

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Adopting the Recommendation of the Special Counsel
on Counsel for Establishment of the Office of
Attorney General, and Implementing Such Recommendations,
and for Other Purposes)**

RES. NO. 326-89

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3 **WHEREAS**, by contract entered into on March 1, 1989, the Nation
4 contracted with Richard W. Hughes, of the law firm of
5 Rothstein, Bennett, Daly, Donatelli & Hughes, of Santa
6 Fe, New Mexico, as Special Counsel on Counsel, to
7 evaluate the adequacy of the Nation's present contract
8 for legal representation, and to propose recommendations
9 for improved methods for providing the Nation with
10 needed legal advice and representation; and

11 **WHEREAS**, by report dated August 14, 1989, the Special Counsel on
12 Counsel has submitted to the Legislative Council his
13 Report of Findings and Recommendations, wherein he
14 proposes the creation of an Office of the Attorney
15 General of the Tohono O'Odham Nation, all of which
16 matters are set out in detail in the report; and

17 **WHEREAS**, the Legislative Council has reviewed the report
18 carefully, and considered its recommendations and the
19 implications thereof in great detail; and

20 **WHEREAS**, the Legislative Council finds the adoption of the
21 recommendations of the Special Counsel on Counsel would
22 greatly improve the legal representation available to
23 the Nation and its various offices and departments, and
24 that such recommendations should be adopted and
25 implemented as proposed by the Special Counsel on
26 Counsel.

27 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'Odham Legislative
28 Council, as follows:

- 29 1. The Legislative Council hereby accepts the Report
30 of the Special Counsel on Counsel, and adopts the
31 recommendations therein in full, as is more fully
32 set forth herein.
2. The Legislative Council hereby adopts the attached
statute creating the Office of the Attorney
General of the Tohono O'Odham Nation, which office

(Adopting the Recommendation of the Special Counsel
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Attorney General, and Implementing such Recommendations,
and for Other Purposes)

Page Two (2)

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3 shall include the Office of the Prosecutor as
4 specified therein, and directs that this statute
5 shall be a permanent part of the positive law of
6 the Nation.

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8 3. The operating budget for the Office of the
9 Attorney General, attached as Exhibit A to this
10 resolution, is hereby approved and adopted, for FY
11 '90.

12
13 4. There is hereby established, in the Office of the
14 Chairman, the position of Staff Attorney to the
15 Chairman of the Nation. Base salary for said
16 position will be established by the Executive
17 Branch.

18
19 5. The sum of \$60,000.00 is hereby appropriated to
20 furnish and equip the offices of the Office of the
21 Attorney General, in accordance with Table C in
22 the Report of the Special Counsel on Counsel, and
23 to pay for the expenses of recruitment, hiring and
24 orientation of the Attorney General and his staff
25 and the Staff Attorney to the Chairman.

26
27 6. The old TWEPE Office is hereby withdrawn and set
28 aside to house the new Office of the Attorney
29 General of the Tohono O'odham Nation. The sum of
30 \$60,000.00 is hereby appropriated to renovate the
31 old TWEPE Building for this purpose.

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33 7. All tribal offices having contractual relations
34 with any other attorney or law firm shall, no
35 later than one month after the Attorney General
36 has taken office, transmit to the Attorney
37 General the attorney contract between that office
38 and such attorney or law firm, for review as
39 provided by the act creating the Office of the
40 Attorney General.

41
42 8. Within three months after he takes office, the
43 Attorney General appointed hereunder shall report
44 to the Legislative Council on whether Special
45 Counsel contracts ought to be entered into with
46 the firm of Strickland & Altaffer or any other
47 attorneys or law firms, and as to each setting
48 forth the proposed scope of such contract, the
49 cost of the services to be provided thereunder,
50 and a justification for such recommendation.


51
52 The foregoing Resolution was passed by the Tohono O'odham Council
53 on the 22nd. day of September, 1989 at a meeting at which a
54 quorum was present with a vote of 907.0 for; 526.0 against;
55 291.0 not voting; and 03 absent, pursuant to the powers vested
56 in the Council by Section 2(a) of Article VI of the Constitution
57 of the Tohono O'odham Nation, adopted by the Tohono O'odham
58 Nation on January 18, 1986, and approved by the Acting Deputy
59 Assistant Secretary -Indian Affairs (Operations) on March 6,
60 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
61 Stat. 984).

(Adopting the Recommendation of the Special Counsel on Counsel for Establishment of the Office of Attorney General, and Implementing such Recommendations, and for Other Purposes)

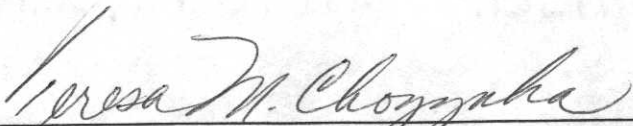
Page Three (3)

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

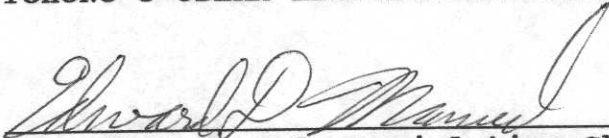

Edward D. Manuel, Legislative Chairman
28th day of September, 1989.

ATTEST:

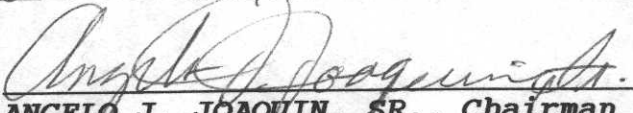

Teresa M. Choyguha, Legislative Secretary
28th day of September, 1989.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 28th day of September, 1989, at 6:36 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.

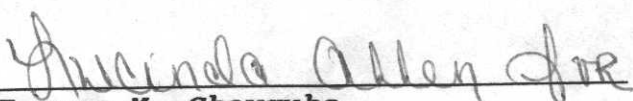
TOHONO O'ODHAM LEGISLATIVE COUNCIL


Edward D. Manuel, Legislative Chairman

[X] APPROVED) on the 1 day of Oct., 1989,
[] DISAPPROVED) at 10:35 o'clock, P.M.


ANGELO J. JOAQUIN, SR., Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 3rd. day of October, 1989, at 3:21 o'clock, P.M.


Teresa M. Choyguha
Legislative Secretary

MOVED: Virgil Lewis

SUBJECT: Adopting recomm. of Special

SECOND: John Reno

Counsel on Counsel for establish. of Office

DATE: September 22, 1989

of Attorney General

RESOLUTION NO. 326-89

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5		X		
	2. Kenneth G. Williams (Harriet Toro)	81.5		X		
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5			X	
	2. Henry Ramon ()	62.5			X	X
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0	X			
	2. Virgil Lewis (Michael Flores)	57.0	X			
SAN LUCY 106.0	1. John Reno ()	53.0	X			
	2. Albert Manuel, Jr. (Max P. Jose)	53.0		X		
PISINEMO 119.0	1. Edward Manuel (Alex Antone)	59.5	X			
	2. Johnson Jose ()	59.5	X			
GU ACHI 166.0	1. Alex J. Ramon (Fernando Joaquin)	83.0			X	
	2. Percy Lopez ()	83.0			X	
BABOQUIVARI 229.0	1. Joann Garcia (Frances Miguel)	114.5	X			
	2. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis, Sr. (Michael Rios)	63.5	X			
SCHUK TOAK 107.0	1. Joseph Juan (Frances Francisco)	53.5	X			
	2. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0		X		
	2. Andrew Patricio (Daniel Lopez)	155.0		X		X
SIF OIDAK 158.0	1. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			X
	2. Mary Ann Antone (Nina Jose)	79.0	X			
TOTAL		1,724.0	907.0	526.0	291.0	03