

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 100-79

1 WHEREAS, the United States Congress has enacted Public Law 95-608
2 known as the Indian Child Welfare Act of 1978 which
3 recognizes the rights of Indian Tribes to protect the
4 interests of their children and the integrity, stability
5 and security of their families and tribes; and

6 WHEREAS, the Indian Child Welfare Act places significant
7 responsibilities on State Courts and Agencies when they
8 seek to exercise jurisdiction over Indian children in a
9 child custody proceeding who are or may be eligible for
10 membership in an Indian Tribe and requires these Courts
11 and Agencies to:

- 12 1. Notify the Indian Tribe of which the child
13 is, or may be, a member; and
- 14 2. Transfer the matter to the Tribal Court
15 where appropriate and when accepted by that
16 Tribal Court; or
- 17 3. Allow the Tribe to intervene in the State
18 proceeding if the matter is not transferred
19 to the Tribal Court; and

20 WHEREAS, the Papago Indian Tribe thereby has a responsibility to
21 decide:

- 22 1. When and under what circumstances it will
23 accept transfers of child custody matters
24 from States; or
- 25 2. When and under what circumstances it will
26 intervene in State proceedings where there
27 is no transfer; and
- 28 3. Quickly and accurately whether a child is,
29 or may be, a member of the Tribe; and


30 WHEREAS, there exists a need for the Papago Tribal Council to
31 designate clear responsibility and authority within a
32 specific agency of the Papago Tribal Government to be the
33 contact agency for State Courts and to establish
34 procedures to implement the Act; and

35 WHEREAS, on November 4, 1977, the Papago Tribal Council established
36 the Papago Children's Court (Res. No. 95-77), and on

1 February 13, 1979, enacted the Papago Children's Code;
2 and
3 WHEREAS, the Children's Court is the body responsible for
4 administering juvenile justice for the Tribe and is best
5 situated to discharge the Tribe's responsibilities under
6 the Act for the benefit of members and eligible members
7 of the Papago Indian Tribe, wherever they may be,
8 NOW, THEREFORE, BE IT RESOLVED that the Papago Tribal Council
9 hereby designates the Papago Children's Court as the
10 Agency within the Tribe to discharge the solemn
11 responsibilities placed upon the Tribe by the Act and
12 hereby delegates to that Tribal body all necessary
13 authority to meet the responsibilities arising under
14 Public Law 95-608, the Indian Child Welfare Act of 1978.
15 BE IT FURTHER RESOLVED that the Chairman, Vice Chairman and
16 Secretary of the Papago Tribal Council are hereby
17 authorized and directed to execute, at the request of the
18 Judge of the Papago Children's Court, any documents
19 necessary to effectuate the purposes of the Resolution.

20 The foregoing Resolution was duly enacted by the Papago Council on
21 the 17th day of December, 1979, at a meeting at which a quorum
22 was present with a vote of 965 for; 0 against; 0
23 not voting; and 1 absent, pursuant to the authority vested in
24 the Papago Council by Section 2 (h) and (i) of Article V of the
25 Constitution and By-laws of the Papago Tribe, ratified by the
26 Tribe on December 12, 1936, and approved by the Secretary of the
27 Interior on January 6, 1937 (48 Stat. 984) pursuant to Section 16
28 of the Act of June 18, 1934. Said Resolution is not subject to
29 review by the Secretary of Interior and is effective as of the
30 date of its enactment by the Papago Council.

31 THE PAPAGO COUNCIL

32 
MAX H. NORRIS, Chairman

ATTEST:

31 
32 MARY JANE NARCHO, Secretary

1st. Move - *Cipriano Manuel*
 2nd. Move - *Melissa Norris*

DATE: 12/17/79

RESOLUTION: Indian Child Welfare Act

RESOLUTION or ORDINANCE NO. 100-79

Districts	Representatives	No. of Votes	For	Against	Not Voting	Absent
BABOQUIVARI 142	1. Edward N. Kisto (Joann Garcia) 2. (Kenneth Chico Sr.)	71.0 71.0	+ +			
CHUKUT KUK 111	1. Rosemary Lopez (Laurence Jose) 2. Harriet Toro (Henry Jose)	55.5 55.5	+ +			
GU ACHI 101	1. Angelo Joaquin (Joseph Pete Ramon) 2. Cipriano Manuel (Jonas Robles)	50.5 50.5	+ +			
GU VO 51	1. Cross Antone (Juan Joe Cipriano) 2. William Lewis, Sr. (Pauline J. Lewis)	25.5 25.5	+ +			
HICKIWAN 78	1. Henry A. Ramon (James Angea) 2. Edward Manuel (Archie Pilone)	39.0 39.0	+ +			
PISINEMO 60	1. Lamando Francisco (Herman Lopez) 2. Jose Manuel Jr. ()	30.0 30.0	+ +			
SAN LUCY 29	1. Max Jose (Garfield Lenzo) 2. Ricardo M. Baptisto (Albert Gomez)	14.5 14.5	+ +			+
SAN XAVIER 83	1. John Narcho (Simon Mamake) 2. Arnold Smith (Carmen Mattias)	41.5 41.5	+ +			
SCHUK TOAK 76	1. Alex Juan (Francisco Jose Jr.) 2. Ramon Campillo, Jr. (Joann Francisco)	38.0 38.0	+ +			
SELLS 138	1. Andrew M. Patricio (Larry Garcia) 2. Fred Stevens (Jacob Escalante)	69.0 69.0	+ +			
SIF OIDAK 96	1. Elliot Lewis (Eugene Jose) 2. Melissa Norris (John N. Jose)	48.0 48.0	+ +			
TOTALS		965.0	965	0	0	1