



25TH NAVAJO NATION COUNCIL

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FOR IMMEDIATE RELEASE

August 20, 2025

Law and Order Committee receives report on Hearing Case Backlogs and pending matters



Law and Order Committee hears report from Navajo Nation Labor Commission, Ethics and Rules Office, and Office of Hearing & Appeals

WINDOW ROCK, AZ — During a recent Law and Order Committee meeting, the Office of Hearing and Appeals presented a report detailing the volume and status of pending and backlogged cases, underscoring systemic challenges that continue to impact the efficiency of ethics hearings and administrative adjudications across the Navajo Nation government.

“The strength of any government lies in its ability to efficiently uphold justice,” said Chair Eugenia Charles-Newton. “Our justice systems must reflect the seriousness of the violations we’re seeing from ethics to financial mismanagement and ensure swift, fair resolution for the benefit of our people.”

The report outlined the ongoing case management strain facing the Office of Hearing and Appeals (OHA). According to the OHA Administrative Assistant, the office continues to face delays due to staffing shortages, case complexity, and the rising number of high-value restitution cases.

OHA current caseload includes employment disputes, ethics violations, and matters involving financial impropriety, many of which have been pending for over a year due to the lack of full-time hearing officers.

During the session, Lewnell Harrison, Acting Director for the Office of Ethics and Rules, provided further insight, reporting that the Ethics Office currently has 115 open and

active cases. Each investigator in the office is handling between 11 and 41 cases, with the department averaging ten new intakes per week. Although 142 cases have been closed in the past year, a large volume remains unresolved due to the limited capacity for hearings.

One contracted hearing officer is currently serving OHA in the absence of a permanent chief officer.

Harrison highlighted the challenges in collecting restitution; many cases involve significant sums, with the total restitution owed to the Navajo Nation now exceeding \$1.27 million. To date, only \$163,430 has been recovered. Investigators face difficulties collecting from individuals who are either unemployed or contributing minimal payments. There are also cases involving over \$1 million in misappropriated funds currently under review with federal partners.

Chair Charles-Newton emphasized the need for structural reform and proposed a leadership meeting to consider amendments to existing laws governing ethics violations, garnishment procedures, and administrative hearing protocols. She pointed to the long-standing delays in ethics case resolutions and urged a collaborative effort among legal, legislative, and enforcement entities to modernize and strengthen accountability systems.

The Navajo Nation Labor Commission also submitted a report by Acting Director Leffew Denny, who confirmed 48 pending cases, with no current backlog. Denny noted that 53 cases were closed, settled, or dismissed this fiscal year, with evidentiary and motion hearings scheduled through the end of the calendar year.

The committee concluded by setting a leadership meeting to further address ethics enforcement, restitution collection, and the structure of hearing bodies.

Vice Chair Nathan Notah added, "The volume of pending cases and the restitution owed to the Navajo Nation is unacceptable. We must fix the laws, improve collection mechanisms, and support our oversight institutions so they can fulfill their responsibilities to the Nation."

The Law and Order Committee accepted the report with a vote of three in favor and zero opposed.

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