TITLE: An Action Relating To Law And Order And the Navajo Nation Council; Confirming the Probationary Appointment Of Victor Clyde As Navajo Nation District Court Judge

Date posted: September 11, 2020 at 7:00 PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 et. seq.
DATE: September 10, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER AND THE NAVAJO NATION COUNCIL; CONFIRMING THE PROBATIONARY APPOINTMENT OF VICTOR CLYDE AS NAVAJO NATION DISTRICT COURT JUDGE

PURPOSE: This resolution, if adopted, would confirm the probationary appointment of Victor Clyde as Navajo Nation District Court Judge.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL — Second Year, 2020

(Prime Sponsor)

TRACKING NO. 0226-20

AN ACTION
RELATING TO LAW AND ORDER AND THE NAVAJO NATION COUNCIL;
CONFIRMING THE PROBATIONARY APPOINTMENT OF VICTOR CLYDE AS
NAVAJO NATION DISTRICT COURT JUDGE

BE IT ENACTED:

SECTION ONE. AUTHORITY
A. The Navajo Nation established the Law and Order Committee as a Navajo Nation
   standing committee and as such gave the Law and Order Committee authority to
   recommend to the Navajo Nation President the permanent appointment of probationary
   judges. 2 N.N.C. §§ 164 (A)(9), 600 (A), 601 (B)(10).
B. The Law and Order Committee delegated its responsibility and authority to the Judicial
   Conduct Commission to screen applicants and recommend the probationary
   appointment of judges and justices. LOCS-19-18. The committee, however, maintains
   oversight authority over courts. 2 N.N.C. § 600(C).
C. The Judicial Conduct Commission made its recommendation to the Navajo Nation
   President for Victor Clyde to be appointed as a probationary judge of the Navajo
D. The President of the Navajo Nation shall appoint the Chief Justice, Associate Justices,
   and District Court Judges with confirmation by the Navajo Nation Council from among
those applicants recommended by the Law and Order [Judiciary] Committee of the
Navajo Nation Council. The Navajo Nation Council shall confirm judicial
appointments. 7 N.N.C. § 355 (A).

E. References in the Navajo Nation Code and other official documents to the Government
Services and Intergovernmental Relations Committee shall mean Naabik’íyáti
Committee, unless the amendments enacted herein for the context of previous law
indicates otherwise. See CO-45-12.

SECTION TWO. FINDINGS
A. Victor Clyde is an enrolled member of the Navajo Nation and is an applicant for
appointment as District Court judge. Mr. Clyde’s application and qualifications have
been reviewed by Judicial Conduct Commission, and he has been interviewed by
Judicial Conduct Commission. See JCC-01-2020 attached hereto as Exhibit A.

B. The Judicial Conduct Commission has determined that Victor Clyde meets the
qualifications for appointment as Navajo Nation Judge and has recommended him for
probationary appointment to the Navajo Nation President. Id.

C. The Navajo Nation President has appointed Victor Clyde as Navajo Nation judge,
subject to confirmation by the Navajo Nation Council. See Appointment Letter and
Qualification Documents attached hereto as Exhibits B and C, respectively.

SECTION THREE. CONFIRMING PROBATIONARY APPOINTMENT
The Navajo Nation confirms Mr. Victor Clyde as a probationary Navajo Nation Judge.

SECTION FOUR. NAVAJO NATION PRIVACY ACT
Confidential information within application documents shall remain protected except
upon its authorized disclosure by the appointee. 2 N.N.C. § 81 et seq. (2014).