

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Denying Accused Judge's Motion to Disqualify M. June Harris as Counsel of Record for
Complainant)**

LEGISLATIVE ORDER NO. 13-370

1 **WHEREAS, the Legislative Council is exclusively vested with the authority to suspend**
2 **Nation's judges from office for criminal conduct, gross neglect of duty, and other**
3 **grounds, subject to a reasonable cause determination by the Judiciary**
4 **Committee and a final determination by the Legislative Council (6 T.O.C.**
5 **Chapter 4, Suspension of Judges); and**

6 **WHEREAS, the Legislative Council Judiciary Committee is vested with authority to**
7 **determine whether "there is reasonable cause to believe that the accused judge**
8 **has committed an offense for which suspension is available as charged in the**
9 **suspension statement" (6 T.O.C. Chapter 4, Section 4104); and**

10 **WHEREAS, on August 5, 2013 Chief Judge Violet Lui-Frank ("Complainant") filed with the**
11 **Judiciary Committee chairperson an Amended Suspension Statement**
12 **requesting the suspension of Judge Larry K. Yazzie ("Accused Judge") in**
13 **accordance with the provisions of 6 Tohono O'odham Code Chapter 4, Section**
14 **4103; and**

15 **WHEREAS, after providing written notice of its reasonable cause hearing date, a copy of the**
16 **Amended Suspension Statement, and the Judicial Suspension Reasonable Cause**
17 **Hearing Procedures to both parties, the Judiciary Committee conducted a**
18 **suspension reasonable cause hearing on August 27-28, 2013 in accordance with**
19 **the provisions of 6 Tohono O'odham Code Chapter 4, Section 4104; and**

20 **WHEREAS, the Accused Judge was given the opportunity to file motions, be present at the**
21 **hearing, be represented by legal counsel, testify, call and questions witnesses,**
22 **make opening and closing statements, make objections, present evidence, and**
23 **otherwise answer the charges contained in the Amended Suspension Statement;**
24 **and**

25 **WHEREAS, following deliberations, the Legislative Judiciary Committee found reasonable**
26 **cause that the Accused Judge committed conduct contrary to justice, honesty,**
27 **modesty or good morals and misconduct reflecting on the dignity and integrity**
28 **of the Judicial Court as charged in the Amended Suspension Statement; and**

29 **WHEREAS, on September 4, 2013, the Legislative Council Secretary served the parties with**
30 **the Judiciary Committee's reasonable cause resolutions, written notice of the**
31 **Legislative Council's September 17, 2013 suspension hearing, the Amended**
32 **Suspension Statement, and the Council's Judicial Suspension Hearing**
33 **Procedures; and**

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LEGISLATIVE ORDER NO. 13-370

(Denying Accused Judge's Motion to Disqualify M. June Harris as Counsel of Record for Complainant)

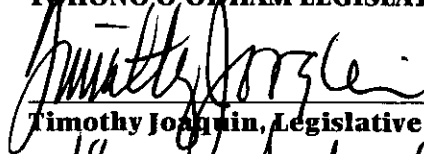
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1 **WHEREAS, on September 12, 2013, legal counsel for the Accused Judge filed a motion to**
2 **disqualify M. June Harris as counsel of record for the Complainant and legal**
3 **counsel for Complainant filed a response.**

4 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it denies**
5 **the Accused Judge's motion to disqualify M. June Harris as counsel of record for**
6 **the Complainant.**

7 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 12TH day of**
8 **SEPTEMBER, 2013 at a meeting at which a quorum was present with a vote of 2,946.5 FOR; -0-**
9 **AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by**
10 **Article VI, Section 1(a) and 1(f); Article VIII, Sections 3 and 4; and Article XIII, Section 1 of the**
11 **Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on**
12 **January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
13 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

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16 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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20 **Timothy Joaquin, Legislative Chairman**

21 18 day of September, 2013

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26 **ATTEST:**

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30 **Evonne Wilson, Legislative Secretary**

31 18 day of September, 2013

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ACTION: DENYING ACCUSED JUDGE'S MOTION TO DISQUALIFY M. JUNE HARRIS AS COUNSEL OF RECORD FOR COMPLAINANT

Moved: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILMAN QUINTIN LOPEZ

DATE: SEPTEMBER 12, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			
SELLS 502.0	1. ARTHUR WILSON (Kimberly Mull)	251.0	X			
	2. BARBARA HAVIER ()	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			X
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS ()	112.1	X			
	2. ADAM ANDREWS (Rachel Vilson-Stoner)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrletta)	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ (Michelle Ortega)	98.45	X			X
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			
HIA CED 19.6	1. LORRAINE EILER (Jolene Garcia)	9.8	X			X
	2. MICHAEL FLORES ()	9.8	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65	X			
	2. LORETTA LEWIS(Absent) (Louis Johnson) (Present)	128.65	X			X
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			X
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			X
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	2,946.5	-0-	-0-	[06]