

RESOLUTION OF THE PAPAGO TRIBAL COUNCIL
(Supporting an Adequately Funded and)
(Independent Legal Services Corporation)

RES. NO. 27-81

1 WHEREAS, Papago Legal Services, Inc. was first established in 1966 under
2 the Office of Economic Opportunity and is presently funded
3 exclusively by the Legal Services Corporation (42 USC 2996, et. seq.)
4 to provide free legal assistance to income eligible clients residing
5 on or near the Papago Reservation in southern Arizona; and
6 WHEREAS, throughout its history Papago Legal Services, Inc. has offered legal
7 assistance to indigent members of the Papago Community in the subject
8 areas of child custody, adoption, guardianship, conservatorship,
9 divorce and separation, Papago Tribal Court misdemeanors, spousal and
10 child abuse, probate, motor vehicle financial responsibility, Indian
11 education, school finance, water resources protection and management,
12 environmental protection, tribal justice administration, economic
13 development, and other matters; and
14 WHEREAS, the provision of such assistance is essential for ordering the legal
15 affairs of the Papago people, maintaining their health and well-being,
16 and giving expression to their basic civil rights as United States
17 citizens; and
18 WHEREAS, Papago Legal Services, Inc. is the only law office located on the
19 Papago Reservation (an area the size of Connecticut) and is, therefore,
20 the sole source of legal assistance for approximately 15,000 low-income
21 Papago Indians residing here; and
22 WHEREAS, Papago Legal Services, Inc. is presently under the direct control of
23 the Papago community because it is governed by an elected Board of
24 community members and because its four Papago speaking caseworkers
25 and four non-Indian attorneys are required by program policy to
26 maintain their homes in the communities they serve; and
27 WHEREAS, the concept of an independent Legal Services Corporation free from
28 political interference and control is threatened by recent legislative
29 proposals which would fund legal services through state block grants,
30 give state and local governments power to control the activities of
31 legal services offices, prohibit legal services caseworkers from
32 handling certain types of cases, and deny legal services caseworkers

1 the right to carry out legislative advocacy on behalf of their
2 clients; and

3 WHEREAS, such legislative proposals would create a second class system of
4 justice for the Papago Reservation and, further, would improperly
5 interfere with the right of self-determination expressed by the
6 Papago people through their freely elected representatives on the
7 Board of Directors of the Papago Legal Services, Inc.; and

8 WHEREAS, a recent proposal to divert substantial portions of the Legal
9 Services Corporation appropriation from field offices such as
10 Papago Legal Services, Inc. to private lawyers providing services
11 under judicare plans would deny legal services for the Papago
12 reservation because private lawyers are inaccessible to the Papago
13 Community; and

14 WHEREAS, recently proposed decreases in the Legal Services Corporation
15 appropriation would reduce drastically the level of services
16 Papago Legal Services, Inc. provides for the community; and

17 WHEREAS, by resolution of February 26, 1981, the Board of Directors of
18 Papago Legal Services, Inc. has requested the support of the
19 Papago Tribal Council regarding the above described matters.

20 NOW, THEREFORE, BE IT RESOLVED by the Papago Tribal Council that it supports
21 adequate funding for the Legal Services Corporation and that it
22 opposes, as inconsistent with the rights of the Papago people to
23 self-determination and equal justice under law, any changes in the
24 Legal Services Corporation Act (including but not limited to the
25 state block grant funding proposal) which would diminish the
26 independence of the Legal Services Corporation and its locally
27 controlled grantee programs or subject the Legal Services Corporation
28 and its locally controlled grantee programs to government interference
29 of any kind.

30 BE IT FURTHER RESOLVED that the Papago Tribal Council opposes any changes in
31 the Legal Services Corporation Act which would prohibit legal services
32 practitioners from handling certain types of cases, deny legal

1 services practitioners the right to carry out legislative advocacy
2 on behalf of their clients, or require judicare or other service
3 delivery models which are manifestly ill-suited to the Papago
4 reservation.

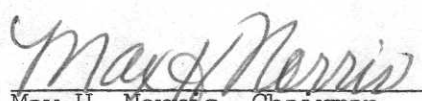
5 BE IT FURTHER RESOLVED that the Papago Tribal Council herewith calls upon the
6 President of the United States, the Honorable Dennis DeConcini, the
7 Honorable Barry Goldwater, the Honorable John J. Rhodes, the Honorable
8 Eldon Rudd, the Honorable Bob Stump, the Honorable Morris K. Udall,
9 and all other members of the United States Congress to fulfill the
10 principles of this resolution when considering the Legal Services
11 Corporation reauthorization and appropriation.

12 BE IT FURTHER RESOLVED that the Papago Tribal Council herewith calls upon
13 members of the Papago community, the Papago District governments,
14 Native American organizations, and friends in the non-Indian world
15 to take such steps as are within their means to preserve Papago
16 Legal Services, Inc. and the Legal Services Corporation as independent,
17 adequately funded organizations.


18 BE IT FURTHER RESOLVED that the officers of the Papago Tribal Council and the
19 attorneys or other agents of the Papago Tribe are authorized and
20 directed to accomplish the purposes of this resolution.

21 The foregoing Resolution was duly enacted by the Papago Council on the 5th
22 day of March, 1981, at a meeting at which a quorum was present with a vote of
23 965. for; 0 against; 0 not voting; and 0 absent, pursuant to
24 the authority vested in the Papago Council by Section 2 (a), (d), (e) and (f)
25 of Article V of the Constitution and By-laws of the Papago Tribe of Arizona
26 as amended, ratified by the Papago Tribe on December 12, 1936, and approved
27 by the Secretary of the Interior on January 6, 1937, pursuant to Section 16
28 of the Act of June 18, 1934 (48 Stat. 984). Said Resolution is not subject
29 to review by the Secretary of the Interior and is effective as of the date
30 of its enactment by the Papago Council.

THE PAPAGO COUNCIL


Max H. Norris, Chairman

ATTEST:


Rose Johnson, Secretary

32

1st Move Harriet Toro

2nd Move Angelo J. Joaquin, Sr.

DATE: 3/5/81

RESOLUTION Supporting an Adequately
Funded and Independent
Legal Services Corporation

Resolution
or
Ordinance # 27-81

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