



Contact: Karen Francis, *Government Relations Officer*
Office of the Chief Justice
JUDICIAL BRANCH OF THE NAVAJO NATION
Office: 928-871-7669
E-mail: karenfrancis@navajo-nsn.gov
<http://www.navajocourts.org>

FOR IMMEDIATE RELEASE

DATE: Wednesday, June 21, 2017

RULES AND PLAN OF OPERATION APPROVED FOR JUDICIAL CONDUCT COMMISSION

The Law and Order Committee of the Navajo Nation Council approved the plan of operations and the rules and procedures of the Judicial Conduct Commission on Monday, June 19, 2017, with a unanimous vote of 4 in favor and 0 opposed. Edmund Yazzie, chairman of the Law and Order Committee, sponsored the legislation.

The plan of operations for the Commission is a requirement in Title 7 of the Navajo Nation Code. It will guide the operation of the Commission, which was only reconstituted with full membership last year.

Since the members were appointed, they diligently worked to establish the organizational documents. The Commission met six times and received input from judges, former judges and justices, traditional practitioners and others during the drafting process.

Dr. Manley Begay, vice chairman of the Commission, and Karen Francis, government relations officer for the Judicial Branch, presented the legislation on behalf of the Commission.

“We have been mindful of the Navajo thought process,” Dr. Begay told the Committee.

The Commission included a preamble in the Navajo language as part of the rules and procedures with the help of the Peacemaking Program. In its rules and procedures, the Commission also decided to operate by *baayat’i* and the goal of reaching a consensus in making recommendations.

Commission member Troy Eid, former U.S. Attorney for the District of Colorado and a member of the Navajo Nation Bar Association said, “The Commission is ready to serve the needs of Diné families and all people who rely on the Navajo Nation courts. Our guiding light is to ensure that justice is done according to the Navajo Life Way.”

Per 7 N.N.C. § 422, the Judicial Conduct Commission is charged with providing a fair, impartial and expeditious forum to hear complaints and grievances against Navajo Nation judges, investigating complaints or grievances against judges, and making findings and recommending sanctions.

In its plan of operations, the Commission recognizes that the leaders of the Judicial Branch shall uphold the values and principles of *Diné bi beenahaz’áanii* in the practice of peace making, obedience, discipline, punishment, interpreting laws and rendering decisions and judgments. Also in its plan of operations, the Commission identified as one of its purposes to educate the public on the Navajo Nation judiciary.

The rules outline how the Commission will carry out its responsibilities. First, complaints shall be filed with the Office of the Chief Justice. Complaints against the Chief Justice shall be filed with the Law and Order Committee. Complaints must be made in writing and signed. The Chief Justice or the Law and Order Committee may then make a referral to the Commission. Once the Commission receives a referral, it will hold an initial conference within 15 business days to review the referral and develop a plan to address it. The Commission also has the authority to conduct an investigation if necessary. If the Commission determines disciplinary or corrective measures are necessary, the Commission will make recommendations for disciplinary or corrective action. The Commission will send a final report that includes recommendations and findings to the referring party and schedule a follow up meeting with the referring party.

The plan of operations and the rules and procedures are available on the www.navajocourts.org website.

The five members of the Commission include Chairman Robert Yazzie, Vice Chairman Begay, Judy R. Apachee, Eid and William Thorne.

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