Diné Justice

A Newsletter of the Judicial Branch of the Navajo Nation

Thompson confirmed as permanent judge

The Honorable Cynthia Thompson was confirmed for a permanent appointment as district court judge January 26, 2017, by the Navajo Nation Council. She was given the oath of office by Acting Chief Justice Allen Sloan immediately following the vote that approved confirmation.

Thompson served as a probationary district court judge since July 2009. She has served at the Chinle and Dził Yijiin Judicial Districts and is currently the presiding judge at Dilkon Judicial District. She has also served as an associate justice by designation on the Supreme Court for several cases due to the need for an additional justice.

Navajo Nation law requires that judges serve a two-year probationary period and undergo an evaluation process that includes the three branches of government and the public.

"Thank you to all the people who supported my appointment, including the Law and Order Committee, the Navajo Nation Council, the Judicial Branch, my family and friends," Thompson said following the vote.

Thompson is from Del Muerto, Arizona. She graduated from Chinle High School and from Northern Arizona University with a Bachelor of Arts degree in Criminal Justice.

Before her appointment as a judge, Thompson was a hearing officer at Window Rock Judicial District, a senior prosecutor, a Navajo Nation court administrator and a staff advocate with DNA Legal Services in Chinle, Arizona.

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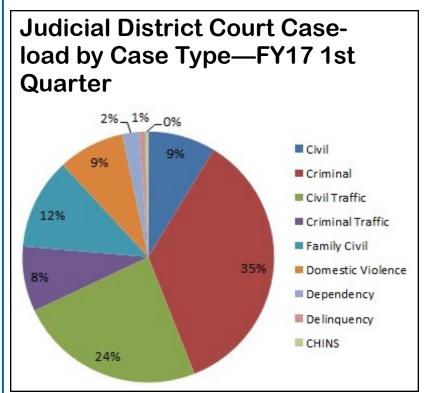
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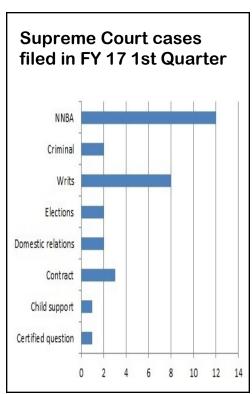


Judge Cynthia Thompson

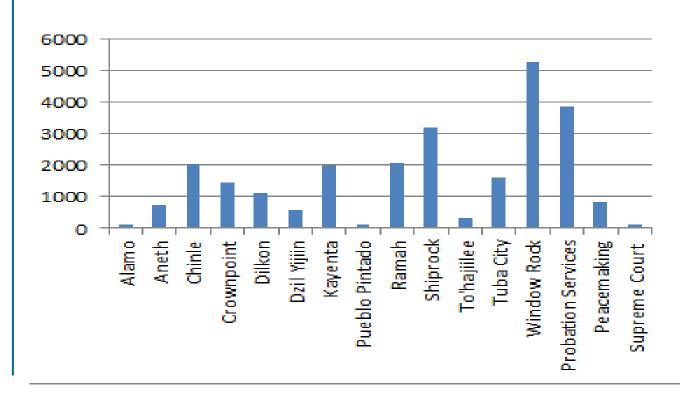
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Judicial Branch statistics





FY17 1st Quarter Caseload by Judicial District/Program



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Announcements

Tuba City offering pro se clinics

"Pro se" is Latin for "for oneself" or "on one's own behalf." In court, pro se indicates when a litigant does not have legal counsel. Pro se litigants represent themselves in court.

Many litigants in the Navajo Nation courts choose to represent themselves. Some of the judicial district staff attorneys hold pro se legal clinics for those litigants.

The following are scheduled dates and topics for Tuba City Judicial District:

Thursday, FEBRUARY 9, 2017, at 8:30 a.m. (MST)

Validation of Common Law Marriage Recognition of Traditional Marriage Dissolution of Marriage Paternity, Child Support, Custody & Visitation Modification of Child Support, Custody or Visitation How to Answer to Petition (Respondents)

<u>Thursday, FEBRUARY 16, 2017, at 8:30 a.m.</u> (MST)

Name Change Correction of Record Declaration of a Name

Thursday, FEBRUARY 23, 2017, at 8:30 a.m. (MST)

Guardianship of a Minor

Thursday, MARCH 9, 2017, at 8:30 a.m. (MST) Probate

Participants should be at the court at 8:00 a.m. to purchase the Pro se packet. There is a fee of \$5.25 to attend the clinic; the fee must be paid with a <u>money order</u>. You will also need to bring paper and a pen for notes.

Individuals who arrive after the clinic begins will not be allowed to attend the session. The date of the clinic is subject to change; please verify date of clinic three (3) days before the scheduled date. The phone number is (928) 283-3140. ●



Winter Conference

"Iina Doo Alchin Baa Akohwiidizin" February 23, 2017 (Thursday) 9:00am – 3:00pm

Tselani / Cottonwood Chapter House

Topics:

- Separation of Gender (Men & Women)
- Coyote Stories (Maii Jooldoshi)
 - Twins Stories
 - Birth of Whiteshell Woman
 - Creation Stories

....Refreshment and Lunch....

....Only for Participants

For More Information Contact: Victor Begay @ 928 674-2015 or 2050 Strengthening Families Program –
Chinle Region and Tselani / Cottonwood Chapter House 928 725 - 3765

Peacemaking Program Diné Traditional Researcher Joseph Sandoval is scheduled to speak at the Winter Conference being held Feb. 23, 2017, at Tselani-Cottonwood Chapter House.

UPCOMING EVENTS

A resource meeting for the community of Alamo is scheduled for February 7, 2017, at 10 a.m., at the Alamo Wellness Center.

Substance Abuse and Mental Health Service Administration Tribal Training Technical Assistance is having a community site visit in Alamo on February 13-14, 2017, at the Alamo Chapter.

A meeting for Alamo-To'hajiilee peacemakers is being held February 17, 2017, at 10 a.m., at the To'hajiilee Chapter.

Aneth Judicial District is holding a pro se clinic on February 24, 2017, from 2 p.m. to 4 p.m.

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Branch quarterly updates for FY 17 1st Quarter

ADMINISTRATIVE OFFICE OF THE COURTS

The information data technician prepared, organized and scanned 12,749 documents and assisted judicial districts with retrieval of 54 archived microfilmed cartridges to fulfill public records requests. The Branch only has one machine that views and prints such records.

Four grants have been successfully closed out, including grants that funded the Peacemaking Youth Education and Apprenticeship Program, To'hajiilee and Alamo Healing to Wellness Courts and the Aneth Community Court. These programs provided effective services in the respective judicial districts. A Justice Assistance Grant was also successfully closed out that provided peacemaking services to Navajo youth and families and provided training for Information Technology staff and for judges and staff on Courtroom Practice and Case Flow Management.

TUBA CITY JUDICIAL DISTRICT

Aneth staff attorney Glen Renner provided one pro se training and Tuba City staff attorney Tina Tsinigine provided four pro se trainings for the public. Training topics included dissolution of marriage, paternity, child visitation, child custody, child support, correction of record, name change, declaration of name, answering a petition, guardianship of a minor, and probate. Trainings are held for individuals who wish to file pro se packets with the court. An individual who wants to represent himself or herself is required to attend pro se training so he or she is aware of what the law requires and his/her duties and responsibilities in court. The total number of attendees for the pro se trainings was 58 participants.

The court and Child Support Enforcement collaborated information in hopes of locating and serving absent parents. On October 1, 2016, CSE held administrative hearings for clients in the courtroom. Administrative hearings are held at the court where it is more secure for clients.

On October 21, 2016, and December 9, 2016, the Tuba City Judicial District held two Criminal Justice Summit meetings. Programs in attendance included law enforcement, corrections, probation/parole services, peacemaking,



Jan. 13, 2017—Kayenta Judicial District holds mobile court at Shonto Chapter for the public.



Dec. 7, 2016—Chief Probation Officer Lucinda Yellowhair educates the public on Probation Services during a radio forum on KTNN held by the Law and Order Committee.

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social services, courts, and other local service providers that have an interest in delivery of services by the justice system. With collaborative efforts, the group hopes to continue work on identifying ways to share and streamline existing processes to better serve the community.

On November 4, 2016, Judge Victoria Yazzie and court administrator Alice Huskie trained the court clerks on children's case flow management and procedures. A work flow chart was provided to show the different types of hearings in dependency cases.



February 3, 2017—Judicial Branch judges and staff participate in the Navajo Nation Public Safety Summit.

On November 17, 2016, Judge Howard Grodman from the Flagstaff Justice Court and Judge Gerald McCafferty from the Flagstaff Municipal Court conducted court proceedings for the local people at the Tuba City Judicial District. Bringing the Flagstaff courts to Tuba City is an effort to allow people to conduct court business without the long drive to Flagstaff

KAYENTA JUDICIAL DISTRICT

Bailiffs Brandyn Benallie and Paige Begay participated in a National Criminal Justice Training Center training entitled "Drug Identification and Recognition to Support Tribal Justice," on October 3-4, 2016, in Church Rock, N.M. The free training offered insight on drug abuse and recognition systems, identifying signs and symptoms of an individual under the influence, current drug trends, and legal considerations related to drug investigations.

Through the collaborative efforts of the Kayenta Judicial District, Navajo Nation Probation Services, and Navajo Nation Department of Public Safety, the vacated Kayenta NNDPS Criminal Investigations 28 x 80 modular building was officially reassigned to the Kayenta Judicial District. After cleaning and minor renovations, the building will safely accommodate Kayenta Probation Services and

Peacemaking Program offices. The current 29-yearold double wide trailer office is no longer adequate and safe for daily public use due to roof and structure problems.

Staff attorney Letitia Stover provided three pro se trainings for 34 individuals. These trainings are held for individuals who wish to represent themselves and file pro se packets with the court.

ANETH JUDICIAL DISTRICT

Court administrator Susie Martin met with Aneth Chapter officials to begin planning for the new judicial court site in Montezuma Creek, Utah. These meetings will be ongoing to plan for a new judicial complex.

The U.S. District Court of Utah, Tribal and Community Re-Entry Court (TCRC) held three hearings at the Aneth Judicial District this quarter. The Tribal Re-Entry Court met with participants to continue addressing the high recidivism rate of re-offending individuals who have been released from federal incarceration. The TCRC holds monthly review hearings for participants to assist them with reentry into the Aneth community. The TCRC Program conducted hearings at the Aneth Judicial District on October 7, 2016, November 3, 2016 and

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Peacemaking Program update

The Peacemaking Program staff responded well to the challenges of an expanding workload and reduced resources. Overall, training for youth apprentice peacemakers has been very successful, even though there was some confusion about the availability and amount of funds for some students. Several students have come forward and requested training whether funds are available or not. Curriculum training is continuing in schools and is well-received.

The Peacemaking Program met or exceeded all of its quarterly performance criteria goals. In addition, the Peacemaking Program is advancing its administrative goals:

- •Seeking grant funding for programs. During December 2016, the program identified and applied for a grant that would support youth education, prevention, and intervention services for another three years. Grant administrator Raquel Chee is to be commended for the assistance she provided in this effort.
- •Use community-based peacemakers. Community-based peacemakers are being engaged to handle more peacemaking sessions and counseling. During the first quarter, there was 34 instances of using community-based peacemakers in over 120 service sessions.
- •Conduct most work at or near peacemaking facilities. The program no longer has tribal vehicles or money for POV mileage reimbursement. This budget loss affects staff across the Judicial Branch and is a key reason for changes in our workstyle. Traditional program specialists are adapting to this change.
- •Focus on youth. Over 60 young people received curriculum training and other direct culturally-based services, even with reduced funding for this work.

•Maintain our professionalism. The Peacemaking Program is adapting to changed priorities and reporting. Staff members are finding ways to collaborate and support each other, and participating in planning and organizing revised reporting formats and content to better reflect the program's shifting role and responsibilities.

•Advance our mission. Staff are engaging in work to meet their daily responsibilities, but also keeping the vision of peacemaking in mind. During the first quarter, staff worked with Navajo Nation-wide service providers on policies and program approaches related to domestic violence, addiction, and suicide. The Peacemaking Program brought traditional teachings and values into the discussions. Similarly, the Judicial Conduct Commission sought input from the Peacemaking Program regarding traditional approaches for resolving disputes and asked questions. Discussions with legislative officials regarding changes to Title 25 and the role and scope of peacemaking was also part of the mission to advance Peacemaking as a core government function.

Most traditional program specialists had opportunities to discuss Navajo traditional culture and Peacemaking in Chapters and community or educational groups during this quarter. The Peacemaking Program prioritizes work based on the goals set by Council and the Judicial Branch. These are examples from some of the Judicial Districts:

<u>Dilkon Judicial District</u>. The traditional program specialist was involved in 13 peacemaking sessions to reduce the workload for the Judicial Branch and provide traditional problem resolution

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alternatives with peacemakers. She improved the availability of prevention services in schools by presenting a Memorandum of Agreement to school board members at Winslow Residential Hall, Inc., Seba Dalkai Community School, Dilkon Community School, Inc., and Greasewood Community School. Monthly visits are made to the schools where she provides educational materials and Life Value Engagement sessions.

<u>Dził Yijiin Judicial District (Pinon)</u>. The traditional program specialist made weekly contact with inmates at Chinle Correctional Center and worked with families in the area. His workload was impacted by lack of equipment and water damage to the chapter house.

Kayenta Judicial District. The traditional program specialist facilitated six peacemaking sessions for cases that would have otherwise been heard in the court and brought in community-based peacemakers. Every other Friday, he presents Youth Education Apprentice-

ship Curriculum to eighth grade students Dennehotso Boarding School and awarded certificates of completion to students in November. Other student services include Life Value Engagements for students who are, or are soon to be. parents themselves. or who have truancy or delinguency issues. Collaboration with other agencies included San the Juan School District Student Advocacy meeting Agency where discussions

included truancy, bullying, teenage pregnancy and parenting, substance abuse, domestic violence, and sexual abuse, among others.

Window Rock Judicial District. Heavy caseloads and time demands can be put into perspective when a family is reunited through peacemaking. An ongoing working effort with a family of five children and young parents is showing results. The family was referred from Division of Social Services where they didn't meet the threshold of dependency or neglect, but had extreme family discord and disharmony. Although they struggled through separation of siblings and parents, the family is now back under one roof. The children are doing well in school and now begin to feel a sense of belonging and security. Much work has been done with the parents through traditional counseling, LVE, and approaching topics they have had difficulty working out themselves. After much blaming and bitterness amongst extended family members, family support is showing improvement. •



Nov. 30, 2016—Traditional Program Specialist Elaine Henderson speaks about Diné perspective during the Trauma Informed Care Summit in Window Rock.

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Branch quarterly updates

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December 2, 2016.

Staff attorney Glen Renner conducted two pro-sé classes for the Aneth Judicial District on October 14, 2016, with five attendees, and December 9, 2016, with five attendees.

CHINLE JUDICIAL DISTRICT

The Chinle Justice Center is waiting for the Bureau of Indian Affairs to complete its inspection so a Certificate of Occupancy can be issued. Consultant Edward Martin has been in contact with BIA and the project manager to complete BIA forms for inspection. In the meantime, staff have been trained in how to operate the building's fire alarm, video monitoring, plumbing, heating/cooling system, operation of the elevator and other areas of the building. For the court building, light fixtures in one of the court rooms still needs to be installed, but the court is awaiting shipment.

Judge Rudy Bedonie continued to cover Dził Yijiin Judicial District. He presided over and reviewed cases in Dził Yijiin on Wednesdays and Thursdays. The court administrators of both districts worked together to coordinate the judge's schedule and availability.

DZIŁ YIJIIN JUDICIAL DISTRICT

Judge Rudy Bedonie and court administrator Arlene Lee participated in the Dził Yijiin regional council meeting at Whippoorwill Chapter on October 6, 2016, to provide an update report on the daily operations of the district court. Members of the council expressed concerns and discussed the need for a permanent structure for the district court.

DILKON JUDICIAL DISTRICT

In-service trainings for staff were held on November 17, 2016, on "Respecting Your Job," and on December 15, 2016, on "Diné Christmas & Winter Stories," presented by Robert Johnson with the Judicial Branch Peacemaking Program. Educating and keeping court personnel current on legal matters is necessary in order for staff to be productive and effective at the workplace and in serving the public.

The Dilkon Court management staff met to discuss

implementing pro se classes for public education. Forms to be utilized were reviewed; scheduling, announcements, and sharing information with local resources will commence.

WINDOW ROCK JUDICIAL DISTRICT

Judge Geraldine Benally assisted with the planning of and giving the opening remarks at the Trauma Informed Care Conference hosted by the Casey Foundation and the Judicial Branch in Window Rock, Arizona, on November 29-30, 2016.

The court administrator is involved in discussions on the new Window Rock Justice Center. She attended meetings on October 5, 2016, and December 6, 2016, where topics included floor plans, traffic study, environmental study, and relocation of affected programs,

Staff Attorney Robyn Neswood-Etsitty conducted a pro se class on adult guardianship to 14 families on December 29, 2016. She also met with families to explain the new Adult Guardianship Act before giving them a pro se packet, so they better understand the process.

On October 3-4, 2016, bailiffs Elaine Johnson and Pedro Tsosie and Judge Geraldine Benally attended training in Church Rock, N.M., on Drug Identification and Recognition to Support Tribal Justice.

On December 9, 2016, the Navajo Nation Department of Behavioral Health Services provided QPR Training (Suicide Prevention) to the Window Rock Judicial District court and probation/parole services staff.

SHIPROCK JUDICIAL DISTRICT

The district completed case review of current pending criminal, traffic civil, and criminal cases and brought them up to date.

On October 17-20, 2016, Judge Genevieve Woody attended the National Tribal Brain Development/Trauma Summit. Participants obtained information on the Adverse Childhood Experiences study and its impact on bodies and brains; utilizing Neurosequential Model of Therapeutics, which is a developmentally informed, biological approach to work-

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ing with at-risk children and families; utilizing mindfulness and historical cultural evidence to discuss how traditional contemplative practices of indigenous people sculpted the mind and structure and function of the brain; the effects of Fetal Alcohol Syndrome disorders and science behind the disorders; the roles of schools in trauma, resilience and improving educational needs of children and youth in foster care; the causes and effects of trauma, including historical and childhood and highlight steps tribes are taking to address trauma; and braiding the sweet grass to prevent the transmission of intergenerational trauma to children and future generations.

On October 27, 2016, Judge Genevieve Woody participated in the Native Wellness Group sponsored by Melissa Maestas with Central Consolidated Schools.

CROWNPOINT JUDICIAL DISTRICT

Judge Irene Toledo handled cases in the Crownpoint Judicial District and the Pueblo Pintado Circuit Court. She assisted the Aneth Judicial District with two domestic violence cases.

The following are the results of the district's

FY2017 Program Performance Criteria goals: (1) To close 250 criminal, traffic criminal, and traffic civil court cases: Goal was not met - 228. 22 cases shy of reaching the goal. (2) To close 150 civil, family court cases: Goal was met - 208. (3) To provide access to the Navajo courts through education and user friendly form services: Goal was met - 111. (4) To sponsor, conduct, participate in three interagency planning, local training/orientations: Goal was met - 4. (5) To prepare/scan/store 1,200 court records for scanning: Goal was met - 1,382.

Four presentations were held this quarter for staff training/education. All four were related to case management pertaining to court rules, procedures, and customer/public relations skills.

RAMAH JUDICIAL DISTRICT

On October 27, 2016, Judy Platero of the Window Rock Child Support office provided training to the court staff on Navajo Nation Child Support Guidelines, basic child support schedule, basic visitation, and shared responsibility.

During this quarter, 328 people signed in for court services, 374 incoming/outgoing telephone calls were logged in , and 2,834 faxed documents were

sent/received. The court bailiff's security report showed that 218 people were served and 12 public intoxication arrests were made.

On October 12, 2016, court administrator Esther Jose participated in a court administrator meeting in Window Rock, Arizona. The group viewed a presentation on Skype for Business and digital recorders and then discussed Judicial Branch related issues, i.e., bailiff uniforms, P.L. 93-638 and General Funds budgets, P-Card issues,



Nov. 21, 2016—The Law and Order Committee meets at the Ramah District Court.

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tribal vehicles/property inventory, private process servers, Tribal Action Plan, cash bond accounts. The Ramah Judicial District requested funds for a more reliable internet connection.

On November 21, 2016, Judge Leonard Livingston, court administrator Esther Jose, chief of police Darren Soland, attorney general Ethel Branch, newly appointed chief prosecutor Gertrude Lee, members of the Law & Order Committee, and Ramah Navajo Law Enforcement met to discuss the vacant prosecutor position at the Ramah Sub-Office and to tour the new Ramah Detention Facility. Discussions primarily focused on the community's concern about lack of a prosecutor and the court not receiving criminal complaints. The Law & Order Committee also heard reports by the Ramah Chapter officials and community.

ALAMO/TO'HAJIILEE JUDICIAL DISTRICT

The Alamo/To'hajiilee court administrator attended planning meetings for the Tribal Action Plan (TAP) workgroup to begin writing the plan. A meeting was held with the consultants from the Center for Court Innovation and USDOJ Bureau of Justice Assistance on October 10-11, 2016, and December 12-13, 2016. An outline of the TAP was developed and pieces of the plan are being constructed. The Healing to Wellness Veterans Justice Outreach Coordinator Dorothy Waisanen attended both TAP planning meetings to provide input on treatment services for justice-involved participants.

The Alamo/To'hajiilee Judicial District celebrated the graduation of participants in the dual enrollment class at the New Mexico State University and To'Hajiilee Community School. The effort was a collaboration between the Judicial Branch and educators to provide college and high school credits to students who attended the class. A variety of topics were provided to strengthen resiliency against substance abuse. The students had to do an oral presentation on December 14, 2016, to a panel that included the district court judge and the staff attorney in order to pass the class. It was a part of the district's Total Community Approach Project funded by the U.S. DOJ Office of Juvenile Justice and Delinquency Prevention Tribal Youth Program grant awarded to the Judicial Branch in 2011 as part of

the Coordinated Tribal Assistance Solicitation process

The Alamo/To'hajiilee Judicial District Healing to Wellness Court, Veterans Justice Outreach and the Peacemaking Program provided services to state courts in Bernalillo and Socorro Counties. During a November 17, 2016, graduation ceremony, traditional program specialist Jamie Mike and care coordinator/veterans justice outreach coordinator Dorothy Waisanen presented certificates to nine Navajo and two Jicarilla and Zuni tribal members for completing the Bernalillo County Urban HTWC's "Life Value Engagement" sessions. Participants expressed appreciation for helping them achieve a sober lifestyle. Judge Maria Dominguez and her treatment team were grateful for this enhancement to their service array. The care coordinator has been activity working with Judge Dominguez on enhancing the array of services for drug court participants.

The care coordinator continued to promote the specialty courts with the Peacemaking Program. On December 22, 2016, care coordinator Dorothy Waisanen presented the Healing to Wellness 10key components during the Ramah Navajo Social and Family Staff Development. Traditional program specialist Jamie Mike provided information on traditional parenting cultural teachings, and included a cartoon video on coyote stories for the children. They shared and discussed how the Indian Child Welfare Act relates to cases on the Navajo Nation. The care coordinator shared information with the Wings of Life Program on October 21, 2016. She gave an anti-bullying presentation to 51 youth during the Third Annual Striking Eagle Native American Basketball Tournament and Educational Workshop.

The Alamo/To'hajiilee Judicial District collaborated with the Navajo Nation Executive Branch through the Veterans Advisory Council, Eastern Navajo Veterans Association meetings, McKinley County Veterans Collaborative, and the Northern Navajo Collaborative to recruit peer support, develop culturally appropriate behavioral health care for the population and to outreach to veterans through different fairs, summits, and stand downs. Work continued on the evaluation of the entire project with Marla Pardilla, MSW, on November 14, 2016.

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Jan. 10, 2017—Justice Eleanor Shirley gives the oath of office to elected officials at the Fort Defiance Agency Chapter Inauguration at Tohatchi High School.



Jan. 4, 2017—Chief Justice Allen Sloan delivers the oath of office to Chief Prosecutor Gertrude Lee and other prosecutors of the Navajo Nation during a welcome event at the Navajo Nation Museum.



Sherrilyn Apache, of To'hajiilee, N.M., has joined the To'hajiilee/Alamo Judicial District as the Teen Court Coordinator. Apache is a graduate of Pine Hill Secondary Schools and Wiley College in Marshal, Texas, with a Bachelor of Arts in Sociology.

"The teen court coordinator I've come to understand has a broad range of responsibilities. Our youth in need of education, training and direction are the main keys focused on to assist juveniles in Alamo and To'hajiilee," she said.

"Gaining new grounds in the judicial court system would allow me to utilize my learned techniques and problem-solving skills into these communities. That may impact someone's life," Apache added.

Administrative Director of the Courts



Stephen B. Etsitty began employment at the Judicial Branch as Administrative Director of the Courts on January 23, 2017.

Etsitty said his immediate goals as administrative director are to complete renovations and restoration of office space at judicial districts and address safe workspace and employee safety issues across all judicial districts.

Etsitty can be reached at (928) 871-6762.

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 P robation and Parole Services, will fully embody the values and processes of the Navajo People, including family and clancentered 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 nábináháazlago.

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.

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Send submissions and ideas for our newsletter to Karen Francis at: karenfrancis@navajo-nsn.gov.

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