), "A judge shall continue in office, even**
9 **if the judge's term has expired, until a successor is appointed and sworn in."; and**

10 **WHEREAS, Judge Teresa Donahue's term expired on January 31, 2011, but no successor was**
11 **identified and she continued in office; and**

12 **WHEREAS, the Judiciary Committee, having legislative oversight of matters pertaining to the**
13 **Tohono O'odham Judicial Court, has reviewed each judicial candidate's application**
14 **packet and background information, and has interviewed each judicial candidate who**
15 **submitted a complete application; and**

16 **WHEREAS, Mr. Donald Harvey, an enrolled member of the Nation, formerly served as a judge of**
17 **the Papago Tribe and the Nation and has applied for appointment to the Judicial**
18 **Court; and**

19 **WHEREAS, it is not necessary for the Council to conduct preliminary voting and rank candidates**
20 **when there are fewer candidates than available seats on the bench; and**

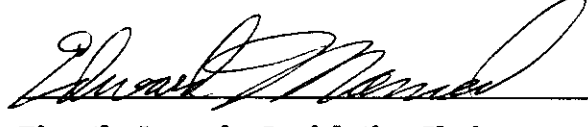
21 **WHEREAS, the Legislative Council has likewise interviewed and considered each judicial**
22 **candidate appearing before the Council and recommends appointing Mr. Harvey.**

23 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby**
24 **appoints Donald Harvey as a Tohono O'odham Judicial Court judge as Judge Teresa**
25 **Donahue's successor for a term beginning on the effective date of this resolution and**
26 **ending January 31, 2017.**

27 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22ND Day**
28 **of MAY, 2013 at a meeting at which a quorum was present with a vote of 2,386.05 FOR; 394.55**
29 **AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by Article**
30 **VIII, Section 3 of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham**
31 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
32 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**
33

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

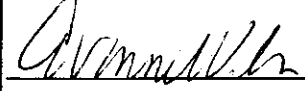
TOHONO O'ODHAM LEGISLATIVE COUNCIL

 For

Timothy Joaquin, Legislative Chairman

28 day of May, 2013

ATTEST:



Evonne Wilson, Legislative Secretary

28 day of May, 2013.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 28 day of May, 2013 at 2:12 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

 For


Timothy Joaquin, Legislative Chairman

APPROVED

on the 30 day of May, 2013

DISAPPROVED

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

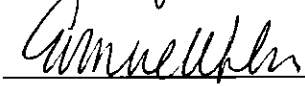


NED NORRIS, JR., CHAIRMAN

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 30 day of

May, 2013, at 2:01 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: APPOINTING DONALD HARVEY TO THE TOHONO O'ODHAM JUDICIAL COURT

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILMAN FREDERICK JOSE

DATE: MAY 22, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	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 ()	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 (<i>Absent</i>) (Tony Murrietta)(<i>Present</i>)	100.35		X		
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER (Diana Manuel)	102.30	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 (<i>Absent</i>) (Eugene Enis)(<i>Present</i>)	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 (<i>Absent</i>) (Kimberly Mull) (<i>Present</i>)	237.85	X			
	2. MARIA ACKERMAN ()	237.85	X			
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,386.05	394.55	-0-	-0-