

Diné Justice

The Official Newsletter of the Judicial Branch of the Navajo Nation

DECEMBER 2013
VOLUME 2, ISSUE 3



Judicial Branch holds 2013 Conference



Josh Franken of the National Criminal Justice Center conducts training at the 2013 conference.

The Judicial Branch welcomed special guest speakers including Arthur Allison, New Mexico Secretary of Indian Affairs, and New Mexico Governor Susana Martinez during its conference.

The Judicial Branch held a conference for all its employees October 29 to October 31, 2013, with the theme “Making the Journey Together for the Future.”

Mr. Allison provided the keynote address on the opening day. Governor Martinez provided the keynote address during the closing session.

Allison spoke about bringing together traditional values and modern systems. He also spoke about the challenges with crime and jurisdiction. He said that these are areas Native Americans in the state must constantly be aware of and teach their neighbors what rights and responsibilities they have in working

with them.

Other speakers during the general sessions included welcoming remarks by Chief Justice Herb Yazzie, icebreakers with motivational speaker Pax Harvey, sexual harassment training by Curtis Heeter and Gloria Benally, Roger Martinez on the Navajo Nation’s retirement and 401K plans, the Navajo Nation Insurance Services, Eulanda Ciccarello on the employee benefits program, Wilamena Smith on the workers’ compensation program, and closing remarks by Edmund Yazzie, chairman of the Law and Order Committee.

Training sessions were provided for staff attorneys, judges, office technicians, bailiffs, custodians, probation officers, traditional program specialists with the Peacemaking

program, Wilamena Smith on the workers’ compensation program, and closing remarks by Edmund Yazzie, chairman of the Law and Order Committee. Training sessions were provided for staff attorneys, judges, office technicians, bailiffs, custodians, probation officers, traditional program specialists with the Peacemaking

Cont'd. on p. 2

INSIDE THIS ISSUE:

Highlights from the FY 2013 3rd quarter	3
Employee recognition	4
Peacemaking Program update	8



Judicial Branch employees were recognized for years of service. See list of employees on page 4.

Judicial districts

2013 Judicial Branch conference



10/29/13—Judicial Branch staff members laugh during the ice breaker at the opening general session of the 2013 conference.

Cont'd. from p. 1

ing Program and the Law and Order Committee members.

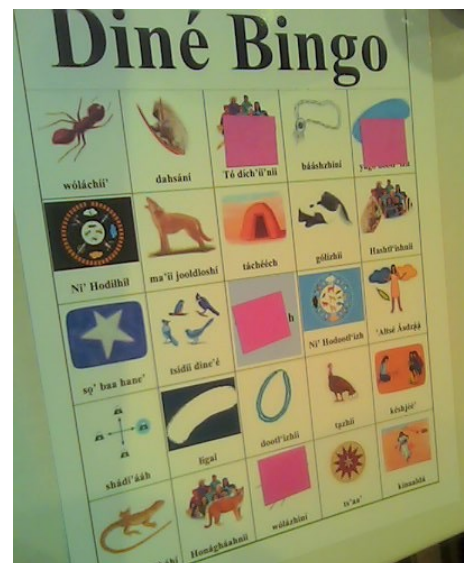
Judges and attorneys received sessions on evidence rulings, conducting the jury trial and legal writing. Clerks received training in case management and court procedures. They also combined sessions with office technicians on customer service and with the judges on conducting the jury trial. Office technicians also attended sessions on working with administrative functions and vehicle safety and inspection. Bailiffs were trained in defensive tactics and discussed court security policy and general safety and evacuation.

Custodians attended sessions on personnel protective equipment, fall protection, safety and health blood borne

Cont'd. on p. 8



10/31/13—New Mexico Governor Susan Martinez greets judges during the 2013 Judicial Branch conference.



10/30/13—The Peacemaking Program distributed resources to assist Traditional Program Specialists at the judicial districts with traditional teachings, including Dine' Bingo.

Quarterly report highlights

Highlights from the Judicial Branch Fiscal Year 2013 4th Quarterly report

On September 11-12, 2014, the Tuba City Judicial District hosted a federal jury trial of the United States District Court for the District of Arizona. U.S. District Judge Murray Snow presided over the case of *United States v. Edsel A. Badoni*. The hosting of the court proceeding on the Navajo Nation gave the general public and staff an opportunity to witness a federal trial first-hand and to learn more about the federal justice system. Judge Snow answered questions regarding the federal system during the “meet and greet” session for students, local practitioners, staff from law enforcement, corrections, prosecutors, public defenders, and the general public.

On August 23, 2013, the Tuba City Judicial District sponsored the Criminal Justice Summit. Judge Allen Sloan facilitated the meeting with assistance from staff attorney Tina Tsinigine, court administrator Alice Huskie, and office technician Orlando Sam. In attendance were law enforcement, corrections, courts, probation/parole services, peacemaking, social services, local schools 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 September 26, 2013, Judge Allen Sloan provided training to peacemakers and peacemaking program staff on Child Custody Evaluator pursuant to Navajo Nation Supreme Court No. SC-CV-28-13. The peacemakers were provided information on what is expected of them to address in peacemaking sessions when children cases are referred.

On September 18-19, 2013, Judge Allen Sloan and staff attorney Tina Tsinigine attended the Division of Social Services training that focused on case mapping for the Child and Family Service operations. The manual is designed to ensure and maintain the continuum of services based on method of intervention and system of care models. The goal to revising the protocols was to ensure consistency with the enactment of the new children code.

On September 23, 2013, court administrator Alice Huskie shared with the Law and Order Committee information on the status of the new court building. The staff moved into the new building in February 2013;

however, during the summer, several building issues were encountered, i.e., a clogged drain pipe, water break in the mechanical room which caused flooding in five rooms and hallways, some air conditioning units not working, and doors not closing properly. Testing of the air and walls were done to ensure all is safe. As required, warranty service requests were submitted and repairs completed with the exception of two items.

Staff attorney Tina Tsinigine provided six pro se trainings for the public. Training sessions are for individuals who wish to file pro se packets with the court. Individuals who want to represent themselves in court are required to attend pro se training so they are aware of what the law requires and their duties and responsibilities in court.

- July 30, 2013 Guardianship Attendance – 25
- July 31, 2013 Probate & Quiet Title Attendance – 28
- August 1, 2013 Corrections of Records Attendance – 27
- August 27, 2013 Probate & Quiet Title Attendance – 7
- September 30, 2013 Correction of Record/Name Change Attendance – 12
- September 30, 2013 Guardianship Attendance – 10

Leadership Institute-Connecting Northern Arizona. On August 8, 2013, staff attorney Tina Tsinigine attended the Domestic Violence and Sexual Assault Summit in Flagstaff, Arizona. The Coconino County Coordinated Community Response Team to Domestic Violence and Sexual Assault (CCRT) hosted the second annual leadership summit in order to connect northern Arizona and state-wide efforts addressing sexual assault and domestic violence. Representatives from governmental agencies from across the State of Arizona who address domestic and sexual violence cases attended the meeting. The group worked on developing a clear and consistent procedure for evidence collection to document the level of risk faced by DV victims and their children. The process involved all components from dispatch through judicial processing.

On September 23, 2013, Staff Attorney Tina Tsinigine

Employee recognition

Judicial Branch employees recognized for service

Judicial Branch employees were recognized for years of service with the Navajo Nation on October 30, 2013.



Mattie Roan (center) has served the Navajo Nation for 35 years. She is currently a court clerk at Window Rock Judicial District.



Michael V. Smith (center) has worked for the Navajo Nation for 20 years. He is the court clerk for the Supreme Court.

35 Years

Mattie Roan

30 Years

Esther M. Jose
Lenora Ann Begay
Tom B. McCrary

25 Years

Lucia M. Barton-Jensen
Paulette C. Begay
Eleanor Shirley
Virginia T. Vandever
Barbara A. Willetto
Marshall A. Benally

20 Years

Charlotte Tapaha
Darlene V. LaFrance
Loretta Yazzie
Genevieve Woody
Verlena Hale
M. Teresa Hopkins
Larry A. Hoskie Jr.
Michael V. Smith

15 Years

Darrin Clyde
Michelle A. Dennison
Vinton A. Yazzie

10 Years

Regina Begay-Roanhorse
Brandyn Jimmie Benallie
Andrea J. Boyd
Elton R. Dalgai
Valerie D. Descheny
Carol Marie Frazier
Juanita Goodluck
Janice Harvey
Lawson A. Harvey
Racquel L. Hurley
Linda D. Lee
Marquerita A. Lincoln
Carol Kirk Perry
Efeleina Yazzie

Quarterly report highlights

Cont'd from p. 6

provided training on becoming a private process server. This includes the duties, responsibilities, financial duties, meeting timelines, working with people and other courts to service paper.

Kayenta Judicial District Court clerks Geneva Salt and Lula Salt successfully completed the New Mexico/Arizona Interpreter Certification Project's 2013 Navajo Interpreter Training Institute on July 22-26, 2013. The pair completed 56 hours of instruction in the protocol, ethics, and the interpreting skills required of competent, professional interpreters. The project ensures that Navajo people have equal language access to public and private agencies that include state and federal courts.

In February 2013, the Kayenta District court building was closed due to moderate levels of mold within the building. To address the building remediation process, Judge Jennifer Benally and court administrator Laverne K. Yazzie participated in several Navajo Nation Law and Order Committee meetings to successfully bid for FY2014 General Fund supplemental funding. In addition, the meetings successfully provided a platform for the district's inclusion in the proposed expanded Navajo Nation judicial and public safety facilities fund management plan priority list.

Aneth Judicial District staff attorney Glen Renner attended three regular meetings to work on the final report for the Title 17 Sentencing Review Task Force on July 1, August 12, and August 19. As the Chairwoman, Ms. Renner presented the final report to the Law and Order Committee on August 28, 2013. The task force is not decommissioned yet in case they are needed later to answer questions when legislation is presented to the Council.

Chinle Judicial District Judge Cynthia Thompson provided insight on the court system and peacemaking program to parents and students during the Save Our School Summer Conference. She encouraged parents to become involved with their children's education and continued growth.

Dził Yijiin Judicial District Judge Victoria Yazzie completed the "Writing Skills for Tribal Judges" training in Reno, Nevada.

The vacant bailiff and court clerk positions were filled at Dził Yijiin Judicial District. Kevin Cody accepted

the position of bailiff, and Marita Lee accepted the position of district court clerk. Court clerk Shirley Leonard provided orientation and introduced them to the staff. All judicial district positions are now filled.

On August 20, 2013, the Dilkon Judicial District Court hosted a group of law students from Scranton University. Chief Justice Herb Yazzie gave a presentation on Navajo Fundamental Laws. The visit and tour were coordinated by the Navajo Nation Washington Office.

On July 24, 2013, the BIA made a site visit to the Window Rock Judicial District. In attendance were Jeanette Quintero and Daniel Largo from BIA, Judge Carol Perry, Judge Geraldine Benally, staff attorney Rodgerick Begay, and court administrator Barbara Willetto. Judicial Branch fiscal director Jimmy Yellowhair was also present to answer questions relating to the budget.

On September 3, 2013, Robyn Neswood began employment with the Window Rock Judicial District as its staff attorney.

During this quarter, the total number of walk-in clients assisted at Window Rock Judicial District was 2,974 (July = 1,052, August = 1,113, September = 809). Walk-in clients requested information regarding cases, arraignments, forms and procedures, payments of fines and/or fees, document requests, etc.

A workforce employee worked with the Window Rock Judicial District from April 29, 2013, to August 23, 2013. During her employment, she was assigned to the Archiving Section and digitally scanned closed family court cases from years 2003, 2004, and 2005.

Five Shiprock Judicial District court clerks participated in the New Dawn 2013 Training Conference on September 23-27, 2013. Participants received updates on docket management and obtained training on creative uses of Justware, paperless courtroom, and building templates for Justware docket automation. The court clerks are very supportive in the upgrade of the Judicial Branch Justware application to the 6.0 version.

Staff attorney Derrick Burbank and associate attorney Josephine Foo met on September 4, 2013, with peacemaking coordinator Gloria Benally, Shiprock traditional program specialist Raymond Deal, and court admin-

Cont'd on p. 7

Peacemaking Program

Peacemaking Program quarterly report

Development of Diné Law Library

The traditional Diné researcher worked on developing curriculums and getting resources and references for the Diné Law Library. The program compiled a draft policy and procedure for the library. In order to do this, the researcher learned about library systems and operations from Diné College Library. He learned that, in order for a book to have a call number, it has to be assigned one of the various standard systems of library classification. The books that were ordered do not have call numbers since they are not registered with any systems. He developed a tracking inventory sheet to account for all resource materials. An agreement check form was also developed to borrow resource materials and, if anything should occur, the borrower is responsible for damage or loss.

The program received its first order of books, posters, CDs, DVDs, and other resource materials. The items were tagged to show ownership by districts and programs. The resource materials will be housed at district offices to be utilized with the curriculum by traditional program specialists and peacemakers/traditional counselors. The curriculum binder is still in draft form until it is approved. The contents of the curriculum include a cover page; table of contents; policy and procedures; Navajo stories and curriculum; lesson plan format; and material check out form. The curriculum will be copied onto USB drives for the traditional program specialists. There will be a set housed at the Window Rock Peacemaking Program central office.

Peacemaking Program at the districts

At Dilkon Judicial District, the Peacemaking Program provided services that included: Life Value Engagement *Ałchini bich'i yat'I* for 333 students, 36 parents received parenting education, and follow up services for 19 students. Additionally, because the school year started, the program provided training to new faculty on program policies and procedures and the purpose of memorandums of agreements.

The Alamo/To'hajiilee traditional program specialist worked with Alamo and To'hajiilee Community Schools in getting memorandums of agreements signed by the local school boards. The program provided training on fatherhood and traditional parenting

to 28 men and women.

The Peacemaking Program in Shiprock is collaborating with the Restoring and Celebrating Family Wellness team to provide monthly presentations to the public on wellness ideas and concepts using the teachings of peacemaking. This quarter, the program's primary focus was on family disconnect issues and it provided education on possible remedies to reconnect families for 50 to 60 participants at Sanostee and Shiprock. The program provided orientation on the plan of operation to the Shiprock community peacemakers. The bi-culture training manager gave a presentation on the importance of Navajo language preservation, maintenance, and usage in peacemaking as well as in daily use. He shared information on the importance of cultural and language teachings and learning, an important aspect and perspective in training new judges, as well as working with and counseling children in the educational environment.

The Peacemaking Program in Window Rock provided direct services to 28 individuals who were court referred for Life Value Engagement services focusing on *Hoogan Haz'aado Na'nintiin*, traditional aspects of self-discipline, self-respect, and *hoozho'o na'a da*. The program is also making efforts to collaborate initiatives with Tsehootsooi Medical Center on meth, suicide prevention, and bullying with insights from the traditional aspects and approaches.

The Ramah traditional program specialist gave a presentation at the Parent Involvement Advisory Committee meeting at Pine Hill High School. As a result, two parents requested for services involving truancy. The program provided peacemaking services using Life Value Engagement to an adult charged with endangering the welfare of a minor. The traditional program specialist was assigned temporarily to the Alamo Court and successfully provided services. She updated all pending cases for the district and provided direct services to the community.

The Crownpoint traditional program specialist was temporarily assigned to the To'hajiilee Court and successfully provided services to the community. She updated all pending cases and closed cases upon comple-

Cont'd on next page

Branch news

tion of the updates. She met with school board members and obtained memorandums of agreements from To'hajiilee Community School and Wingate High School so peacemaking services can be provided in the two schools.

The program was invited by the Leupp Senior Center to give a presentation at the 9th Annual Youth Campout in Flagstaff, Arizona. The presentation gave a perspective in moral nurturing in Life Value Engagement to our children in traditional and western learning. The program met and interacted with Leupp senior citizens and youth which gave opportunity for the Peacemaking Program to acquaint themselves with the community since the program is in the process of counseling young students in the educational environment. In addition, the importance of parental involvement in the schools was emphasized.

The program gave a presentation on peacemaking to a group of law students from Scranton College in Pennsylvania at Dilkon District Court. The presentation gave specific and general information on traditional values, processes, and procedures of peacemak-

ing.

The Peacemaking Program in Alamo/Tohajiilee met with Socorro County Drug Court healing to wellness coordinator. During this meeting, the program was able to promote its traditional Life Value Engagement services and view their program's policies and procedures. The traditional program specialist, probation officer, and CARE coordinator provided support to drug court graduates.

Title 7 Revisions

The program is working on revisions of Title 7, N.N.C. 101-1119, with Chief Justice Herb Yazzie, Associate Justice Eleanor Shirley, two traditional consultants, Peacemaking Program staff, and a select number of traditional program specialists. The program completed the content and interpretations of Sections 109 through 114 encompassing the Preamble, Purpose, and the Jurisprudence. The program was able to interpret the content by transcribing the meanings from English into Navajo. ●

Highlights from the 4th quarterly report

Cont'd from p. 5

istrator Ethel S. Laughing to discuss proposed alternative services. During this meeting, a simplified stipulated petition for peacemaking was introduced to the group and a proposed pilot site tentatively recommended for Shiprock Judicial District and Shiprock Peacemaking.

Court administrator Ethel S. Laughing and court clerk Caroline Barber provided Justware financials training for the Tuba City Judicial District court personnel. The staff worked in a group setting with actual criminal and traffic cases, reviewed and posted financial transactions (fines, fees, cash bonds, community service vouchers) in the new court records management system, reconciled check registers, vouchered out and reconciled financial in Justware, and shared the Shiprock court clerks' daily/weekly task assignments.

Crownpoint Judicial District Judge Irene Toledo con-

tinued to preside over scheduled cases. She administered oaths of office to one newly elected chapter official and conducted one wedding ceremony. She attended the New Mexico Tribal/State Consortium in Albuquerque, New Mexico, and participated in two meetings regarding the Cobell Trust Settlement. She attended trainings in "Tribal Judicial Leadership" at Santa Ana Pueblo in Bernalillo, New Mexico, and "Business Process Mapping" at Buffalo Thunder in Santa Fe, New Mexico.

Four Crownpoint Judicial District court clerks attended the 2013 Justware Training Conference. Two court clerks and two bailiffs completed the "Vicarious Trauma and Professional Burnout" training in Gallup, New Mexico.

The Ramah Judicial District staff attorney provided pro se training so court staff can increase their awareness on how pro se relates to their job duties. During

Cont'd on p. 8

Judicial Branch 2013 conference

Cont'd. from p. 2

pathogens, mold and hantavirus, vehicle safety and general safety and evacuation. Probation officers had training in probation and criminal processes, juvenile process, self defense, drug trends and introduction to probation law. Traditional program specialists took training in peacemaking curriculum training, Justware financials and case management, update to alternative processes and the Title 7 revision update. The Law and Order Committee received training in probate, grazing and land use, restorative justice, sovereignty, sovereign immunity and extradition and Diné Fundamental Laws. All groups also received life value engagement teachings by the Peacemaking Program.



Arthur Allison, Secretary of Indian Affairs for the State of New Mexico, delivered the keynote address on the first day of the conference.

Highlights from the 4th quarterly report

Cont'd from p. 7

the August 30, 2013, staff development day in Albuquerque, New Mexico, staff attorney Dan Moquin provided training on power of attorney, adult guardianship, probate, paternity, and the process for completing petition forms for clients.

On July 1, 2013, a meeting was held regarding construction of the Ramah Navajo Law Enforcement and Detention Facility. Planning of the proposed facility is ongoing; however, there is a lack of funding to begin construction. In attendance were Judge Wilson Yellowhair, staff attorney Dan Moquin, court administrator Esther Jose, Ramah Chapter president Harry B. Yazzie, Ramah Chapter vice-present Cecil Eriacho, director of the Community Planning Office Andrew Gallegos.

Alamo/To'hajiilee Judicial District staff met proactively with To'hajiilee Behavioral Health Services several times this quarter to implement a referral system with an approved form and to map out processes. The pro-

gram has a new Licensed Alcohol and Drug Abuse Counselor (LADAC) on board who will be working with the To'hajiilee Court. Staff participated in various prevention activities during the annual red ribbon week (anti-drug/alcohol) and in scheduled resource meetings.

Judge William Platero, court staff, probation officer, and traditional program specialist attended the Tribal Law and Policy Institutes Tribal Healing to Wellness Enhancement training at the Agua Caliente Reservation in California from September 11-13, 2013. The group received specific training on best practices for drug courts, treatment services, ethics, sanctions/incentives, judicial interaction, data collection, case management, at-risk youth, and assessing mental health in Indian Country. Tribes from Alaska, New Mexico, Wisconsin, California, and other areas across the United States that have operational Healing to Wellness Courts were in attendance. Attendees had opportunity to get one-on-one technical assistance and learned from other courts how to implement state-tribal-federal Healing to Wellness Courts. In addition, struggles, lessons learned, and challenges were shared. Most importantly, it was a time when the Alamo/To'hajiilee team could learn common lessons, talk about projects in the communities, and discuss ways how to use our own laws and justice systems to make projects successful on the Navajo Nation. •

Diné Justice Vol. 2, No. 3

The Official Newsletter of the Judicial Branch of the Navajo Nation

Newsletter Editor: Karen Francis, Government Relations Officer

Telephone: (928) 871-6920

Facsimile: (928) 871-6761

E-mail: karenfrancis@navajonsn.gov

www.navajocourts.org