

RESOLUTION OF THE  
LAW AND ORDER COMMITTEE  
OF THE 23<sup>RD</sup> NAVAJO NATION COUNCIL

Relating to Law and Order, Recommending to the Navajo Nation President the Permanent Appointment of the Honorable Cynthia Thompson as Navajo Nation District Court Judge

BE IT ENACTED:

Section One. Findings

- A. The Navajo Nation established the Law and Order (LOC) as a Navajo Nation standing committee and as such gave LOC authority to recommend to the Navajo Nation President the permanent appointment of probationary judges. 2 N.N.C. §§ 600(A), 601(B)(10)(2012) and 7 N.N.C. §355(D) see also CJA-03-13, 22<sup>nd</sup> Navajo Nation Council, sect. 5, 30 (2013).
- B. Currently, the Judicial Branch has seven vacancies for the Navajo Nation District Court Judge position.
- C. Upon LOC's recommendation, the Navajo Nation President shall appoint a District Court Judge subject to Navajo Nation Council's confirmation. 7 N.N.C. § 355(E).
- D. On Monday, August 31, 2015, LOC held a public hearing in Dilkon, Arizona to review the record and Judge Cynthia Thompson's qualification. 7 N.N.C. § 355(E) and LOCJY-08-13.
- E. Judge Thompson successfully completed training courses accredited for judges. 7 N.N.C. § 355(C).
- F. On April 28, 2015, Judge Thompson received a satisfactory performance evaluation from the Chief Justice. *Id.*
- G. On August 31, 2015, Judge Thompson received a satisfactory performance evaluation from LOC. *Id.*
- H. LOC determines that Judge Cynthia Thompson meets the qualifications for appointment as a permanent Navajo Nation District Court Judge.

**Section Two: Recommendation for Permanent Appointment**

The Law and Order Committee recommends to the Navajo Nation President that Judge Cynthia Thompson be considered for permanent appointment as District Court Judge, subject to the Navajo Nation Council's confirmation. 7 N.N.C. § 355(E).

**Section Three: Directive**

The Office of Legislative Services shall immediately submit to the Navajo Nation President all documents provided by the applicant recommended for appointment. Confidential information within application documents shall remain protected except upon authorized disclosure by the applicant. 2 N.N.C. § 81 et seq. (2009).

**C E R T I F I C A T I O N**

I hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 2 in favor 0 opposed, this 21<sup>st</sup> day of September, 2015.

A handwritten signature in black ink, appearing to read 'Edmund Yazzie', with a long horizontal stroke extending to the right.

Edmund Yazzie, Chairman  
Law and Order Committee  
23<sup>rd</sup> Navajo Nation Council

Motion: Jonathan Perry  
Second: Kee Allen Begay, Jr.



**NAVAJO NATION DEPARTMENT OF JUSTICE**

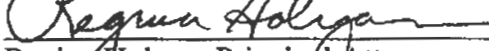
**OFFICE OF THE ATTORNEY GENERAL**

---

ETHEL B. BRANCH  
ATTORNEY GENERAL

MEMORANDUM

TO: Carolyn R. West, Attorney  
Office of Legislative Counsel  
Legislative Branch

FROM:   
Regina Holyan, Principal Attorney  
Human Services & Government Unit  
Navajo Nation Department of Justice

DATE: September 10, 2015

SUBJECT: **Confidential Exhibits pursuant to 2 N.N.C. § 164(A)(6)**

The Navajo Nation Department of Justice ("NNDJOJ") has taken your word at face value that the exhibits relating to judicial review of Judge Cynthia Thompson are similar in kind to the exhibits your office had emailed to the Attorney General on July 28, 2015 on a different judge. NNDJOJ assumes you ask the same question: whether and which parts of the exhibits would be designated as "confidential" and therefore, would not be placed on the Navajo Nation's website pursuant to 2 N.N.C. § 164(A)(6).

The Navajo Nation Privacy Act, at 2 N.N.C. § 85(A)(3-4), designates a Navajo employee's personal information, performance evaluations, and personal status information as protected records.

Therefore, NNDJOJ recommends that the exhibits pertaining to the Law and Order Committee's recommendation concerning Judge Thompson that include the above categories of protected records either be redacted (as on her job application) or not released (her performance evaluations).

RH/gm.167