

TOHONO O'ODHAM CODE

TITLE 6 - COURTS

CHAPTER 1 - COURTS AND PROCEDURES

Section 1103 Judges.

(C) Qualifications

(1) Preference. Preference shall be given to candidates for Judicial Court judge who are qualified, enrolled members of federally recognized Indian tribes, with first preference given to qualified, enrolled members of the Tohono O'odham Nation. Additional preference shall be given to O'odham-speaking candidates and candidates who understand O'odham Ñi'okĩ.

(2) Disqualifications. A person shall not be eligible for appointment as a judge of the Judicial Court if he or she

(a) has been convicted of a felony;

(b) has been convicted of a misdemeanor (other than a non-moving traffic violation or a traffic violation on the Nation that would be a civil offense in the State of Arizona) within the past ten years; or

(c) has been admonished, censured, reprimanded, or disciplined (collectively, "disciplined") in any jurisdiction, and by a formal procedure providing due process, for a violation of applicable ethical rules or canons applicable to judges, lawyers, or non-attorney legal advocates within the last ten years.

(3) In addition to meeting the requirements of subsection (C)(2), a candidate for Judicial Court judge shall have at least four years of trial and other in-court litigation experience as an attorney, advocate, or judge, and:

(a) a candidate ~~for Judicial Court judge~~ who possesses a juris doctorate shall be licensed to practice in any state, be a member in good standing with a state bar association, and have at least ~~three-four~~ years of experience as a practicing attorney, provided that at least two Judicial Court judges shall satisfy the requirements of this subsection (C)(3)(a) and have at least four years of experience prosecuting, defending, or presiding over criminal cases; and

~~(b)~~ — a candidate ~~for Judicial Court judge~~ who does not possess a juris doctorate but possesses a bachelor's degree shall be an enrolled Nation's member, with preference for O'odham speakers and candidates who understand O'odham Ñi'okĩ, and have at least six years of work experience and training in a judicial or law-related field which provides the desired knowledge, skills and abilities. ~~;~~ ~~and~~

~~(e)(b) a candidate for Judicial Court judge who is an enrolled member of the Nation and does not possess a bachelor's degree shall possess an associate's degree, and have served as a judge for at least six years or have at least ten years of work experience and training in a judicial or law-related field, provided that not more than two Judicial Court judges shall be appointed pursuant to this subsection (C)(3)(c) and serve on the bench at the same time.~~