

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0195-24_

SPONSOR: Cherilyn Yazzie

TITLE: An Action Relating to the Law and Order Committee and the Health, Education and Human Services Committee; Approving Amendments to the Navajo Nation Child Support Guidelines and Child Support Schedule

Date posted: August 07, 2024 at 8:04PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0195-24

DATE: August 6, 2024

TITLE OF RESOLUTION: AN ACTION RELATING TO THE LAW AND ORDER COMMITTEE AND THE HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE; APPROVING AMENDMENTS TO THE NAVAJO NATION CHILD SUPPORT GUIDELINES AND CHILD SUPPORT SCHEDULE

PURPOSE: The purpose of this proposed resolution is to approve amendments to the child support guidelines and the child support schedule.

FINAL AUTHORITY: Health, Education and Human Services Committee


VOTE REQUIREMENT: Simple Majority

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD At Mike III
Website Posting Time/Date _____
Posting End Date: 08/12/24
Eligible for Action: 08/13/24

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL – Second Year, 2024

3 Introduced by:

4
5 *Cheryl Yazzie*
6 *Amber Gonzalez* Primary Sponsor
7
8 Tracking No. 0195-24
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11 AN ACTION
12 RELATING TO THE LAW AND ORDER COMMITTEE AND THE HEALTH,
13 EDUCATION, AND HUMAN SERVICES COMMITTEE; APPROVING
14 AMENDMENTS TO THE NAVAJO NATION CHILD SUPPORT GUIDELINES
15 AND CHILD SUPPORT SCHEDULE
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17 BE IT ENACTED:

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19 SECTION ONE. AUTHORITY

- 20 A. The Law and Order Committee is a standing committee of the Navajo Nation Council
21 and is empowered with oversight authority over the courts and administrative legal
22 tribunals for the purpose of improving the administration of justice on the Navajo
23 Nation by ensuring a justice system that is independent from political influence and
24 that is accountable and responsible to the Navajo Nation in its administration and
25 operations, among other purposes. 2 N.N.C. § 600 and 601(C)(1).
26 B. The Health, Education and Human Services Committee has oversight of the Division
27 of Human Resources. 2 N. N.C. §401(C).
28 C. The Navajo Nation Department of Child Support Enforcement is a program within
29 the Navajo Nation Division of Human Resources.
30

1 **SECTION TWO. FINDINGS**

- 2 A. The Navajo Nation Council, in Resolution CD-111-94, adopted the “Navajo Nation
3 Child Support Enforcement Act” which was amended by Council Resolution CJA-05-
4 21 to the current “Child Support Act.”
- 5 B. The current Basic Child Support Schedule was adopted in Resolution JCJY-9-96 and
6 has not been updated since.
- 7 C. The Child Support Enforcement Act provides that review and revision of child
8 support guidelines should be done at least once every four years to ensure the
9 amounts are periodically adjusted to support associated costs with care and support of
10 children within the Navajo Nation. 9 N.N.C. § 1706 (A)(7).
- 11 D. Additionally, the child support guidelines in the Code of Federal Regulations,
12 attached as **Exhibit A**, require tribes that operate Tribal IV-D programs review their
13 child support guidelines every four years, and revise, if appropriate.
- 14 E. The amended Navajo Nation Child Support Guidelines are attached as **Exhibit B**.
- 15 F. The Department of Justice reviewed the proposed amendments to the Navajo Nation
16 Child Support Guidelines and determined the amendments to be legally sufficient.
17 This documentation is attached as **Exhibit C**.
- 18 G. A revised Basic Child Support Schedule is attached as **Exhibit D**. This revised
19 schedule reflects a ten percent increase to the current child support schedule.
- 20 H. Also included for reference is Worksheet A – Basic Visitation Schedule and
21 Instructions, attached as **Exhibit E**, and Worksheet B Shared Responsibility, attached
22 as **Exhibit F**.

23
24 **SECTION THREE. APPROVAL**

25 The Navajo Nation hereby approves the proposed amendments to the Navajo Nation
26 Child Support Guidelines in **Exhibit B**, and Basic Child Support Schedule in **Exhibit D**.

27
28 **SECTION FOUR. EFFECTIVE DATE**

- 29 A. This Action shall be effective in accordance with 2 N.N.C. § 221(C).

1 B. The amended Navajo Nation Child Support Guidelines and Basic Child Support
2 Schedule shall become effective on the first day of the first month following the
3 approval of the Health, Education and Human Services Committee.
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5 **SECTION FIVE. SAVING CLAUSE**

6 If any provision of the guidelines is determined invalid by the Supreme Court of the
7 Navajo Nation, or by any Navajo Nation District Court without appeal to the Navajo
8 Nation Supreme Court, the remainder of the guidelines shall be the law of the Navajo
9 Nation.
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