



The 21st Navajo Nation Council

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FOR IMMEDIATE RELEASE

Judiciary Committee hears report on reform of Judicial Branch

WINDOW ROCK, Ariz. – The Judiciary Committee of the 21st Navajo Nation Council heard a report from Council Delegate Thomas Walker Jr. regarding statutory amendments for Navajo Nation Judicial Branch reform -- a necessary component for comprehensive government reform.

Walker (Birdsprings/Leupp/Tolani Lake) said one of many reasons causing the Navajo people to develop distrust in their government is a result of reform efforts in one branch. He also reported current reform efforts need to include the other two branches as well – the executive and judicial branches – for true checks and balances in the Navajo governmental structure.

To revitalize the Navajo government's transparency, Walker informed the committee of his effort to join the government reform initiatives sponsored by the Office of the President to start a referendum process asking the Navajo public to vote on whether to make Navajo Nation Judges elected positions.

"In consulting with the Office of Navajo Government Development and Navajo Elections Administration, it is possible to get a referendum measure going regarding statutory amendments for the upcoming Navajo Nation General Election," Walker explained. "By joining the Office of the President's efforts we are enhancing total government reform. If the Office of the President is utilizing Diné Fundamental Law for re-election purposes, then the people also have the right and freedom to select their leaders and in this case Navajo Nation Judges."

"It makes all the sense in the world if the people have the power to select judges because judges are also leaders that work with laws and are not above the law," Walker added. "The judges in our courts are supposed to be very independent as ever, but it appears otherwise if you look at decisions in election related cases and legislative enactment cases that the decisions serve the best interests of the executive branch."

Walker believes the plan would bring transparency back to the Navajo Nation government, which the people desire. He said it is apparent that Navajo Nation Judges have no direct relationships or k'é at the chapter level with the public – a very important concept to the people.

"I fully believe the Navajo people would appreciate the opportunity of seeing and talking to their judges every election much like municipal, county and state governments where judges have direct links to the public," Walker said. "If we create elected positions for Navajo Nation Judges, then they have the opportunity and time to go back to the people to keep them accountable."

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Walker also said electing Navajo Nation Judges would result in tremendous cost savings for the Navajo Nation such as decreases in salary, benefits and pension plans. As elected officials Navajo Nation Judges would be subject to a fair salary amount with deferred compensation and insurance.

Furthermore, the election of judges would result in highly qualified candidates and would simplify the selection of judges as opposed to the lengthy process of selecting and appointing judges.

"It takes various meetings to appoint and confirm judges whereby the election of judges would be in the hands of the people. The people would become the selectors and evaluators, which would elevate highly qualified candidates to administer fair justice," Walker said.

The Judiciary Committee and Navajo Nation Judicial Branch would develop the reorganization of the reform project. Unlike the special initiative election which currently has no plan in place, the referendum would be available and ready for implementation after the public votes in the Navajo Nation General Election.

A resolution passed by Leupp Chapter supports Walker's proposal for government reform in electing Navajo Nation Judges to ensure that the interest and rights of the Navajo people are fairly protected. The committee agreed and supported Walker's plan to including the Navajo Nation Judicial Branch for comprehensive government reform.

Legislation is scheduled to be drafted by the Council's summer session or even for a special session. The committee accepted Walker's report, 6-0.

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