

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0102-25_

SPONSOR: Eugenia Charles-Newton

TITLE: An Action Relating to the Law and Order Committee; Not Recommending the Permanent Appointment of Joann Jayne as Navajo Nation Chief Justice

Date posted: June 03, 2025 at 7:01PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0102-25

DATE: June 3, 2025

TITLE OF RESOLUTION: AN ACTION RELATING TO THE LAW AND ORDER COMMITTEE; NOT RECOMMENDING THE PERMANENT APPOINTMENT OF JOANN JAYNE AS NAVAJO NATION CHIEF JUSTICE

PURPOSE: The purpose of this proposed resolution is to not recommend the permanent appointment of Joann Jayne as Navajo Nation Chief Justice.

FINAL AUTHORITY: Law and Order Committee

VOTE REQUIRED: Simple Majority

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.

5-DAY BILL HOLD PERIOD:
Website Posting Time/Date:
Posting End Date: 06-08-25
Eligible for Action: 06-09-25

PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL—Third Year, 2025
INTRODUCED BY

Primary Sponsor

TRACKING NO. 0102-25

AN ACTION
RELATING TO THE LAW AND ORDER COMMITTEE;
NOT RECOMMENDING THE PERMANENT APPOINTMENT
OF JOANN JAYNE AS NAVAJO NATION CHIEF JUSTICE

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation established the Law and Order Committee (“LOC”) as a Navajo Nation standing committee with the authority to recommend or not recommend to the Navajo Nation President the permanent appointment of probationary Justices and Judges. 2 N.N.C. §§ 164 (A)(9), 600 (A) and 601 (B)(10) (2012); *see also* 7 N.N.C. §355(E).
- B. “A probationary Chief Justice...shall not be recommended for permanent appointment unless he or she ... has received a satisfactory performance evaluation from ... the [Law and Order] Committee of the Navajo Nation Council at the conclusion of the probationary Justice’s...two year probationary term.” 7 N.N.C. §355(C).

SECTION TWO. FINDINGS

- A. Chief Justice JoAnn Jayne completed a two-year probationary period and is now eligible for recommendation by the LOC for permanent appointment as Navajo Nation Chief Justice.

- 1 B. In accordance with 7 N.N.C §355 (E), the "...[Law and Order] Committee shall review the
2 record and qualifications of each probationary Justice ... and shall recommend to the
3 President whether or not each probationary Justice ... has satisfactorily completed the
4 probationary term and should be appointed to a permanent position."
- 5 C. Due to delays caused by the COVID-19 pandemic, Chief Justice JoAnn Jayne's public
6 hearing and probationary status evaluations were delayed. In 2023, the Navajo Nation
7 reopened after the COVID-19 crisis and the Navajo Nation government implemented
8 measures to resume in-person functions. Included in the reopening measures was
9 prioritizing evaluations for the judges and Chief Justice.
- 10 D. As a part of the evaluation of the Chief Justice, LOC held a public hearing in thirteen (13)
11 Navajo Nation communities to evaluate Chief Justice JoAnn Jayne for the permanent
12 appointment. The purpose of holding the hearing in thirteen (13) communities throughout
13 the Navajo Nation Judicial Districts was to give the public and judicial employees the
14 opportunity to provide testimony. The hearing schedule is attached hereto as **EXHIBIT A**.
- 15 E. The Chief Justice Evaluation Hearing held by the LOC was conducted in accordance to the
16 "Hearing Rules of the Law and Order Committee of the Navajo Nation Council to Evaluate
17 the Performance of Probationary Judges and Justices," (the "Hearing Rule(s)") adopted
18 under Resolution JCMY-02-09 and amended by Resolution LOCJY-08-13.
- 19 F. In accordance with Hearing Rule I.(D) and Rule II., Navajo Nation Associate Justice
20 Eleanor Shirley provided results of a performance evaluation, results of two surveys
21 conducted during Justice Jayne's probationary period and recommended to LOC that Chief
22 Justice JoAnn Jayne be appointed as the permanent Navajo Nation Chief Justice, attached
23 hereto as **EXHIBIT B**.
- 24 G. In accordance with Hearing Rule IV., the Navajo Nation Bar Association Judicial
25 Evaluation Committee provided oral testimony and a written evaluation report, attached
26 hereto as **EXHIBIT C**, that recommends Justice Jayne not be appointed permanently.
- 27 H. Public Testimony was allowed and provided under Hearing Rule XII., and included the
28 following:
- 29 a. Many of Chief Justice Jayne's family appeared in support of her for permanent
30 appointment and testified to her upbringing and knowledge of Navajo culture;

1 b. Current and former employees testified to their experience in working within the
2 Judicial Branch, including the type of working environment that exists under
3 Chief Justice Jayne's leadership;

4 c. Members of the public having had contact with the courts testified to their
5 experience with the court system under the leadership of Chief Justice Jayne.
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7 **SECTION THREE: RECOMMENDATION OF THE LAW AND ORDER COMMITTEE**

8 Chief Justice Joann Jayne hereby receives an unsatisfactory performance evaluation and is not
9 recommended for permanent appointment as the Navajo Nation Chief Justice. In accordance
10 to 2 N.N.C. § 601(B)(10)(a) and 7 N.N.C §355(E), the Navajo Nation President shall not
11 appoint the probationary Justice to a permanent position.
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