

The Judicial Branch of the Navajo Nation

# Training to Improve Court Services

An Application for Funding Under FY 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

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Applicant Name: Navajo Nation Judicial Branch  
2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

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## **Abstract**

Applicant(s): The Judicial Branch of the Navajo Nation

Title: Training to Improve Court Services

Category 2: Eligible Allocation Amounts of \$25,000 or More

Allocated Amount: \$168,791

The Navajo Nation proposes to improve the efficiency of court services by providing necessary tools through training, education and equipment to the Navajo Nation Judicial Districts. Training will focus on case management for court staff, fundamentals of evidence, evidentiary issues and principles of evidence and identifying procedural tools to resolve evidentiary issues.

## **Narrative**

### **Description of the Issues**

The Navajo Nation courts have high caseloads. This JAG 2022 proposal will focus on supporting the courts and programs to reduce court caseloads through training and equipment. Currently, there are a limited number of Judges that are on the bench to hear and expedite cases. Some judges have to cover two districts that are miles apart. Most recently the recent global pandemic forced the Navajo Nation courts to shift to essential services only, pushing non-essential cases forward to a time when the pandemic is no longer a Navajo Nation emergency. Finally, some of the courts don't have access to updated equipment that could improve case management efficiency.

More broadly, the Navajo Nation is a vast and extensive, mostly frontier, land base that extends into 13 counties in the states of New Mexico, Arizona, Utah and Colorado. Most roads are primitive and undeveloped. Some of the population still lives in homes without the conveniences of running water and electricity. The Navajo Nation is the largest federally-recognized Indian Tribe in the United States by population and geographical area, totaling over 27,427 square miles.

The Navajo Nation population numbers over 300,000. Service delivery is challenged by the size of the reservation and population. Service providers and resources have developed an intricate network for service delivery, but gaps still exist.

Alcohol and substance abuse are at the root of most arrests. Consumption and possession of alcohol on the Navajo Nation is illegal, but it remains the main cause of most arrests and source of court cases for domestic violence and disorderly conduct.

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Our courts consistently receive limited general funding, but have to manage a growing caseload of domestic violence cases and criminal cases. Court clerks are inundated with case management work. Judges are limited and have to cover multiple judicial districts to help the caseload. Limited funds means that Navajo court staff and judges have less access to training for staff development and court improvement.

In addition, the Judicial Districts are in need of court recording equipment to record court sessions and hearings and storage equipment where case files can be stored.

## **Project Design and Implementation**

### *Training to Improve Court Services*

The Navajo Nation will utilize the Edward Byrne Justice Assistance Grant to support the training of its court and program staff and judges and to procure equipment that is needed by the district courts.

1. The district courts, Supreme Court, program and administrative staff will be provided training support for staff and court development. Some of the training topics include, but aren't limited to court case management best practices, fundamentals of evidence, or another training as deemed necessary by the staff or supervisor. Training for judges and staff is required by the Judicial Branch Training Policy.

2. Equipment for court records storage and archiving will be purchased to improve the efficiency and operation of Navajo Nation courtrooms and to comply with court of record laws that the Navajo Nation courts are bound by. To also further this responsibility, the Navajo Nation courts will also procure five (05) fireproof, secure file cabinets to store its court records. It is the Navajo Nation's goal to ensure files are properly protected and stored.

In addition, will be procured for five judicial districts to help with court record storage.

## Capabilities and Competencies

The Navajo Nation is comprised of a three branch governmental system that includes the Executive, Legislative and Judicial Branches.

The Executive Branch (Executive) is led by the Office of the President and Vice-President. The President and Vice-President are elected and serve four year terms. There are seven Divisions that are made up of Departments, Programs and Offices under the auspices of the Executive Branch and each is codified in tribal law.

The Legislative Branch is comprised of the Navajo Nation Council and its 24 Council Delegates that are locally elected by their registered voters and represent all 110 Chapter communities. Each local Chapter has a local governance structure of Chapter Officials and has local governance authority based on the Local Governance Act. Chapter Officials are also elected every four years.

The Navajo Nation has sovereign authority to enact, apply and enforce tribal law through its Judicial Branch that is comprised of trial courts and an appellate court. Navajo courts have jurisdiction over involuntary commitments, domestic relations, civil relief in domestic violence, child custody and protection cases, grant quiet title, adjudicate probation and criminal misdemeanor cases. There are 17 trial judge positions, two Associate Justices and one Chief Justice, Court Administrators, Staff Attorneys, court staff, Probation & Parole Services and Peacemaking services located in 13 Judicial Districts that make up the Navajo Nation Judicial Branch.

The Navajo Nation Judicial Branch – Administrative Office of the Courts (AOC) will be the agency responsible for grant activities. The AOC is comprised of the Human Resources,

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Fiscal, Special Projects and Information Technology offices. AOC staff are funded through Navajo Nation general funds.

The Navajo Nation Judicial Branch has successfully managed and implemented numerous grants. The Judicial Branch is headed by the Chief Justice who oversees the entire branch. The Administrative Office of the Courts is headed by the Administrative Director of the Courts (ADOC) who will supervise grant activities.

The Grant Administrator and ADOC will ensure leadership, adequate fiscal oversight, oversight of implementation/work plans, and strategic direction.

The Navajo Nation is established with all 5 management systems in place. Grant funds will be deposited in a Navajo Nation account. All expenses will be on a reimbursement basis via submission of Navajo Nation expense forms.

### **Plans for Collecting Data:**

The AOC will prepare and provide report information as requested and required by the USDOJ.

The Justware case management system will be utilized to collect data on case types and demographics. In addition, the AOC will collect data on the number of personnel trained and the types of training provided about archiving and storage. Agendas and sign in sheets will be retained of meetings and trainings that are conducted concerning archiving. Data and documents related to equipment purchase will be maintained at the AOC as well as in the Navajo Nation Financial Management Information System.