

Diné Justice

The Official Newsletter of the Judicial Branch of the Navajo Nation

MAY 2013
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Judicial Districts celebrate Justice Day



April 12, 2013—Dilkon District Court Judge Roy Tso, Jr., Miss Navajo Nation Leandra Thomas, Navajo Nation Council Delegate Elmer Begay and Dilkon Judicial District Court Administrator Darlene LaFrance at the Justice Day in Dilkon.

The judicial districts of the Navajo Nation have been celebrating Justice Day throughout April and May with various activities.

Justice Day recognizes the creation of the Navajo court system on April 1, 1959.

The newest judicial district—Dził Yijiin in Pinon—held its first Justice Day on May 3 with speakers and a luncheon.

Judge Geraldine Benally spoke about the history of the judicial district. She was a judge at Chinle Judicial District when a young girl came before her. Judge Benally asked where her mother was since she was a minor and the girl told her she

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New facilities open at Crownpoint and Tuba City

Two new facilities—one in Tuba City and one in Crownpoint—have opened that house law enforcement, corrections and the courts.

The grand opening of the Western Navajo Diné Justice Center in Tuba City took place on Feb. 15, 2013. Tours of the new court building were provided to the public that day.

The "Certificate of Substantial Completion" for the Tuba City justice center was signed on Jan. 9, 2013, and a blessing ceremony was held on March 8, 2013. Thereafter, court staff began moving into the building.

The grand opening for the Eastern Navajo Diné Justice Center in Crownpoint took place March 8, 2013 with a ribbon cutting ceremony. Court services to the public officially began on April 1, 2013.

The judicial programs offered at the new facilities include the courts, Peacemaking Program and Office of Probation and Parole Services. Each of the new build-

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The judicial district facility at Western Navajo Diné Justice Center in Tuba City.

About us

Navajo Nation Judicial Districts Directory

Alamo/To'hajiilee Judicial District

Alamo Court • P. O. Box 163 • Magdalena, NM 87825
 T: (575) 854-2668/2669 F: (575) 854-2660
 To'hajiilee Court • P. O. Box 3101-A • Canoncito, NM 87026
 T: (505) 908-2817/2818 F: (505) 908-2819
 Hon. William J.J. Platero, District Court Judge
 Regina Begay-Roanhorse, Court Administrator
 Alisha R. Thompson, Staff Attorney
 Albert H. Begaye, Traditional Program Specialist

Aneth Judicial District • P.O. Box 320 • Montezuma Creek, UT 84534

T: (435) 651-3545 F: (435) 651-3546
 Hon. Irene S. Black, District Court Judge
 Susie L. Martin, Court Administrator
 Glen Renner, Staff Attorney
 Stanley Nez, Traditional Program Specialist

Chinle Judicial District • P.O. Box 547 • Chinle, AZ 86503

T: (928) 674-2070 F: (928) 674-2089
 Hon. Cynthia Thompson, District Court Judge
 Hon. Rudy I. Bedonie, District Court Judge
 Vanessa Mescal, Court Administrator
 Malcolm Begay, Staff Attorney
 Russell Thomas, Traditional Program Specialist

Crownpoint Judicial District • P.O. Box 6 • Crownpoint, NM 87313

T: (505) 786-2072 F: (505) 786-2086
 Hon. Irene M. Toledo, District Court Judge
 VACANT, District Court Judge
 Rena Thompson, Court Administrator
 VACANT, Staff Attorney
 Darlene Brown, Traditional Program Specialist

Dilkon Judicial District • HC 63 P.O. Box 787 • Winslow, AZ 86047

T: (928) 657-8141/8142 F: (928) 657-8146
 Hon. Roy J. Tso, Jr., District Court Judge
 Darlene LaFrance, Court Administrator
 Jordan M. Hale, Staff Attorney
 Marie Denetdeal, Traditional Program Specialist

Dził Yijiin Judicial District • P.O. Box 129 • Pinon, AZ 86510

T: (928) 675-2316 (temp) F: (928) 725-3712 (temp)
 Hon. Victoria R. Yazzie, District Court Judge
 Shirley Leonard, Acting Court Administrator
 VACANT, Staff Attorney
 Russell Thomas/Harry Begay, Traditional Program Specialist

Judicial Branch Vision

It is our vision that the present judicial system, consisting of an adversarial-style tribal court system modeled on Anglo courts, a peacemaking system modeled on Diné original dispute resolution methods, and Probation and Parole Services, will fully embody the values and processes of the Navajo People, including family and clan-centered Navajo values. Our justice system as a whole will truly reflect the heart and soul of the Diné. It will be one that the People recognize as their own and fully participate in the spirit of nábináháazlaago.

Judicial Branch Mission

The Judicial Branch will provide stability in the Navajo Nation government by providing court, peacemaking, and probation and parole services, to adjudicate cases, resolve disputes, rehabilitate individuals and families, restore harmony, educate the public, agencies, services and other governments in Diné bi beenahaz'áanii and protect persons and property pursuant to Navajo Nation laws, customs, traditions and applicable federal laws. Pursuant to Diné bi beenahaz'áanii, the Judicial Branch will carefully develop a justice system that fully embodies the traditional values and processes of the Navajo people.

Branch news

Law student interns over spring break



WINDOW ROCK— Second year law student Christiane Cannon interned at the Navajo Nation Supreme Court over her spring break in March.

She and four other American University students made the trip from Washington D.C. to spend a week in the Navajo Nation's capital.

Cannon said that the Navajo Nation was of particular interest to her because cases here raise legal issues that don't come up in purely federal or state jurisdiction.

She looked at orders of dismissal during her time at the Supreme Court. As part of the group from American University, she also heard presentations from Attorney General Harrison Tsosie and from Navajo culture specialist Robert Johnson of the Navajo Nation Museum.

This is the second time that Cannon has visited the Navajo Nation. Last spring, she interned for DNA-People's Legal Services.

Cannon said the greatest benefit to her in spending her spring break here was the experience.

After she gets back to classes, Cannon and the other students will give a presentation about what they learned while here. ■



Comment period for ABBA rules of procedure

Revisions to the Rules of Procedure for the Áłchíní Bi Beehaz'áannii Act have been released for public comment. The revisions are available on the www.navajocourts.org website.

When the Navajo Nation Council repealed the Children's Code at 9 N.N.C. §§ 1001-1307 and enacted the Áłchíní Bi Beehaz'áannii Act of 2011, effective January 2, 2012 at 9 N.N.C. §§ 1001-1504, the Children's Code Rules of Procedure, originally adopted by Order of the Navajo Nation Supreme Court (No. SC-SP-01-95) on October 4, 1995, became urgently in need of complete revision.

Until permanent rules are adopted by Order of the Supreme Court, these rules are immediately applicable. They reflect the Áłchíní Bi Beehaz'áannii Act, relevant case law, and other applicable laws. The rules will continue to be refined until July 31, 2013. Please direct all public input to Karen Francis, Government Relations Officer, at karenfrancis@navajo-nsn.gov. ■

Statistics from FY 2013 2nd quarter

- In FY 2013 Second Quarter, the caseload for the Supreme Court and District Courts totaled 22,773. The courts closed 6,678 cases in the quarter.
- The district courts with the highest caseloads include Window Rock (4,589) and Shiprock (4,464).
- The Probation and Parole Services office had a caseload of 3,822 and closed 1,536 cases.
- A total of 73 individuals were trained in Justware representing the courts, peacemaking, probation, prosecutors and public safety.
- The Information Data Technician prepared, organized and scanned 939 files. ■

Schedule for public hearings on Title 17 Revisions at the following chapters:

Monday, May 13, 2013: Tuba City
 Tuesday, May 14, 2013: Chinle
 Wednesday, May 15, 2013: Fort Defiance
 Thursday, May 16, 2013: Crownpoint
 Friday, May 17, 2013: Shiprock

2013 Justice Days



05/03/13—Traditional Program Specialist Harry Begay speaks about the Peacemaking Program plan of operation at Dził Yijiin Judicial District's Justice Day in Pinon.



04/12/13—School children visit with service providers, including the Navajo County Sheriff's Office, in Dilkon.



04/02/13 —ABOVE: Students play games in the lobby of the Window Rock Judicial District Court/police station for Justice Day. BELOW: Traditional Program Specialist Elanie Henderson presents on Life Values Engagement during Justice Day in Window Rock.



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was running errands. When Judge Benally questioned how the girl got to the court, she said she had hitchhiked from Pinon. Judge Benally said she then realized there was a need to offer court services in Pinon, about 46 miles from Chinle.

Many entities worked together to starting holding hearings in Pinon and in May 2012, the new district was created.

At the Justice Day in Dilkon on May 12, Miss Navajo Nation Leandra Thomas spoke about the need to educate the community about the courts. She said the only time most people go to the court is when there is a dispute and most people probably see it as a negative boundary. "It's more than that," she said. The people in the courts give advice, she said. "They're almost counselors," she added.

Thomas thanked the court staff for keeping the environment and community safe.

District Court Judge Roy Tso, Navajo Nation Council Delegate Elmer Begay, Navajo Police Department Lt. Emerson Lee and Court Administrator Darlene LaFrance also addressed the audience in Dilkon.

At the Window Rock Judicial District's Justice Day on April 2, pro se clinics were held with the staff attorney and runners got to participate in a 5K at lunchtime. Some participants earned Life Values Engagement certificates from Traditional Program Specialist Elaine Henderson at the Window Rock Justice Day.

Shiprock Judicial District had its Justice Day on April 12 holding three mock sessions to educate the public about services offered by Peacemaking and by Probation Services

Other judicial districts celebrated including Chinle, Crownpoint and Aneth on April 1; Tuba City on April 12; Ramah on May 3 and Kayenta on May 10. ■

New justice centers



The Peacemaking Program hogan at the Eastern Navajo Diné Justice Center in Crownpoint.



One of the courtrooms at the Eastern Navajo Diné Justice Center.

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ings has three court rooms

There are also jury deliberation rooms for when jury trials are necessary and a hogan for the Peacemaking Program. There is now sufficient room for the court staff and for storage.

Marge Craig, court clerk at Crownpoint Judicial District Court, said that the building is nice and beautiful. "Our files were in the hallway and stacked in the back. Now it's easier to retrieve," she said. "We have nice sturdy shelves now."

The Tuba City facility was paid for with a combination of American Recovery and Reinvestment Act funds and a loan taken out by the Navajo Nation from Key Bank. The Crownpoint facility utilized ARRA and Bureau of Indian Affairs funds and the Key Bank loan. ■



The service counter at the Western Navajo Diné Justice Center in Tuba City.



The lobby at Western Navajo Diné Justice Center.

Quarterly report highlights

Highlights from the Judicial Branch FY 2013 2nd Quarter

The Aneth Community Court graduated its first successful program participant on March 13, 2013. Resources actively involved for the duration of the participant's program to graduation included the Navajo Nation prosecutor, probation/parole officer, and traditional program specialist. The graduating participant received a certificate of completion with praise from the Aneth Community Court. The Aneth Community Court encouraged the graduate to continue his sober lifestyle and to be a productive member of his community.

As the appointed monitor for the CTAS grant awarded to Aneth Judicial District, staff attorney Glen Renner is reporting the progress of the Aneth Community Court to the Federal Bureau of Justice Assistance. Reports are submitted on a quarterly and semi-annual basis to the Tribal Court Assistance Program. As a special grant condition, the grant monitor is required to complete financial management training. Ms. Renner attended two webinars on performance measures and enrolled in an online grants financial management training this quarter. To date she has completed half of the twenty-four modules.

On February 1, 2013, Ms. Renner provided training on emergency protection orders to Aneth Chapter officials. According to the Domestic Abuse Protection Act, under Title 9 N.N.C. §1656, in cases of emergencies, chapter officials are vested with responsibility to help victims apply for emergency (short-term) protection orders. The Act was explained to educate chapter officials in understanding the statute and their responsibilities in cases of emergency domestic abuse.

Pro-se workshops were held this quarter by Ms. Renner at Aneth Judicial District on February 1 and March 8, 2013. Seventy participants attended the workshops. The workshops are held to educate participants on the process and filing of petitions as well as explain various pro-se petitions available through the Aneth Judicial District. On March 21, 2013, To'hajiilee-Alamo Judicial District staff attorney Alisha Thompson held a pro se clinic at Alamo Chapter House. Topics of discussions were divorce (contested and uncontested), paternity, validation of marriage, child custody and support, name change, and change of record.

Throughout the quarter, staff attorney Renner participated in Title 17 task force meetings. Ms. Renner was elected as chairperson of the task force during a meeting with the Law and Order Committee. The task force is working on proposed amendments to Title 17 sentencing provisions and planning a series of public hearings and a radio forum in May 2013 to obtain comments from the public.

The To'hajiilee-Alamo Judicial District established a core treatment team consisting of Judge William J.J. Platero, staff attorney Thompson, and court administrator Regina Roanhorse for the National Judicial College's Healing to Wellness Court training on "Tribal Court Management of Alcohol & Drug Cases." The group worked to assess the extent of substance abuse in the community, learn physiological and pharmacological aspects of substance abuse, interpret alcohol and drug testing results, and develop skills to select appropriate judicial response strategies to substance abuse. Participants ob-

tained important information on co-occurring disorders, best practices in dealing with participants who have drug addictions, and successful tribal-state drug courts.

The Peacemaking Program provided education on the plan of operation to peacemaking staff, chapters, schools, and others. The peacemakers are planning to sponsor a youth conference and welcomed suggestions and guidance on presentations and activities appropriate for the youth. The conference theme will be *Áłchíní Bándashni'á* - Diné Family Group Conferencing and will be held June 13, 2013, at the Nenahnezad Chapter House.

Traditional program specialist Albert Begaye and To'hajiilee-Alamo Judicial District staff attorney Thompson presented during the Albuquerque Public Schools Indian Education Department's Professional Development Day. Mr. Begaye provided basic information about Navajo peacemaking as well as introducing the Youth Apprenticeship Program and cultural teachings for truant children. The staff attorney informed participants about the district's Multi-Community Approach to Address Native American Youth Substance Abuse Prevention Project. Her presentation focused on Project Northland and Teen Court.

The Window Rock Judicial District Peacemaking Program provided presentations to high school students from Ganado High School. A total of 163 students rotated through six mini traditional teachings sessions on life value skills and traditional assets. Students had a chance to interact by doing charts and listing good character assets and goals related to college

Quarterly report highlights

and job preparations.

The Peacemaking Program designated a team consisting of program consultant Dr. Larry Emerson and program staff to develop a curriculum for judges, staff attorneys, and court staff to learn about the Peacemaking Program, including its functions and services provided by the program. The curriculum is being tested by the team for improvements. The curriculum is comprised of eight modules in which traditional knowledge and the differences between peacemaking and court processes are taught. Six modules were successfully completed in this quarter and responses by participating judges have been positive.

In February and March 2013, weekly orientations were held for new district court judges. Some of the topics included Judges and Justices Personnel Rules, Navajo Nation Code of Judicial Conduct, peacemaking, and probation/parole services. Staff attorneys provided training on Vulnerable Adult Protection Act, the Health Commitment Act, domestic abuse proceedings, family law, Violence Against Families Act, Pro Bono Rules and Navajo Rules of Procedure and Appellate Procedure.

Since her appointment, Judge Victoria Yazzie has successfully completed training in "Essential Skills for Tribal Court Judges."

Chief Justice Herb Yazzie completed training on "Tribal Courts & Secured Transactions Law." This free workshop was sponsored by the U.S. Department of Interior, Bureau of Indian Affairs, and Office of Justice Services. The workshop provided training to tribal judges, attorneys, and court staff on issues that arise in secured transaction litigations. It also covered the differ-

ent types of personal property that can be used as collateral for lenders and sellers and the conditions that must be satisfied for an enforceable interest in collateral to arise. The training was designed to assist tribes in identifying roadblocks and solutions in securing business transactions in Indian Country.

Bailiffs from Kayenta Judicial District, Aneth Judicial District, Shiprock Judicial District and Window Rock Judicial District completed training on proper installation and operation of newly acquired walk-through metal detectors. The acquisition will provide additional court security at the districts.

Judge Cynthia Thompson, Chinle court administrator Vanessa Mesca, and acting Pinon court administrator Shirley Leonard actively participated in meetings involving the "Take Back Our Community" initiative. The courts, peacemaking, chapter officials, law enforcement, corrections, local service providers, school officials, and community members gathered to discuss criminal activities in the surrounding communities and how to better address the issues. Discussions included coordination of services among service providers to reach out to the youth.

All pre-construction required activities, including the legal survey, topographic survey, utilities survey, aerial photography and geotechnical evaluation, have been completed for the judicial/public safety justice facilities construction project for Chinle. The project is to include adult corrections, law enforcement, courts and a peacemaking hogan. The official groundbreaking ceremony was conducted in Chinle on March 1, 2013 and the project will begin with the adult correctional

facility. The Resources and Development Committee accepted the relinquishment of 8.5707 acres from the Bureau of Indian Affairs. More land will be transferred from the BIA after remediation is completed.

The Administrative Office of the Courts is working with the Chinle Judicial District, Dził Yijiin Judicial District, Pinon Chapter, Pinon Unified School District and other tribal programs to secure modular facilities to house court services until a permanent facility is constructed. Efforts to secure federal, Navajo Nation or loan funds for site development and construction for a permanent facility are in progress. Chapter officials and Council Delegate Dwight Witherspoon are very supportive and actively involved.

The Shiprock judicial/public safety complex task force sought support from Northern Navajo Agency chapters with passage of resolutions in support of the Northern Judicial and Public Safety Facilities Project. Twelve chapters voted in favor of the new facilities, including Beclabito, Gadii'ahi/To'koi, Sheep Springs, Newcomb, Toadlena/Two Grey Hills, Nenahnezad, Tiis Tsoh Sikaad, Shiprock, Upper Fruitland, Red Valley, Sanostee, and Naschitti.

Court administrator Esther Jose attended the Ramah Chapter planning meeting on March 11, 2013, to present a resolution to authorize and approve designation of 20 acres of land located within the boundaries of the Ramah Navajo Chapter for the purpose of constructing a judicial facility and peacemaking hogan. On March 20, 2013, the Ramah Chapter passed a resolution in support of this endeavor. ■

**Judicial Branch of the Navajo
Nation**

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Navajo Nation Judicial Districts Directory

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Lavonne K. Yazzie, Court Administrator
VACANT, Staff Attorney
Chester Stanley, Traditional Program Specialist

Ramah Judicial District • P.O. Box 309 • Ramah, NM 87321

T: (505) 775-3218 F: (505) 775-3399
Hon. Wilson Yellowhair, District Court Judge
Esther José, Court Administrator
Daniel Moquin, Staff Attorney
Ruby F. Hosteen, Traditional Program Specialist

Shiprock Judicial District • P.O. Box 1168 • Shiprock, NM 87420

T: (505) 368-1270 F: (505) 368-1288
Hon. Genevieve Woody, District Court Judge
Hon. Leonard R. Livingston, District Court Judge
Ethel S. Laughing, Court Administrator
Derrick Burbank, Staff Attorney
Raymond Deal, Traditional Program Specialist

Tuba City Judicial District • P.O. Box 725 • Tuba City, AZ 86045

T: (928) 283-3140 F: (928) 283-3158
Hon. Allen Sloan, District Court Judge
VACANT, District Court Judge
Alice Huskie, Court Administrator
Tina Tsinigine, Staff Attorney
Harry J. Begay, Traditional Program Specialist

Window Rock Judicial District • P.O. Box 5520 • Window Rock, AZ 86515

T: (928) 871-6471 F: (928) 871-7560
Hon. Carol K. Perry, District Court Judge
Hon. Geraldine Benally, District Court Judge
VACANT, District Court Judge
Barbara Willeto, Court Administrator
Rodgerick T. Begay, Staff Attorney
Elaine Henderson, Traditional Program Specialist

Navajo Nation Supreme Court • P.O. Box 5520 • Window Rock, AZ 86515

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Office of Human Resources • T: (928) 871-7023
Office of Special Projects • T: (928) 871-6765
Office of Fiscal Services • T: (928) 871-6900
Office of Probation and Parole Services • T: (928) 871-6765
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