

**RESOLUITON OF THE
LAW AND ORDER COMMITTEE OF THE
24th NAVAJO NATION COUNCIL - Fourth Year, 2022**

AN ACTION

RELATING TO THE LAW AND ORDER COMMITTEE; APPROVING AND RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE THE FISCAL YEAR 2023 BUDGET FOR THE NAVAJO NATION DEPARTMENT OF JUSTICE AND RELATED MATTERS, TO BE INCLUDED IN THE NAVAJO NATION'S COMPREHENSIVE BUDGET FOR FISCAL YEAR 2023

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee ("LOC") is a standing committee of the Navajo Nation Council with oversight authority over the Judicial Branch. 2 N.N.C. §600(A); 2 N.N.C. §601(C)(1).
- B. Each Oversight Committee, including the LOC, shall review and make recommendations regarding the programs under its oversight responsibility, regarding the Navajo Nation's Comprehensive Budget for the upcoming Fiscal Year. 12 N.N.C. §840(A).

SECTION TWO. FINDINGS

- A. In accordance with 12 N.N.C. §840(A), the LOC held hearings and took relevant testimony regarding the FY2023 Budget for the Department of Justice.
- B. During these budget meetings, the LOC reviewed and considered the proposed FY2023 Budget for the Department of Justice, as commented upon by members of the public.

SECTION THREE. APPROVING AND RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE THE FISCAL YEAR 2023 BUDGET FOR THE DEPARTMENT OF JUSTICE AND RELATED MATTERS

- A. The Law and Order Committee hereby approves the FY2023 Budget for the Department of Justice, as detailed in the "Fund Type Budget Summary" attached hereto as **Exhibit A**.
- B. The LOC hereby approves certain revisions to the Branch Chiefs' proposed FY2023 Budget amount for the Department of Justice, as shown in Columns D and E in the "General Fund

Comparative Summary" attached hereto as **Exhibit B.**

- C. The LOC recommends the changes to the General Fund Budget described in **Exhibit C.**
- D. The LOC recommends certain Conditions of Appropriation and Legislative Concerns, as listed in **Exhibit D.**
- E. The LOC recommends that certain Unmet Needs for the Department of Justice be included in the FY2023 Comprehensive Budget, as explained in **Exhibit E.**
- F. The LOC hereby recommends that the Budget and Finance Committee approve the Department of Justice's proposed FY2023 Budget and all Committee recommendations, as set forth in **Exhibits A - E.**
- G. As necessary and appropriate, the LOC hereby authorizes the LOC Chair and Vice-Chair to negotiate the LOC's recommendations herein with the Budget and Finance Committee.

SECTION FOUR. RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE CARRYOVERS FOR THE NAVAJO NATION DEPARTMENT OF JUSTICE

- A. The Law and Order Committee recommends the carryover amount of \$237,703.01 or unexpended balance from business units #104002, and # 104001 be moved from Navajo Nation Fiscal Year 2022 into Fiscal Year 2023. **EXHIBIT F.**

SECTION FIVE. SAVING CLAUSE

If any portion of this Action is determined invalid by the Navajo Nation Supreme Court, or by a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the remainder of this Act shall be the law of the Navajo Nation.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 02 in Favor, and 00 Opposed on this 1st day of August 2022.

A handwritten signature in black ink, appearing to read "Vince R. James", written in a cursive style.

Honorable Vince R. James, Pro Tem Chair
Law and Order Committee

Motioned: Honorable Eugene Tso
Seconded: Honorable Eugenia Charles-Newton

The Navajo Nation

EXHIBIT C

EXECUTIVE BRANCH

DEPARTMENT OF JUSTICE

[illegible]

Fiscal Year 2023

The Navajo Nation

EXHIBIT D

Recommended Conditions of Appropriations and Legislative Concerns

Branch: EXECUTIVE BRANCH Division/Office: DEPARTMENT OF JUSTICE

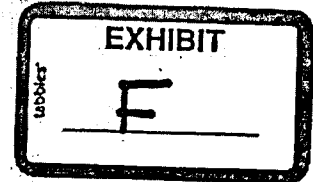
Business Unit Number	Program Title	Brief Narrative of Recommended Condition of Appropriation (COA) or Legislative Concern (LC)
104001	Office of the Attorney General	
104002	Navajo-Hopi Legal Services Program	
104005	Office of the Prosecutor	

**The Navajo Nation
Recommended Unmet Needs Budgets**

Branch:		EXECUTIVE	Division/Office:		DEPARTMENT OF JUSTICE
Business Unit Number	Program Title	Amount of Unmet Need	Explanation of Recommended UNMET NEEDS to the FY 2023 General Fund Budget		
104005	Office of the Prosecutor	1,044,380	The Unmet Needs Budget in the amount of \$1,044,380.00 will allow the Office of the Prosecutor to operate for the full 12 months in FY 2023. It will maintain prorated prosecutorial positions and subject itself to utilize vacancy savings when positions are filled rather than maintain 2088 hours with unused funds at the end of the fiscal year (1) \$475,148 - 2002 Personnel: Vacant attorney position and two (2) prosecutor included 1,408 hours to fund the positions at 2088 hours. Prosecutor positions in the Tuba City, Dził Yíjin, and Ramah Districts are at 1,088 due to the difficulty in filling the positions. Funds are made available of the reclassification of the Sr. Legal Secretary to Administrative Secretary for the major crime prosecution efforts. this reclassification is currently by review by DPM. Per the BIM, the proposed PSI for eight (8) personnel who have upcoming annual evaluations and the FY2023 Fringe benefits rates are all included. (2) \$111,526 - 3000 Travel Expenses: funds are made available for the remaining 11 months for five (5) vehicles for Shiprock, Tohajilee, Window Rock, WCCU and OCP. The Personal travel is broken down to the specific uses. (3) \$181,485 - 4000 Supplies: Each district is allocated supply funds per district rather than lump sum. This breaks down will eliminated the supposed unfairness of supply expenditures to each district. It is captured for 11 months. (4) 33,682 - 5000 Lease and Rental: Provides leasing cost for Ramah (office space lease from the Ramah Chapter) and Shiprock District. Incorporated storage for the Window Rock District who has no building. Four Xerox copier lease from records Management. (5) \$68,034 - 5500 Communications and Utilities: covers cost for land lines in seven (7) districts as per the BIM. Window Rock offices are covered NN Fixed Costs. Utility costs for Ramah and Tohajilee districts since this offices are not covered by Navajo Nation facility maintenance and fixed costs. (6) \$4,700 - 6000 Repairs and Maintenance: Repairs and Maintenance to leased Xerox copiers for eleven (11) months. (7) \$150,860 - 6500 Contractual Services: These costs are for consultants for outside prosecutorial and investigative and transcript services with expenses. (8) \$18,945 - 7000 Special Transactions: This covers much needed media legal advertising costs when defendants are not able to be contacted via court mailings or prosecutorial mailings, and it is ordered by judges to seek media legal notice for advertising. Required training and mandatory licensure fees for prosecutor/attorneys. Background check renewals. Required insurance for personnel		
104002	Navajo-Hopi Legal Services Program	34,781	The Unmet Needs Budget in the amount of \$34,781.00 request cover (1) \$15,398 - 2001 Personnel: the cost f reclassifying of two(2) positions, one (1) of which has been approved by DPM, and another one (1) that is pending with DPM. (2) \$12,090 - 3000 Personnel Travel: Travel Cost will allow NHLSP to lease tribal vehicle at monthly rates, as well as mileage and travel expenses for staff. (3) - \$2,408 - 4000 Supplies: To cover NHLSP's general office and operating supplies, including postage for mail with NHLSP clients. (4) \$2,716 - 55 Communication/Utilities: To cover NHLSP's telephone and office DSL, Internet costs. (5) \$2,169 - 7000 Special Transactions: To cover increased general liability and workers comp. costs from salary adjustment in personnel and fleet vehicle purchase lease insurance costs.		
TOTAL:		1,079,161			



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL



DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

MEMORANDUM

TO: Law and Order Committee
NAVAJO NATION COUNCIL

FROM: Kimberly A. Dutcher
Doreen N. McPaul, Attorney General or
Kimberly A. Dutcher, Deputy Attorney General
DEPARTMENT OF JUSTICE

DATE: August 01, 2022

SUBJECT: Department of Justice Estimate Amount Carryover

As requested, attached is the FY22 anticipated Department of Justice's Carry-Over amount. These amount are estimate amounts, we still are anticipating spending to September 30, 2022.

104005 Office of the Prosecutor: \$169,200.00
104002 Navajo-Hopi Legal Services: \$4,081.06
104001 Office of the Attorney General: \$64,421.95

Estimate Total Carry-Over Amount: \$237,703.01

Office of the Prosecutor 104005 (\$169,200.00)

LOD	DESCRIPTION	CARRYOVER AMOUNT
.3000	Travel Expense	\$10,000.00
.4000	Supplies	\$0.00
.5000	Lease and Rental	\$85,900.00
.5500	Communications & Utilities	\$8,000.00
.6000	Repairs & Maintenance	\$5,100.00
.6500	Contractual Services	\$52,000.00
.7000	Special Transactions	\$8,200.00
Total Carry-Over Request:		\$169,200.00

Navajo-Hopi Legal Services 104002 (4,081.06)

LOD	DESCRIPTION	CARRYOVER AMOUNT
.3000	Travel Expense	\$1,043.45
.4000	Supplies	\$1,084.00

.5000	Lease and Rental	\$0
.5500	Communications & Utilities	\$1,353.61
.6000	Repairs & Maintenance	\$0
.6500	Contractual Services	\$0
.7000	Special Transactions	\$600.00
Total Carry-Over Request:		\$4,081.06

Office of the Attorney General 104001 (

LOD	DESCRIPTION	CARRYOVER AMOUNT
.3000	Travel Expense	\$14,518.44
.4000	Supplies	\$20,812.00
.5000	Lease and Rental	\$37.26
.5500	Communications & Utilities	\$1,600.00
.6000	Repairs & Maintenance	\$835.00
.6500	Contractual Services	\$16,000.00
.7000	Special Transactions	\$10,619.25
Total Carry-Over Request:		\$64,421.95.00

LAW AND ORDER COMMITTEE
Special Meeting
August 01, 2022

Legislation No. 0131-22: An Action Relating to the Law and Order Committee; Approving and Recommending to the Budget and Finance Committee the Fiscal Year 2023 Budget for the Navajo Nation Department of Justice and Related Matters, to be included in the Navajo Nation's Comprehensive Budget for Fiscal Year 2023 – *Sponsors: Honorable Otto Tso//Co-Sponsors: Honorable Eugenia Charles- Newton/Honorable Vince James*

VOTE TALLY SHEET:

Main Motion:

Motion: Honorable Eugene Tso

Second: Honorable Eugenia Charles-Newton

Vote: 2-0-3

Yea: Honorable Eugenia Charles-Newton/Honorable Eugene Tso

Nay:

Not Voting: Honorable Vince James

Excused: None

Absent: Honorable Otto Tso/Honorable Edmund Yazzie

Amendment No. 1:

Motion: Honorable Eugene Tso

Second: Honorable Eugenia Charles-Newton

Vote: 2-0-3

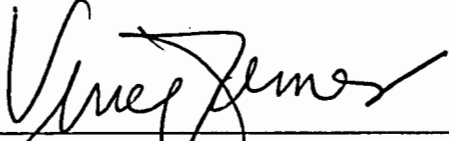
Yea: Honorable Eugenia Charles-Newton/Honorable Eugene Tso

Nay:

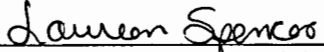
Not Voting: Honorable Vince James

Excused: None

Absent: Honorable Otto Tso/Honorable Edmund Yazzie



Vince R. James, Pro Tem Chair
Law and Order Committee
24th Navajo Nation Council



Laureen Spencer, Legislative Advisor
Office of Legislative Services