

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.

(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 for a violation of applicable ethical rules or canons applicable to judges, lawyers, or non-attorney legal advocates within the last ten years; provided that the Judiciary Committee is not required to forward an applicant who has been disciplined to the Legislative Council for appointment.

(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 or advocate, 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 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 substantial criminal law experience consisting of prosecuting or defending both misdemeanor- and felony-level cases for a period of at least five years, to include motion practice and conducting at least 12 jury trials or 50 bench trials as lead counsel;

(b) a candidate ~~for Judicial Court judge~~ who does not possess a juris doctorate but possesses a bachelor's degree shall 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

| (c) 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.