

JUDICIAL BRANCH OF THE NAVAJO NATION

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CHIEF JUSTICE OF THE NAVAJO NATION ADMINISTRATIVE ORDER 42-2023

IN THE MATTER OF COURT OPERATIONS IN THE COURTS OF THE NAVAJO NATION BY RESCINDING THE CONTINUITY OF OPERATIONS PLAN, THE ROADMAP TO FULL CAPACITY PLAN, TELEWORKING AGREEMENTS AND THE MASK MANDATE FOR JUDICIAL BRANCH FACILITIES

WHEREAS, the Chief Justice of the Navajo Nation is authorized to issue administrative orders pursuant to 7 N.N.C. § 371;

WHEREAS, the Navajo Nation Judicial Branch performs all justice services to the public guaranteed by the laws of the Navajo Nation;

WHEREAS, on March 11, 2020, the Navajo Nation Commission on Emergency Management declared a public health emergency to minimize the spread and adverse impacts of the novel coronavirus (COVID-19) on the Navajo Nation and the Navajo Nation Department of Health issued an emergency public health order on March 18, 2020, to prohibit mass gatherings (social or group gatherings were limited to 10 people) and implemented other protective health precautions to address COVID-19;

WHEREAS, on March 24, 2020, the Chief Justice of the Navajo Nation directed the Navajo Nation Judicial Branch to immediately implement a number of protective measures to promote a safe environment for everyone who must visit or work in a Navajo Nation Judicial Branch facility during the COVID-19 public health emergency, including prioritization of essential cases and strict limitations of access to Judicial Branch facilities;

WHEREAS, on January 20, 2023, the Navajo Nation Department of Health with the Office of Environmental Health and Protection Program lifted the Indoor Mask Mandate through Public Health Emergency Order No. 2023-001, and on May 5, 2023, removed exceptions for the indoor mask mandate on the Navajo Nation through Public Health Emergency Order No. 2023-02;

WHEREAS, on April 10, 2023, President Joe Biden signed H.J. Res. 7, terminating the national emergency related to the COVID-19 pandemic;

WHEREAS, on May 5, 2023 the World Health Organization determined that COVID-19 no longer constitutes a public health emergency of international concern;

WHEREAS, on May 11, 2023 the United States Department of Health and Human Services allowed the federal Public Health Emergency to expire in order to transition out of emergency phase of public health responses;

WHEREAS, the Judicial Branch incorporated the four-step Diné problem solving methodology at the onset of the pandemic wherein Branch leadership used *Nítsáhákees* to think through and formulate emergency operating plans. The Branch moved into the *Nahat'á*, stage with the adoption and implementation of the Continuity of Operations Plan (COOP) on March 27, 2020, and the Roadmap to Full Capacity Plan: Covid-19 Guidelines for the Navajo Nation Judicial Branch (Roadmap) on July 22, 2020. Since 2020, we have moved into *I'iná* and through our experiences to move forward with returning to full capacity we have learned how to reach our next step of *Sihasin* where we achieve enhanced functions to reach full capacity;

WHEREAS, the Judicial Branch provides for protective health and safety measures in its facilities while also ensuring our facilities remain open to provide services and maintain rule of law for the Navajo Nation;

WHEREAS, the courts and programs have effectively used the COOP and Roadmap to move toward full capacity operations;

WHEREAS, masks will continue to be available as an option for employees as well as visitors in Judicial Branch facilities;

NOW, THEREFORE, IT IS ORDERED this Administrative Order shall be effective on May 31, 2023, at 5:00pm;

IT IS FURTHER ORDERED the COOP and the Roadmap are rescinded through this Administrative Order;

IT IS FURTHER ORDERED masks are not required but that employees or visitors may continue to wear a mask within Judicial Branch facilities;

IT IS FURTHER ORDERED teleworking will not be authorized as no emergency exists;

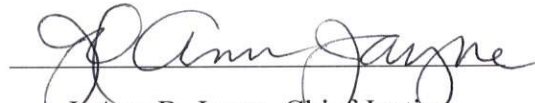
IT IS FURTHER ORDERED that a copy of this Administrative Order shall be immediately distributed to all Judicial Branch employees by their supervisors;

IT IS FURTHER ORDERED Administrative Order 13-2022 is withdrawn and replaced by this Administrative Order;

IT IS FURTHER ORDERED that this order shall remain in effect until amended, withdrawn or rescinded by future order.

IT IS SO ORDERED.

Dated this 15th day of May, 2023.


JoAnn B. Jayne, Chief Justice