



The 21st Navajo Nation Council

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FOR IMMEDIATE RELEASE

Judiciary Committee denies permanent appointment for probationary Justice Grant, Chief Justice Yazzie fails to produce evaluation

WINDOW ROCK, Ariz. – The Judiciary Committee denied today the permanent appointment of probationary Associate Justice Louise Grant to the Navajo Nation Supreme Court. On a 4-2 vote, the committee determined Justice Grant's performance evaluation unsatisfactory after Chief Justice Herb Yazzie failed to produce any copies of the associate justice's two year probationary evaluation.

The evaluation of Justice Grant comes a few days after she notified Chief Justice Yazzie of her resignation. In an Oct. 6 memo, Justice Grant informed the chief justice that Oct. 8 is her last day on the bench and that her performance evaluation was unnecessary. The committee conducted the hearing without the presence of Justice Grant.

On Sept. 16, the Judiciary Committee sent out a notice of public hearing for Justice Grant's evaluation, which was sufficient time for the chief justice to produce the evaluation.

Despite her resignation and absence, the committee acted according to provisions of the Navajo Nation Code, which requires the committee to recommend a justice or judge for permanent appointment upon a satisfactory evaluation over the two year probationary period.

"The committee's recommendation of an unsatisfactory rating was because there were no written copies of any evaluation provided by the chief justice for the record to determine her performance otherwise," Chair Kee Allen Begay said. "And as for the denial of permanent appointment, it is a matter of following through on committee procedural hearing rules."

Mr. Begay also said the committee did not make any official comments on the retirement of Justice Grant, as the committee is in no position to grant or deny "retirement" of justices or judges.

"Probationary Associate Justice Grant was aware of the committee's notice of hearing," added Honorable Ernest Yazzie. "No documents surfaced. We did our job according to when the hearing was scheduled. The least the associate justice could have done was to appear at her hearing."

The unsatisfactory evaluation also means Justice Grant would not be allowed back to the bench, despite her retirement status.

"A retired judge could always be called back in the future to decide a case and it was in the best interest of the committee to follow suit with its procedures to deny the permanent appointment, which was based on Justice Grant's unsatisfactory evaluation."

A resolution affirming the removal of Justice Grant is in draft status and is scheduled to go before the Judiciary Committee during the week of Oct. 25.

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