



## NAVAJO NATION JUDICIAL BRANCH Fiscal Year 2024, Third Quarter Report

**Chief Justice JoAnn B. Jayne**

Presented to the  
25<sup>th</sup> Navajo Nation Council

July 15, 2024

Madam Speaker, Mister President, Madam Vice President, Council Delegates of the 25<sup>th</sup> Navajo Nation Council, relatives and guests. *Yá'át'ééh*. As the summer sun graces our spirit and lands, I extend my warm greetings to each of you with the vitality and energy of the season. May the sun's light and warmth guide our discussions and decisions while fostering progress and unity.

Today, I am filled with a sense of pride and optimism. The Navajo Judicial Branch has made significant strides in the third quarter of Fiscal Year 2024. Judicial Branch employees every day find innovative ways to provide access to our justice systems with limited resources, and I am honored to share these highlights with you today.

**By expanding access to justice**, the Judicial Branch is finding ways to maintain and improve public trust and confidence. For example, Kayenta

Judicial District worked tirelessly this past quarter to provide a mobile court at Navajo Mountain and Inscription House this coming quarter. Both Window Rock Judicial District judges and the staff have been developing new legal notices for publication requirements to lessen the financial burden on the public. Crownpoint Judicial District has worked to provide legal educational resources to pro se litigants. These are a few of the creative ways Judicial Branch employees improve access to our courts. I want to personally thank our staff who know their work is not just a job, but true public service.

Before I expand on this vital work, let me talk to you about what our Judicial Branch looks like. We operate 26 trial level courts (13 district courts and 13 family courts) as well as a Special Division within the Window Rock Judicial District. Currently, for those 26 courts we have 10 judges. We are also fortunate to have three judicial hearing officers who assist in shelter care and domestic violence hearings.

In addition, to the only appellate court, the Supreme Court, the Judicial Branch also operates 12 Probation and Parole Services sites and 12 Peacemaking districts. This is all accomplished because of the dedicated work of 186 employees who are the court clerks, bailiffs, and document technicians. This also includes the financial, human resources and IT staff who keep our Branch running every day.

In looking at our resources, our budget (including federal and Navajo Nation funds) is just a small percentage of the Navajo Nation's budget. This is not a

complaint; however, we would like to recognize the resiliency of the Judicial Branch staff who continue to achieve the Branch's mission. We are aware of the ones we serve who are affected by these limited resources. Regardless, the Branch is looking forward to these next few months in working cooperatively with both the Legislative and Executive Branch to improve the Branch's resources to serve the public.

Maintaining and always working to improve the public's trust and confidence in our justice systems has been at the forefront this quarter. We have heard your concerns and always welcome these discussions with our colleagues in the Legislative and Executive Branches.

As you can see from the written report, our success is demonstrated by the District and Family courts that have been very active this quarter. A total of **3,242** cases were filed throughout all Navajo courts, averaging **56** cases filed per business day. Within that time period, the courts closed **4,494** cases, averaging **80** cases closed per business day. This impressive performance has resulted in an overall clearance rate of **139%**. This significantly surpasses our goal of a 100% clearance rate. This achievement highlights the dedication and hard work of our judges, court staff, and everyone involved in our judicial system.

In the court systems, a Clearance Rate is identified as the number of outgoing cases as a percentage of the number of incoming cases. This rate identifies

how effective a court is at handling incoming caseloads and clearing backlogged cases.

To that end, the Judicial Branch will begin to calculate clearance rates for each district and family court on a monthly basis. By monitoring and striving to achieve this goal in each district, we ensure that our judicial system remains efficient and responsive to the needs of our people.

As you are all aware, Navajo courts have two systems of justice for our communities to access. Peacemaking, our traditional system of justice continues to provide direct services for individuals and families seeking to settle disputes. Peacemaking is also bringing innovation to our systems of justice by reaching out to school districts and other state partners who are learning about how Peacemaking can be incorporated into systems that have often ignored our traditional systems.

The Judicial Branch's Probation and Parole Services has been exceptionally busy with redeveloping how these systems are viewed nationwide. Recently, our Probation and Parole Services program was invited to speak on how client-offender services not only can but must incorporate traditional concepts in order to be effective for Navajo client, as well as the communities these client-offenders are from, living within and returning to. This important work demonstrates the Navajo Nation's commitment to all of its people. Particularly in understanding how we relate to historical reasons for behaviors

while maintaining k'e – maintaining one's own responsibility to oneself, family and community.

In addition to providing direct services to more than **575** individuals this quarter, Peacemaking and Probation and Parole Services have also been diligently working to improve their operations. They have been actively redeveloping plans of operations, standard operating procedures, and agreements that will enhance the services provided to all our communities. This ongoing effort reflects our commitment to delivering justice and support to the Navajo people.

I am pleased to report that the expenditure plan for the *Hashkééjí Nahat'á Béeso Bá Hooghan* is completed and was submitted for legislative action this past quarter. This plan, which Chairwoman Eugenia Charles-Newton and Chairwoman Shaadiin Parrish have agreed to co-sponsor, will provide essential funding for the continued operation and improvement of our judicial services. Included in this plan is funding for multiple projects such as the first ever Navajo Peacemaking facility which is reflective of Peacemaking as the original justice system of the Navajo people. This new facility will greatly enhance our ability to provide vital peacemaking services to our community. The plan also funds such projects as the Aneth Judicial Complex in Aneth, Utah, as well as other priority projects that have been in development for many years without funding. I want to take a moment to thank our staff who have worked for years to bring these projects forward through consensus building and prioritization.

Furthermore, two major projects are under way this upcoming quarter. The Window Rock Judicial District is planning to open its new facility in Fort Defiance. This facility will house the Window Rock Probation and Parole Services program and the Window Rock Judicial District, which has been without a facility for more than eight years. This new facility will provide a more efficient and comfortable environment for both the public and our staff. It will also improve our ability to deliver justice effectively to our Navajo people.

I am also pleased to announce that the Kayenta Judicial District will begin construction on their new Judicial Complex. The groundbreaking ceremony will occur in the next quarter. This marks a significant milestone in our efforts to improve judicial infrastructure and services across our nation. The new complex will provide a state-of-the-art facility that meets the needs of our growing caseload and ensures a dignified space for the administration of justice. The Judicial Branch is grateful for the work of all the staff in both of these projects and also the efforts of Legislative committees and Council in funding these vital projects.

The Shiprock Judicial District continues to be a priority on the Judicial and Public Safety Facilities Fund List. The need for a permanent judicial facility for Shiprock remains a priority, and we are committed to addressing this need as soon as possible. A permanent facility will not only enhance the delivery of

justice but also provide a stable and reliable environment for court operations in conjunction with other justice partners.

Furthermore, Administrative Director Bennie Francisco, whose expertise in tribal courts has been evident during his short tenure, has successfully completed his probationary period and is now the permanent Administrative Director of the Courts. Under his visionary leadership, he is committed to bringing integrity and making substantial changes to improve the operations of all Navajo courts. For example, under his leadership the financial unit of the Administrative Office of the Courts (AOC) has already undergone a significant reorganization and reclassification, setting a precedent for the rest of the AOC.

Other units within the AOC will also soon be reorganized to better serve the needs of the public and the Judicial Branch as a whole. This comprehensive reorganization is a pivotal step towards enhancing our operational efficiency, ensuring that we meet the demands of our judicial system, and upholding the highest standards of justice for our community.

These developments reflect our commitment to justice, efficiency, and community support. We are moving in a new direction, embracing new ideas and perspectives to overcome longstanding challenges. While we innovate and adapt, we will continue to strive for excellence in all aspects of our judicial system, ensuring that we serve the Navajo Nation with integrity and dedication.

It is essential for everyone, to believe in the judicial system and have confidence in the courts and the diligent work of court personnel. Each member of our court staff takes ownership of their daily work, striving to better provide services to the Navajo people. Talented and accomplished staff who have for decades committed to public service through the Judicial Branch. This collective dedication is the backbone of our justice system. We must all work together to uphold the principles of justice, fairness, and equality that are the foundation of our Diné fundamental laws.

I want to also emphasize the importance of judicial independence within our government. A fair and impartial judiciary is crucial to maintaining not only the balance of power but also respecting each Branch's roles and responsibilities. Judicial independence allows us to make decisions based on justice and fairness, free from external pressures and influences. This principle is essential for the protection not only for our personal rights and freedoms but also for our personal responsibilities and sovereignty – our collective rights and freedoms. It is also essential in maintaining public trust in our judicial system.

Finally, I respectfully request your favorable consideration of the Judicial Branch's upcoming Fiscal Year 2025 budget. Adequate funding is vital to continue our progress, improve our facilities, and ensure that we can effectively serve the Navajo Nation. Your support will enable us to maintain the high standards of justice and service that our people deserve.



In conclusion, I am confident that with our collective efforts, we can continue to make significant progress in our judicial system. Let us move forward with determination, embracing the opportunities and challenges that lie ahead. Together, we will build a stronger, more efficient, and more just judicial system for the Navajo Nation.

Council Delegates of the 25<sup>th</sup> Navajo Nation Council and relatives, *Ahe'hee'*.  
Let us always strive to remain safe, respectful, and caring for one another while ensuring our Navajo community thrives in harmony.