

RESOLUTION OF THE
LAW AND ORDER COMMITTEE

23RD NAVAJO NATION COUNCIL - FIRST YEAR, 2015

AN ACTION

RELATING TO LAW AND ORDER COMMITTEE; RECOMMENDING TO THE NAVAJO NATION PRESIDENT THE PERMANENT APPOINTMENT OF THE HONORABLE LEONARD R. LIVINGSTON AS NAVAJO NATION DISTRICT COURT JUDGE

BE IT ENACTED:

SECTION 1. FINDINGS

- A. The Navajo Nation established the Law and Order Committee (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. §§335(D) see also CJA-03-13, 22nd 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 Tuesday, July 14, 2015, LOC held a public hearing in Ramah, New Mexico to review the record and Judge Leonard R. Livingston's qualifications. 7 N.N.C. § 355(E) and LOCJY-08-13.
- E. Judge Livingston successfully completed training courses accredited for judges. 7 N.N.C. § 355(C).
- F. On March 9, 2015, Judge Livingston received a satisfactory performance evaluation from the Chief Justice. *Id.*
- G. On July 14, 2015, Judge Livingston received a satisfactory performance evaluation from LOC. *Id.*
- H. LOC determines that Judge Leonard R. Livingston meets the qualifications for appointment as a permanent Navajo Nation Court Judge.

SECOND 2. RECOMMENDATION FOR PERMANENT APPOINTMENT

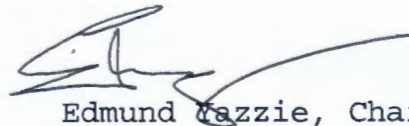
The Law and Order Committee recommends to the Navajo Nation President that Judge Leonard R. Livingston be considered for permanent appointment as District Court Judge, subject to the Navajo Nation Council's confirmation. 7 N.N.C. § 355(E)

SECOND 3. 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)

CERTIFICATION

I hereby certify that the foregoing resolutions was duly considered by the 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 3 in favor and 0 opposed this 14TH day of December 2015.



Edmund Gizzie, Chairperson
Law and Order Committee

12/23/15
Date

Motion: Honorable Kee Allen Begay
Second: Honorable Jonathan Perry

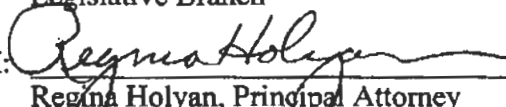


NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

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: July 31, 2015

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

The Navajo Nation Department of Justice ("NNDOJ") has reviewed the exhibits that you emailed to the Attorney General. You ask us whether and which parts of the exhibits would be designated as "confidential" and 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, NNDOJ recommends that the exhibits pertaining to the Law and Order Committee's recommendation concerning Judge Livingston that include the above categories of protected records either be redacted (as on his job application) or not released (his performance evaluations).

RH/gm.126

xc : Ethel Branch, Attorney General, NNDOJ
: Kandis Martine, Assistant Attorney General, NNDOJ
: Levon Henry, Chief Legislative Counsel, Legislative Branch