

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0222-24\_

SPONSOR: Eugenia Charles-Newton

**TITLE: An Action Relating to the Law and Order Committee; Recommending to the Navajo Nation President the Permanent Appointment of the Honorable Malcolm Laughing as a Navajo Nation District Court Judge**

***Date posted:*** October 02, 2024 at 1:20 PM

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**LEGISLATIVE SUMMARY SHEET**  
**Tracking No. 0222-24**

**DATE:** October 1, 2024

**TITLE OF RESOLUTION: AN ACTION RELATING TO THE LAW AND ORDER COMMITTEE; RECOMMENDING TO THE NAVAJO NATION PRESIDENT THE PERMANENT APPOINTMENT OF THE HONORABLE MALCOLM LAUGHING AS A NAVAJO NATION DISTRICT COURT JUDGE**

**PURPOSE:** This resolution, if approved, recommends to the President of the Navajo Nation the permanent appointment of Honorable Malcolm Laughing as a Navajo Nation District Court Judge.

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

**Final Authority:** Law and Order Committee

**Vote Required:** Simple Majority

5-DAY BILL HOLD PERIOD                       
Website Posting Time/Date                       
Posting End Date: 10-07-24  
Eligible for Action: 10-08-24

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PROPOSED STANDING COMMITTEE RESOLUTION  
25<sup>th</sup> NAVAJO NATION COUNCIL—Second Year, 2024

INTRODUCED BY

\_\_\_\_\_  
Primary Sponsor



TRACKING NO. 0222-24

AN ACTION  
RELATING TO THE LAW AND ORDER COMMITTEE; RECOMMENDING TO  
THE NAVAJO NATION PRESIDENT THE PERMANENT APPOINTMENT OF  
THE HONORABLE MALCOLM LAUGHING  
AS A NAVAJO NATION DISTRICT COURT JUDGE

BE IT ENACTED:

**SECTION ONE. AUTHORITY**

A. The Navajo Nation established the Law and Order Committee (“LOC”) as a Navajo Nation standing committee with the authority to recommend to the Navajo Nation President the permanent appointment of probationary judges. 2 N.N.C. §§ 164 (A)(9), 600 (A) and 601 (B)(10) (2012); *see also* CO-45-12.

**SECTION TWO. FINDINGS**

A. Judge Malcolm Laughing has completed a two year probationary period and is therefore now eligible for permanent appointment as a Navajo Nation District Court Judge.  
B. Navajo Nation Chief Justice JoAnn Jayne has recommended to the LOC that Judge Malcolm Laughing be permanently appointed as a Navajo Nation District Court Judge.

**Exhibit A.**

1 C. On Friday, August 23, 2024, the LOC held a public hearing to evaluate Judge Laughing  
2 as a permanent District Court Judge.

3 D. The LOC, having reviewed the record, Judge Laughing's qualifications, and after holding  
4 a public hearing on the matter, has unanimously determined that Judge Malcolm  
5 Laughing meets the requirements for appointment as a permanent Navajo Nation District  
6 Court Judge pursuant to 7 N.N.C §354.

7  
8 **SECTION THREE: RECOMMENDATION FOR PERMANENT APPOINTMENT**

9 The Law and Order Committee recommends to the Navajo Nation President that Judge  
10 Malcolm Laughing be permanently appointed as District Court Judge, subject to the Navajo  
11 Nation Council's confirmation.

12  
13 **SECTION FOUR: RECOMMENDATION FOR ADDITIONAL STEP INCREASE**

14 A. The Law and Order Committee recommends that Judge Malcolm Laughing be provided  
15 an additional salary step increase, in addition to the two step increase provided after  
16 confirmation as provided in Resolution No. LOCO-08-14, "Amending The Navajo  
17 Nation Justices and Judges Salary Schedule."

18 B. The LOC recognizes that Judge Malcolm Laughing was eligible to be evaluated and  
19 considered for permanent appointment once he fulfilled his two year probationary  
20 period. However, due to delays from the COVID-19 pandemic, Judge Malcolm  
21 Laughing's public hearing and probationary evaluations were delayed.

22 C. In 2023, the Navajo Nation reopened after the COVID-19 crises and the Navajo Nation  
23 government implemented measures to resume in person functions. Included in the  
24 reopening measures was prioritizing evaluations for the Judges.

25 D. In evaluating Navajo Nation Justices and Judges for possible step increases, Judge  
26 Malcolm Laughing could not be considered for an additional step increase in 2023, due  
27 to his probationary status.

28 E. Therefore, the LOC recommends that the additional step increase be provided for Judge  
29 Malcolm Laughing.

1 **SECTION FOUR: DIRECTIVE**

2 The Law and Order Committee directs the Navajo Nation Judicial Branch Office of Human  
3 Resources to immediately submit to the Navajo Nation President all documents provided in  
4 the evaluation to recommended Judge Malcolm Laughing for permanent appointment.  
5 Confidential information included in the documents shall remain protected except upon  
6 authorized disclosure by the applicant. 2 N.N.C. § 81 *et seq.*

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