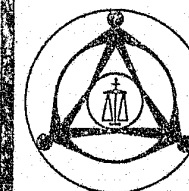


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THE AMERICAN UNIVERSITY

Criminal Courts Technical Assistance Project
Institute for Studies in Justice and Social Behavior
The American University Law School
Washington, D.C.

PRELIMINARY MASTER PLAN OF
THE NAVAJO NATION
JUDICIAL FACILITIES

NCJRS

MAR 8 1977

ACQUISITIONS

March, 1974

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The Honorable Joe G. Bernalley, Trial Judge

The Honorable Homer Bluehouse, Trial Judge

The Honorable William Leupp, Trial Judge

The Honorable William Dean Wilson, Trial Judge

The Honorable Chester Yellowhair, Trial Judge

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Consultant staff participating in the project include:

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SYNOPSIS

The most pressing problem facing the Navajo Nation Judicial System is the lack of adequate and suitable space for court operations. In most court locations, the existing court facilities are within police buildings and rate well below minimum space standards generally accepted for court related facilities by other judicial systems throughout the country. Courtrooms are too small to comfortably accommodate twelve-man juries as well as spectators; jury deliberation rooms are poorly defined or nonexistent. Judges' chambers and court clerks' offices are small and crowded; in some instances record storage and even clerks' desks and other equipment occupy valuable space within courtrooms. Probation and Parole offices are too small to facilitate private interviews. In some instances their officers are housed in mobile trailers.

In addition to inadequacy of facilities, existing court facilities are not planned according to functional and security needs. The judge has to walk through the courtroom or the clerk's office to reach his office, and prisoners are brought into the courtroom through a corridor with doors leading directly into the public entrance lobby.

Several historical and geographical features peculiar to American-Indians in general and the Navajo Nation in particular present unique problems to the effective administration of their judicial systems. For instance, until 1959 the judges were also police officers. This fact makes it difficult to separate the judicial function with the police function in the minds of the Navajo people. Most existing judicial facilities were constructed when the Judicial Branch was still considered as ancillary to the Navajo Police Department, resulting in inadequate and poorly planned facilities.

The geographical location of the courts poses still another difficult problem to Judicial Administration. With the exception of the court facilities at Window Rock, other court facilities are located in sparsely populated areas isolated from one another by far distance and difficult terrain. Qualified local personnel to service the courts is difficult to find. Consequently court employees must either commute to these locations or relocate, only to live in inadequate quarters.

The basic recommendations of the consultants include only minimal

renovation and reorganization of existing judicial facilities in anticipation of constructing new facilities separated from but in close proximity to the existing police building at each of the six district court locations. New facilities of 4,530 sq. ft. net in size at each location are recommended as top priority at Kayenta and Crownpoint, followed by Shiprock, Tuba City, Window Rock and Chinle. A new Court of Appeals and Judicial Administration Building, 4,770 sq. ft. net in floor area, is recommended in Window Rock. Prefabricated mobile court facilities are recommended for outlying circuit court and probation and parole function. The consultants also recommend, in view of relocation of judicial personnel, adequate living quarters for the judge's family and the clerk's family at each major court location. 1,600 sq. ft. of net housing space is recommended at each trial court location.

Detailed breakdown of net space requirements and preliminary cost estimates are presented towards the end of this report. The cost of constructing new court facilities at Crownpoint, Shiprock, Chinle, Kayenta and Tuba City is estimated at \$1,573,440. The renovation of the existing court facility at Window Rock, including the construction of new housing for key personnel, would cost \$153,420. The cost of constructing a new Court of Appeals facility is estimated at \$305,500. Alternatively, if new facilities are constructed for both the Court of Appeals and Trial Court at Window Rock, the estimated construction costs would be \$642,580. The recommended cost of providing adequate facilities for the foreseeable future is estimated at \$2,032,360.

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INTRODUCTION

Space Management Consultants, Inc., New York, has been commissioned by the Criminal Courts Technical Assistance Project, the American University, to provide the judicial branch of the Navajo Nation with technical assistance in order that the present courts and related facilities of the tribe could successfully meet the additional responsibilities brought about by expected growth and expansion.

The particular goal of this report consists of the preparation of recommendations concerning the more efficient utilization of existing facilities to relieve temporarily the pressure on current court operations and the drafting of a general master plan which would incorporate detailed suggestions and guidelines for the construction of new facilities independent of existing police buildings, and including within its scope much needed housing for court staff at each location. Also included in the proposed recommendations are general cost estimates related to various alternate solutions which would be useful to the court administration in preparing requests for funds from federal agencies, the Tribal Council and from private sources.

It is the intention of the consultants in the preparation of this report that the recommendations contained herein should be applicable in a phased manner, coincidental with the demands of time and the availability of funds.

METHODOLOGY

An important phase in the preparation of this report included a site visit by the consultants to meet with the Chief Justice and key personnel of the Judicial Branch of the Navajo Nation, and to review existing court facilities in the various outlying tribal district centers of the Navajo Reservation. Interviews were conducted with key personnel, and internal court processes and operations were monitored. Copies of relevant documents with detailed information on court caseload records and architectural building plans were secured, analyzed and evaluated. Prior to data analysis, additional relevant information was acquired which gave the consultants a broader view of the Navajo Nation's judicial

system.

Published reports and statistical surveys conducted by various federal, state and local agencies and, in particular, information provided by the administrative agencies of the Navajo Nation were examined and systematically tabulated. All relevant data was rated and the degree of applicability of the data toward the preparation of this report was evaluated.

Upon the completion of the tabulation and evaluation of information, the consultants concentrated on the analysis and definition of problems; data concerning administrative operations and organization and problems resulting from inadequacies of the existing facilities were examined separately in order to gain a better understanding of the cause and effect relationships between the major elements of the existing Navajo judicial system.

A series of preliminary recommendations were organized and evaluated for feasibility. These recommendations consisted of general guidelines for facility renovation and reorganization, and involved the presentation of alternative implementation methods. These recommendations were drafted in a preliminary report, the content of which was discussed with the Chief Justice and his general counsel. Details of the report were reviewed and constructive comments were noted for incorporation into the final report. Additional information was accumulated and included, where applicable, in the final report.

The report contains some historical background of the courts, and explanation of existing conditions and problems, and the drafting of a general master plan which would provide for organized growth and expansion of the Navajo Nation's court system, including recommendations for interim facility reorganization and renovation.

BACKGROUND

The present judicial system of the Navajo Nation was created through a series of enactments of resolutions* by the Navajo Tribal Council.

* For example, resolution #CJA-5-59 includes a civil jurisdiction over non-Indians and non-residents.

These resolutions aimed at attaining a higher degree of autonomy over court-related matters involving Indians than was possible under previous judicial systems in which direction and control stemmed from the United States Department of Interior through the Bureau of Indian Affairs.

The first official judicial body to actively deal with Indian matters was established by the Bureau of Indian Affairs in the 1930's. This Court of Indian Offenses was composed of six judges who until 1959 operated in dual capacities of police officers and adjudicators, and whose appointments to the bench were directly controlled by the Office of the Commissioner of Indian Affairs'. The degree of influence that the Navajo people had in determining the policy of these courts was minimal. With the subsequent establishment of the Navajo Tribal Courts of Indian Offenses, a judicial system more responsible to Navajo affairs developed and the Navajo Nation began to play a more significant role in the administration of justice to their own people. The courts were still under the primary control of the Bureau of Indian Affairs and, in many instances, the advisory nature of Navajo participation in decision-making processes was of a token nature only.

It was not until the Navajo Tribal Council's resolution of March 23, 1959, however, that a true Navajo judicial system was born. The judicial branch of the Navajo Nation became effective in July, 1960. It removed outside influences from its central, policy-making processes and became an autonomous vehicle for the administration of justice to the Navajo people. Until 1959, jurisdiction of the courts was limited primarily to criminal matters; only recently, however, has the Judicial System acquired considerable increasing jurisdiction over civil matters.

The organization, operations, and authority of the former Navajo Courts of Indian Offenses were found by the Navajo Tribal Council to be obscure, with procedural methods "no longer adequate for the administration of justice among the Navajo people."* Gradually, over a period of years, the fiscal responsibilities relating to law enforcement on the Navajo Reservation and other lands subject to the jurisdiction of the Navajo Tribe were increasingly being taken over by the Tribal

* Resolution of the Navajo Tribal Council, Reform of Navajo Court System. Window Rock, Arizona, July, 1956 Scott Preston, Acting Chairman, Navajo Tribal Council.

Council. The Bureau of Indian Affairs' contribution to the cost of maintaining the system has been gradually decreasing.

"For the fiscal year commencing July 1, 1958, ending June 30, 1959, the total estimated cost of the law enforcement program on the Navajo Reservation is \$1,398,766. The contribution thereto by the Navajo Tribe under the budget submitted for approval is \$1,313,766 or 93% thereof: whereas the contribution of the Bureau of Indian Affairs is only \$85,000 or 6 1/2% thereof."*

The resolution of July 18, 1958 called for the reassignment of authority over Navajo law enforcement from the Secretary of Interior to the Navajo tribe. However, this resolution did not intend to "usurp or interfere with enforcement of the Eleven Major Crimes Law (18 U.S.C. 551153, 1163) or any other applicable Federal law on the Navajo Indian Reservation by the Federal Bureau of Investigation or any other appropriate agency of the Federal Government..."** It was not until October of 1958, however, before a resolution by the Tribal Council clearly defined the organization and jurisdiction of a separate and distinct Judicial Branch of the Navajo Nation. In defining the proposed Judiciary, the resolution called for a revision of Part III of the "Revised Election Procedures for the Election of Council Officers, Delegates and Judges in the Navajo Tribal Court of Indian Offenses" which had been adapted by a Navajo Advisory Council under delegation from the Navajo Tribal Council, and which had been approved by the Assistant Secretary of Interior on November 12, 1954.

* Resolution of the Navajo Tribal Council. Window Rock, Arizona, July 18, 1958 Scott Preston, Vice-Chairman Navajo Tribal Council.

** Resolution of Navajo Tribal Council, July 18, 1958.

EXISTING JUDICIAL SYSTEM

The present structure of the Judicial Branch of the Navajo Nation, as defined in the Resolution of October, 1958, was created by the Navajo Tribal Council as an independent branch of government and exercises judicial authority delegated to it by the Council. The Chief Justice is the appointed administrative head of the Judiciary and retains the responsibility for the supervision of all the courts. The Judicial Branch consists of the Trial Courts, the Circuit Courts, the Juvenile Courts, and the Court of Appeals.

TRIAL COURTS

Court Locations

Five Trial Courts are located in major population centers throughout the Reservation: (Map 1)

1. Window Rock, Arizona
2. Chinle, Arizona
3. Tuba City, Arizona
4. Crownpoint, New Mexico
5. Shiprock, New Mexico

Jurisdiction*

The Trial Courts have original jurisdiction over:

1. All violations of the Navajo Penal Code declared to be unlawful by the Navajo Tribal Council, including traffic violations wherein the defendant is an Indian.
2. All civil actions in which the defendant is Indian and is found within Navajo Indian Country.**

* Jurisdiction will expand considerably with proposed resolution # CJA-5-59 to include civil jurisdiction over non-Indians and non-residents.

** "Navajo Indian Country includes all land within the exterior boundaries of the Navajo Nation as the same may exist from time to time. All lands not included above administered by the Federal Indian Services for the benefit of dependent Navajo Indian communities. Jurisdiction in no way depends upon the title of such land in this area." Judicial Branch - Navajo Nation Criminal Report 1973.

3. All cases involving the domestic relations of Indians, such as divorce or adoption matters.
4. All cases involving the descent and distribution of deceased Indians' unrestricted property found within Navajo Indian Country.
5. All matters over which jurisdiction has been vested in the Navajo Tribal Courts of Indian Offenses, or which may be placed within the jurisdiction of the Trial Courts by resolution of the Navajo Tribal Council.

Personnel

The Trial Courts consist of seven judges, appointed by the Chairman of the Navajo Tribal Council upon recommendation by the Chief Justice. A satisfactory completion of a two year probationary service entitles the judges to life terms with mandatory retirement with full benefits at the age of 70. Any member of the Navajo Tribe who has reached the age of thirty and who has not ever been convicted of a felony may be eligible for the judgeship. At the present time, technical training in law is not required for consideration of appointment to the bench. However, a course of basic training in law practice under the direct supervision of the Chief Justice of the Navajo Nation is required during the two year probationary period. In addition, attorney assistants are available to the judges on an ongoing basis.

Staff assistance to the courts are provided at each court location by a court clerk, two deputy clerks, and two probation and parole officers. In Window Rock, in addition to the Trial Court staff, the Chief Justice is supported by a staff consisting of an administrative assistant, a court administrator, a general counsel, an associate attorney, a legal secretary, a legal records secretary, and a maintenance supervisor.

Facilities

The facilities utilized by the courts are relatively new, having been completed since 1963. The planning and design, however, had been completed much earlier when the courts were still considered

part of the Navajo Police Department. In all locations, except Crownpoint where the court occupies a separate building, the court shares the same building with the district police departments. In Window Rock, the administrative center of the Navajo Tribe, the court occupies the upper level of a two-story police building. Facilities at Chinle, Tuba City, and Shiprock, are identical in plan except for some minor differences in the interior spaces, and the addition of a second-floor containing additional jail space at the building in Shiprock. With the exception of the Window Rock facilities which contains two courtrooms, one each for the Trial and Court of Appeals, one courtroom is provided in each of the other court locations.

Court related functions (a judges' office, clerks' offices, probation and parole offices) are housed in very inadequate facilities generally provided in close proximity to the courtroom at each location. In the outlying areas of Chinle and Crownpoint, the prosecutor's office is provided with a trailer which is located near the building.

In addition to the Trial Court spaces at the Window Rock facility, additional offices are provided for judicial administration and the Court of Appeals.

Existing housing for the Court Staff is limited to a duplex housing unit located near the Shiprock trial court facility. This is the only housing provided for court personnel within the entire judicial system.

CIRCUIT COURT

Court Locations

There are nine Circuit Court locations: Canoncito, Alamo, Ramah, Tohatchi, Leupp, Pinon, Lupton, Kayenta and Bitter Springs. (Map 1)

Jurisdiction

Civil matters only. Criminal matters are heard only at Trial Court locations.

Personnel

Trial judges visit the various circuits on a rotating basis. Some locations have a probation officer.

Facilities

Generally, the Circuit Court occupies a single hearing room either rented from or donated by the community and frequently located at the Chapter House.

JUVENILE COURT

Court Location

The Juvenile Court is incorporated within the organizational and operational structure of the Trial Court. The facility locations are identical to those of the Trial Courts, with records being retained by the same clerks.

Jurisdiction

The Juvenile Court has original jurisdiction over all persons within the territorial jurisdiction of the Navajo Nation concerning:

1. Any child who is alleged to have violated any:
 - (a) Federal law,
 - (b) Tribal law,
 - (c) State law,
 - (d) Local or municipal ordinance, regardless of where the violation occurred.
2. Concerning any child:
 - (a) Who is neglected or dependent.
 - (b) Who is beyond the control of his parents, custodian, or school authorities.

3. To determine the custody of any child or appoint a guardian of a child.
4. To determine the legal parent-child relationship including termination of parental rights.
5. To grant judicial consent to the marriage, employment, or enlistment of a child in the armed forces, and to emergency medical or surgical treatment.
6. For treatment or commitment of a mentally defective child.

Jurisdiction Over Adults

The Juvenile Court has original jurisdiction over adults in offenses committed against children.

1. Any adult who induces, aids or encourages a child to violate any federal, state, local municipal or tribal ordinance, or who aids or contributes to the delinquency or neglect of a child.
2. Any adult having a child in his legal or physical custody, or its employment who willfully ill-treats, neglects or abandons such child in any manner likely to cause the child unnecessary suffering or serious injury to his health or morals.
3. Any adult who forcibly takes a child from or induces him to leave the legal or physical custody of any person, agency or institution in which the child has been legally placed for the purpose of cure, support, education or adoption or any person who detains or harbors such child after demand is made for return of the child by an officer of the court, or by the person agency or institution concerned.
4. Any adult who commits the crime of child-beating.

A child is defined as a person who is an enrolled member of the Navajo Nation, or any other person subject to the jurisdiction of the Court less than 18 years of age.

Personnel

Presently, the Trial Judges and their support staff assume the responsibilities of handling cases in the Juvenile Courts, with initial contact and primary consultation provided by probation and parole officers.

COURT OF APPEALS

Location and Facilities

The Court of Appeals is located at Window Rock, Arizona in the building shared commonly with the police department. One of the two courtrooms is used exclusively by the Court of Appeals. An office for the clerical staff and storage of records is provided in the building, within close proximity to the courtroom.

Jurisdiction

The Court of Appeals has authority and the power to hear appeals from final judgments and other final orders of the Juvenile Court and the Trial Court of the Navajo Nation, except in criminal cases where the defendant is sentenced to less than 15 days imprisonment or labor and/or to pay a fine of less than \$26.00; in such case there is no right of appeal.

The Court of Appeals has the power to issue writs or orders necessary to the complete exercise of its jurisdiction and,

1. To cause the Trial Court or the Juvenile Court to act where the court unlawfully fails or refuses to act within its jurisdiction.
2. To prevent or remedy any act of the Trial Court or of the Juvenile Court when such act is beyond the jurisdiction of such court.

Every person aggrieved by any final judgment of the lower courts has the right to request to the Chief Justice for an appeal any time within 30 days of the final judgment.

If the Chief Justice believes the request for appeal shows probable cause he shall grant the appeal and order that it be set for hearing. If a trial de novo is requested, the proceedings shall consist of a new trial without a jury.

All of the courts have the authority to issue any writ or order necessary to the complete exercise of their jurisdiction.

Personnel

The Court of Appeals consists of the Chief Justice, the only permanent member of the court, and two judges of the Trial Court of the Navajo Nation who shall be called by the Chief Justice to serve in particular cases, neither of whom heard or made any order in the original case. A Chief Clerk and Clerk are provided to schedule hearings, receive appeals, and to maintain court records.

TRIAL PROCEDURES

CRIMINAL CASES

- The first step when a case is to be recorded involves the filing of a complaint by the Office of the Prosecutor with the Clerk of the Court in the district where the violation occurs. If a person has been apprehended by the police without warrant, a complaint is signed by the arresting officer as complaining witness.
- The issuance of summons or warrants is determined on the basis of reasonable cause by the presiding judge of the court in whose jurisdiction the alleged violation occurred.
- The warrant or summons is served by a police officer of the Navajo Tribe upon a defendant anywhere within the territorial jurisdiction of the Court. In the case of an issuance of a warrant, it is served upon a defendant at the time of the arrest.
- Arraignment of the defendant occurs when he is first brought to court and is conducted during an open session. The defendant is advised of his rights and the complaint is read to him. If indigent, the court appoints counsel.
- The court may consent to a defendant's plea of not guilty, guilty, or no-contest. If a defendant refuses to enter a plea, the court assumes a plea of not guilty. When, however, a plea of not-guilty is entered, a date for trial is set with reasonable time allowed for counsel, contacting witnesses, and for the general preparations of the defense. If the Court finds it appropriate, bail is set at the arraignment; otherwise the defendant is transferred to the district police holding facility to await trial.
- The Court accepts motions to dismiss the action if different grounds exist, such as insufficiency of the complaint, lack of jurisdiction or failure of the complaint to charge a defendant with a crime. The motion contains a certification of service on the prosecutor.

- Jury trial criminal case procedures are similar to civil cases with the exception that unless a written demand is received by the Court within 10 days after arraignment the defendant in a criminal procedure will not be entitled to a jury trial. The jury is composed of not less than 6 persons whose verdict concerning the case must be unanimous. All trial and hearing proceedings are recorded.
- Before imposing sentence, the court may allow sufficient time for the preparation of a pre-sentence report to be submitted to the Court by a probation officer.
- After sentence has been imposed, the Court advises the defendant of his right to appeal the case within 30 days in cases where appeal is authorized. If the sentence involves imprisonment, it shall be stayed if an appeal is taken, and the defendant is allowed bail if the Court finds it appropriate. Otherwise, the defendant is detained at a police holding facility.

CIVIL CASES

- A civil action begins with the filing of a complaint by the plaintiff with the clerk of the court of any district the plaintiff selects. However the case may be transferred on motion of the court or the parties, if convenience of the court or parties requires. An answer and/or counterclaim by the defendant and a reply by the plaintiff are the only pleadings accepted by the court pending the start of trial proceedings.
- Upon review of the complaint, the clerk prepares a summons which directs the defendant to appear before the clerk within twenty days or judgment by default will be entered against him. The summons is served by a court appointed process server (usually a Navajo policeman) to initiate an action and thereafter process is served by certified mail. If the defendant cannot be located, publication for four consecutive weeks in the Navajo Times is directed.
- With the filing of an answer to the summons in a civil case and as

soon as a plea of not guilty has been entered in a criminal case, the case is placed on the trial calendar.

- In cases involving civil matters, the clerk regularly reports to the court all cases pending where no order has been entered of record and no other action of record has been taken within the last six months. The court authorizes the clerk to issue a notice which must be answered by the parties within thirty days. If no reply stating just cause for delay is received, the court dismisses such cases.

APPELLATE CASES

- A request for an appeal must be filed with the Clerk of the Court of Appeals within thirty days of the final judgment of the Trial Court. An appeal is not granted in any criminal case in which the defendant was sentenced to imprisonment or labor for less than fifteen days or a fine of less than \$26.00 or both.
- An appeal may be one of two kinds: as a trial de novo or an appeal on a question of law. In the case of a trial de novo, the Appeals Court hears evidence and makes findings of fact and a judgment is determined on the basis of the findings of this court and not the Trial Court. With respect to an appeal limited to a question of law, judgment by the Appeals Court is determined upon the limited number of points in question only. The Court of Appeals does not hear evidence and decides the appeal entirely upon the record and arguments of counsel.
- Upon acceptance of an appeal by the Court, the Clerk of the Court of Appeals receives from the Trial Court from which the appeal is taken a transcript of the record in the case containing all original papers filed in the case, copies of all docket entries relevant to the case and a certificate of the Trial Court Clerk indicating that the transcript is complete and correct. Upon judgment by the Court of Appeals, the Appeals Court Clerk returns the transcript and file to the Clerk of the Trial Court.

- Appeals Court hearings are held in open court before a panel of judges consisting of the Chief Justice and two Trial Court judges, neither of which was involved in the case in his court before. Trials de novo are held without a jury, with the Court hearing evidence and arguments by counsel. The judgment may be announced either from the bench or may be taken under advisement and in turn the counsels may be notified by mail. The judgment is always given in a written form. Judgments dealing with questions of law are based upon hearings during which all evidence and arguments by counsel are either written or oral or both.
- Upon delivery of a judgment by the Court of Appeals, the Clerk issues the mandate to the Trial Court directing it to execute the judgment. If the Appeals Court determines that a defendant is not guilty, a transcript including the Trial Court record is sent to a central storage and not to the Trial Court.
- Habeas corpus proceedings in the Court of Appeals are heard by the Chief Justice with two associate justices. Release of the person held in custody cannot be authorized by either the Chief Justice or any other judge until the hearing on the writ has been conducted.
- Following an appeal, the trial court record is returned to the trial court for one month, then is sent to Central Files; the record of appeal is retained by the clerk of the Court of Appeals permanently.
- Appeals from a judgment of the Navajo Juvenile Court proceeds along the same lines as general appeals except the record of the appeal is returned to the trial court to be destroyed when the child reaches 18 years of age.
- The Appeals Court may direct the advocates involved in any case to appear before the Court for a conference prior to the trial date to consider the simplification of issues, the amendment of a complaint, or other issues.

JUVENILE CASES

- The Juvenile Court procedures are considered civil in nature. As such, the child is not deprived of the right to counsel, to confront his accusers, to cross-examine witnesses for the prosecution, nor is the child denied the privilege against self-incrimination and his right to a jury.
- The records involved in juvenile case matters are not listed as criminal and are not open to the public, with the court taking exception to this rule when authorized personnel must review a case. Upon attaining the age of 18 years, the records are destroyed. Children under sixteen years are not allowed to be placed in jails or other similar holding facilities.
- A police officer or other person who takes a child into custody for having violated the law must file a written report with the Juvenile Court. Proceedings in Juvenile cases are begun by a petition indicating just cause filed by a police or parole officer or any other person acquainted with the facts of the matter.
- Having received the petition, the Juvenile Court may issue an order which provides for the detention or shelter of a child until a hearing may be held. The court then orders an investigation concerned with the social nature of the conditions in the matter and a written report is submitted to it.
- The hearing in Juvenile cases occurs in a closed session of court, generally without a jury, and in an informal manner. A child may, however, ask to choose a jury trial if his offense is punishable by detention. Children under 18 years of age cannot be tried as adults, and in all cases, one or both parents or a legally appointed guardian must be present during all proceedings in order to represent the interests of the child.
- Appeals from the Juvenile Court may be taken by the Court of Appeals on any order, decree or judgment, in the same manner as appeals in other cases.

EXISTING FACILITY UTILIZATION ANALYSIS

The Navajo court system consists of individual court facilities located in major district (agency) centers throughout the Navajo Indian Country. Window Rock (Fort Defiance agency), the governmental center of the Navajo Nation is the headquarters of the Judicial Branch. It includes an Appeals Court in addition to the regular district Trial Court. Other major court locations having only a Trial Court are Tuba City, Chinle, Shiprock and Crownpoint. In all locations, excluding the last, the facilities are shared by the courts and the police department.

In addition to the major court locations, several outlying communities are provided with small probation and parole extension offices with space allocated for holding occasional hearings of the Circuit Court. Kayenta, a rapidly growing area is expected to expand its relatively limited judicial operations into a District Trial Court and will soon require a new and complete court facility.

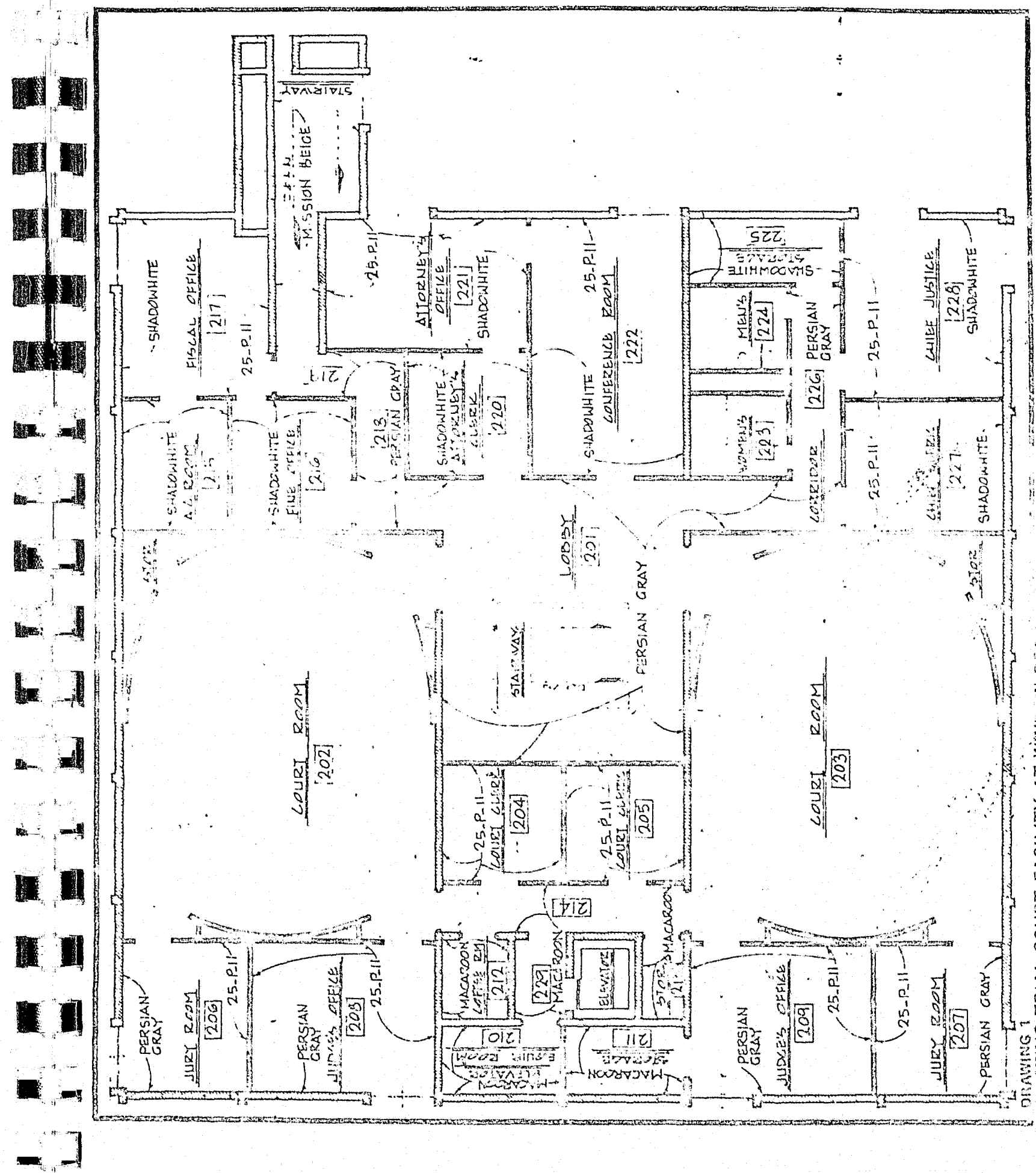
WINDOW ROCK

The Window Rock district is presently the most populated of the five Navajo Nation districts. With a population of 33,122*, and the highest number of juvenile, criminal and traffic cases, the demand for adequate court facilities appears to be most critical. In addition to serving as a district Trial Court, the judicial facility contains the Court of Appeals and the administrative offices of the Chief Justice and his support staff.

The present judicial functions are contained on the second floor of a two-story district law enforcement facility. The building, completed in 1965, is located on a site near the Council and other tribal administrative buildings. (Drawing 1)

The second floor of the building is square in plan and contains a gross floor area of 5,329 sq. ft. At the center of the plan, the main

* Judicial Branch, Navajo Nation: Annual Report, 1973



stairway, serving as the primary entrance for the public and staff, joins this floor with the main lobby on the ground level. A walkway and lobby surround the stairwell and provide for direct circulation to the adjacent 302 sq. ft. court clerk's office, the two courtrooms of 813 sq. ft. each, and to the auxiliary corridors which provide semi-public access to the various administrative offices. Two doorways on the private end of each courtroom lead to spaces which, according to the original plan, were designed for use as jury rooms and judges chambers. Presently the partition separating the jury room and the chambers adjacent to the Court of Appeals courtroom has been removed and the expanded space is used as a chamber for the 300 sq. ft. Chief Justice and conference room. The two rooms adjacent to the other courtroom used by the Trial Court remain unchanged, except that the 120 sq. ft. jury room is used by the Trial Judge for his chamber and the original 180 sq. ft. judge's room is presently occupied by the probation and parole office. An interior corridor joins the two courtrooms, the Chief Judge's chambers, the probation and parole office, the Court Clerk's office, storage areas and an elevator lobby. An auxiliary corridor provides the secured separation between the internal staff corridor and the central public lobby.

Directly opposite the Court Clerk's office and across the public lobby are the offices of the general counsel (160 sq. ft.), his administrative and legal secretary (90 sq. ft.) and associate attorney's office (252 sq. ft.). The two attorneys function as legal advisors to the Chief Justice and the Trial Judges. Direct access from the lobby is provided to the associate attorney's office which also is the law library, and to the administrative secretary's office. The general attorney's space is provided with interior accesses to the secretary's and the associate attorney's offices.

The 170 sq. ft. Chief Clerk's of the Appeals Court office, a 89 sq. ft. mechanical equipment room, and a 100 sq. ft. reproduction room are located on one side of the attorneys' offices. A corridor leading from the main lobby provides access to these offices and to an auxiliary stairway. The 181 and 131 sq. ft. offices of the court

administrator and administrative assistant to the Chief Justice and toilet and storage facilities are located on the side of the Court of Appeals, with a corridor joining these areas with the main lobby.

DISTRICT TRIAL COURTS

The creation by the Navajo Tribal Council of the District Trial Courts in locations which represent, in their particular territorial jurisdiction, the major geographical/political regions of the Navajo Indian Country provide for all Navajo people a tribunal where local, civil and criminal cases may be settled. The facilities of the individual Trial Courts are generally small and in most instances occupy inadequate space in police buildings.

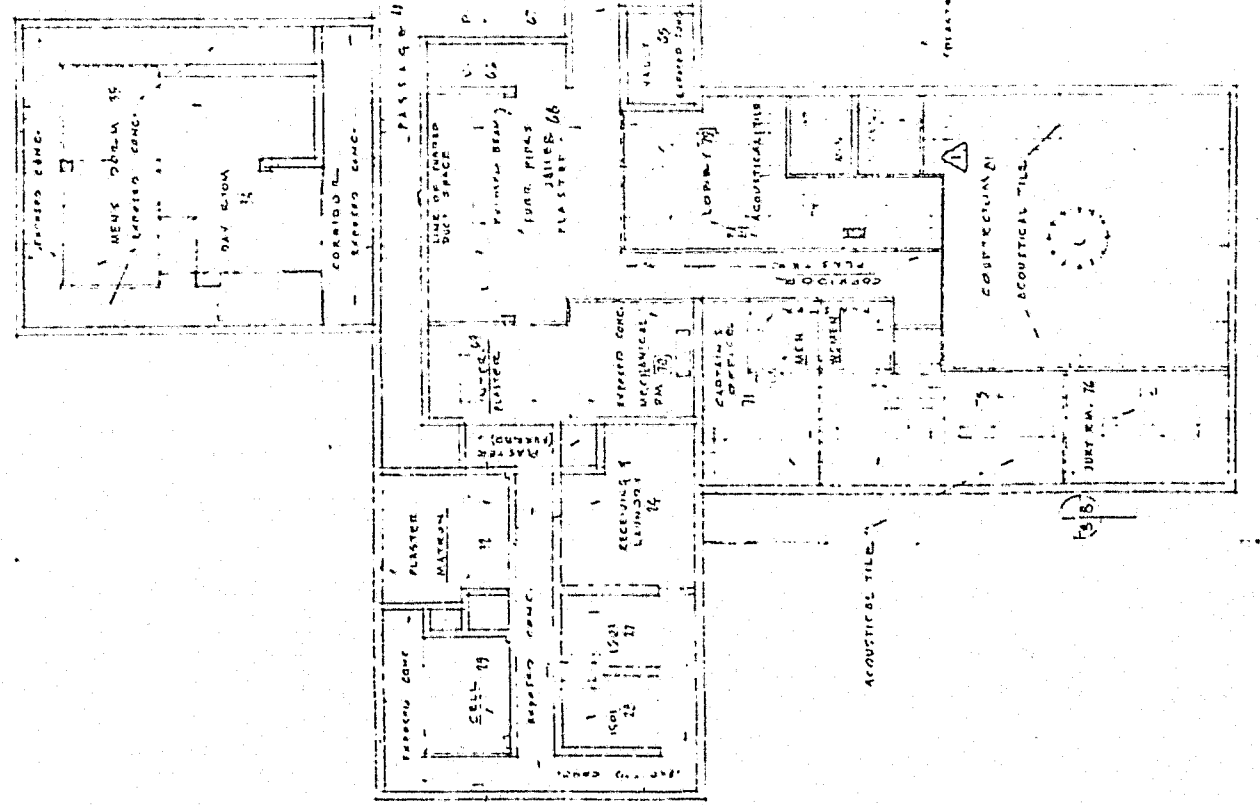
The buildings housing the Trial Courts and police in Chinle, Tuba City, and Shiprock are nearly identical in plan, with minor variances in space use. Typically, a common entrance lobby, used by the court and police for the public access is provided to the courtroom. A corridor parallel to the lobby, used for staff and prisoner circulation, joins the lobby with the court clerk's office, courtroom and staff toilets. (Drawings 2 and 3)

The 565 sq. ft. courtroom at each of these locations is small in size and provides for a maximum of twenty spectators. In the event where a larger number of spectators wish to view the proceedings, an exterior porch is used to accommodate the overflow. Windows are opened to allow the people outside to hear the proceedings.

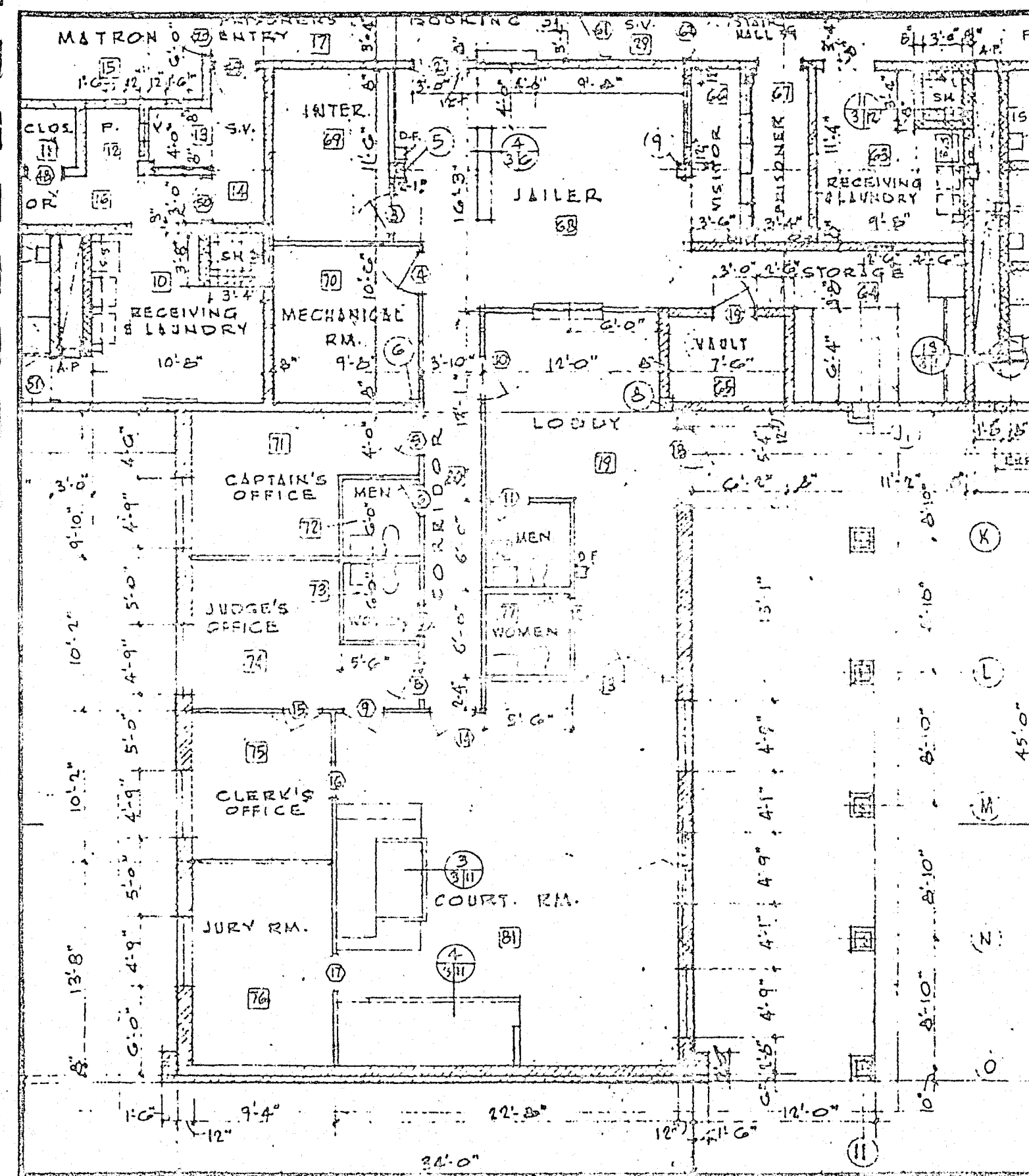
Access is provided from the courtroom to the 128 sq. ft. Judge's chambers and clerical offices totaling 206 sq. ft. through two separate doors behind the Judge's bench. In all locations, Judge's chambers and clerk's offices are inadequate. The three small offices are in a row behind the courtroom.

In Tuba City, with two Judges presiding, the middle office is used to accommodate the second judge. Two clerks occupy the third office with many of the records stored in filing cabinets in the courtroom. The probation and parole offices are located in a separate

NOTE -
SEE FURNISHING CEILING HEIGHTS SEE
INTERIOR ELEVATIONS



DRAWING 2
TYPICAL EXISTING POLICE AND JUDICIAL BUILDING AT
CHINLE, TUBA CITY AND SHIPROCK



DRAWING 3
TYPICAL EXISTING COURT FACILITIES AT CHINLE, TUBA
CITY AND SHIPROCK

building where the court must rent space. The prosecutorial offices are located in the police part of the same building with no internal circulation link with the court facilities.

Chinle Trial Court differs from the Tuba City plan only in the use of the middle office by the deputy clerks. The prosecutorial and probation and parole officers are housed in trailers located near the building.

The Shiprock Court utilizes the middle office for the Court Clerk's office and the two deputy clerks are provided with space in the courtroom. The third office is used for the probation and parole office. Similarly to the Tuba City court, the prosecutor is provided with space in the police section of the building.

The Crownpoint Trial Court is different from the other district court facilities in plan and structure. The facility is a separate sheet-metal building and includes a 481 sq. ft. courtroom, a 204 sq. ft. judge's chambers directly adjacent to it, a 231 sq. ft. court clerk's office and a 131 sq. ft. probation and parole office and two record storage rooms of 22 and 24 sq. ft. A small lobby of 140 sq. ft. is provided for public waiting outside the courtroom. (Br. 1, 2)

The existing probation and parole office at Kayenta, Arizona is housed in donated space in the local Chapter House. The small (approximately 500 sq. ft.) area also serves as an occasional courtroom for the Circuit Court. Because of travel distance and population increase, the Judicial Branch is planning to broaden the function of this facility to include a Trial Court.

The probation and parole offices at other locations are generally smaller, with some provision for accommodating the Circuit Court. In most instances, the space is either rented or donated to the Judicial Branch by a community center, chapter houses, etc.

A PRELIMINARY FACILITY MASTER PLAN FOR THE NAVAJO NATION JUDICIAL SYSTEM

The Judicial Branch of the Navajo Nation, in striving for greater jurisdictional autonomy, is presently faced with the responsibility of adapting its structure to the increasingly complex needs of the Navajo People. The courts must be fully equipped to accommodate an expanding caseload effected by a growing population while presenting the people with a clear judicial image, a distinct identity separate from the police function.

Existing court facilities are inadequate and poorly planned. The architectural constraints and structural limitations present at all Trial Court facilities inhibit substantial internal expansion. The sharing of police facilities at the Window Rock, Chinle, Tuba City, and Shiprock court locations is viewed by court officials as an undesirable relationship which tends to confuse the Navajo people involved in the judicial process. The original plans of these facilities were designed primarily for the police with the judicial function assuming a secondary position.

The proposed master plan concerning the expansion of all judicial facilities consists of specific recommendations for long range facility construction at all court locations and short-range recommendations for improving the existing facilities through reorganization and renovation until funds for the new construction are available. A long range facility master plan for the courts should be directed toward the construction of new and separate facilities which would include provisions for adjacent staff housing. Short term improvements involving the reorganization and renovation of existing facilities should be kept to a minimum to prevent unnecessary delays in constructing the proposed new court buildings. Large expenditures in renovation of existing facilities may preclude, or at least delay, the need for new construction. Greater costs for new construction which results in more functional facilities are worthwhile if renovation and reorganization of existing facilities would only perpetuate basic philosophical and functional problems.

Upon completion of implementing all phases of the master plan, the

resulting system of facilities for the Judiciary shall consist of new court facilities at all District Trial Court locations and a new judicial complex at the capital in Window Rock which will include the Court of Appeals, the Judicial Administration, and the Trial Court. In addition to permanent court buildings, the master plan includes a series of mobile facilities designed for use as offices and courts in the outlying circuit court locations. These mobile units would eliminate the financial risk involved in the construction of permanent facilities in rural areas where the needs of the locality are difficult to ascertain because of the shifting population patterns. The basic mobile unit of 40 feet in length and 12 feet in width could be used individually or in combination with other similar units to provide the necessary space where and when the needs arise. The use of such mobile units requires detailed investigation and careful planning to arrive at the most efficient facility at minimum costs. Individual mobile court units could also be designed with common architectural or decorative elements which would identify them at various locations as being part of the judicial system. This would help to foster the identification and image of the system. (Appendix A)

PROPOSED STANDARD DISTRICT TRIAL COURT FACILITY

Each proposed new District Trial Court facility should include a judicial department consisting of a 1000 sq. ft. courtroom, with provision for a three-judge bench in the courtroom to accommodate the Appeals Court should such a procedure be adopted. Other ancillary and support facilities include a 200 sq. ft. judge's chambers, a 500 sq. ft. law library which could be used as an additional hearing room for juvenile cases, a 400 sq. ft. public waiting lobby sufficient in size for both courtroom and hearing room, a 200 sq. ft. jury/conference room a 100 sq. ft. witness room which could be used as office space for a visiting judge, and a 100 sq. ft. space for the court reporter. A separate room of 120 sq. ft. for a law clerk and a 200 sq. ft. prisoner holding and interview facility should also be provided.

The administrative and clerical department of each Trial Court

facility should consist of a 120 sq. ft. private office for the Court Clerk, a 250 sq. ft. clerical work area, a 120 sq. ft. reproduction and equipment room, and 200 sq. ft. of record and general storage space.

Other court-related functions that could be accommodated at each court facility include a 300 sq. ft. Probation and Parole Office and 300 sq. ft. of office space for the Prosecution. 150 sq. ft. should be provided for both the Probation office and the prosecution for a secretarial and reception area.

RECOMMENDED PLAN (Tables 1 - 7 and Drawings 5 - 7)

If construction funds for new facilities are not available, the reorganization of the Trial Court facilities at Chinle, Tuba City, and Shiprock, facilities which share identical plans, should be limited to minor interior changes involving the relocation of certain police functions to other areas of the building and the utilization of the additional available space to more adequately house the administrative functions. With the need for an additional office for a visiting judge, and the pressing need for additional record storage and equipment space at all three locations, the consultants recommend the relocation of the adjoining police captain's office and the receiving and laundry room to spaces made available in other areas of the building. The inclusion of these two areas to the court would provide approximately 260 sq. ft. of additional space. (Tables 4 - 6)

The existing courtrooms in these locations can accommodate a maximum of twenty spectators. The present 565 sq. ft. courtroom can be expanded substantially by the removal of three large windows and substituting them with doors which could be opened to the exterior porch so that additional spectators there could also hear the proceedings in the courtroom. These doors could also be used as access to the courtroom when court is in session. (Drawings 5 and 6)

The Window Rock Judicial Facility which occupies the entire second floor of the police headquarters building, contains the District Trial Court, the Court of Appeals, and the administrative offices of the Judiciary. The presence of all these separate functions in one small facility results in space shortage, overcrowded conditions, and makes efficient operation difficult.

The construction of a new facility for the Court of Appeals and the administrative office, and the subsequent relocation of the functions from the existing facility would provide additional expansion space for the Trial Court. The interior renovation of the existing Window Rock facility requires substantial renovation if it is to be used efficiently by the Trial Court. The aim of the reorganization plan is to provide, within existing architectural constraints, a definite separation of public and private areas. Functions involving court personnel (Judges,

juries, witnesses, law clerks and secretaries) would be separated from public-oriented spaces by the central stairwell and the surrounding lobby. The Court Clerk's department should be reassigned to the larger space vacated by the General Counsel, associate attorney and legal secretary. This would provide a more spacious lobby for the public to transact court business. The remaining space on the public side of the floor would be used as conference and witness rooms, offices and law library. (Table 2 and Drawing 7)

The vacated Clerk's office should be redesigned as a jury deliberation room and should be expanded by moving the wall facing the lobby to the open stairwell. Included within this room would be a jury rest room and private toilet facilities for use by the jurors. The present Trial Judge's chambers should remain and the adjoining probation and parole office should be used by the law clerk or judge's secretary. The existing Chief Justice's chambers adjacent to the second courtroom should be subdivided into a chamber for the second trial judge and the court reporter. The Chief Justice's chamber would be housed in the proposed Court of Appeals building. (Table 1)

The existing elevator should be repaired and used for the transfer of prisoners to and from the jail; the elevator lobby area and adjoining storage space should be made secure so that the space could serve as a prisoners' holding room.

Proposed Court of Appeals Facility

The proposed new judicial complex at Window Rock should include separate facilities for the Court of Appeals, judicial administration, and the Trial Court. These functions could be housed in either one or separate but related buildings on a site in close proximity to the Tribal Government Complex. (Table 1)

The Appeals Court judicial department contains a 1000 sq. ft. courtroom, a 350 sq. ft. judges' conference room, 300 and 400 sq. ft. chambers for the Chief Justice and two associate justices, 320 sq. ft. for law clerks' and secretary's offices, a 400 sq. ft. law library and 150 sq. ft. for court officers, court reporters and stenographers.

The 400 sq. ft. Clerk's office should have adequate space for a private office and work area, and 400 sq. ft. for records and general storage. The administrative office of the court will include 180 sq. ft. of office space for the general counsel and 150 sq. ft. for the associate attorney, 120 sq. ft. for the legal secretary, 180 sq. ft. for the court administrator, 150 sq. ft. for the legal clerk, and stenographers.

The Trial Court area should include the same basic facilities as each of the other District Trial Court locations. However, because of the larger population within the Window Rock Trial Court jurisdiction, two trial courtrooms may become necessary in the future with additional space to be provided for the other support functions.

IMPLEMENTATION

The phasing and implementation of the master plan as projected through an interim period to the resulting final configuration depends primarily on the time and manner in which construction funds are made available. Because of the limited expansion space available in the Crownpoint District Trial Court facility and the lack of a facility of any consequence at Kayenta, the need for an interim phase of renovation and reorganization is eliminated and construction of new facilities should proceed as soon as possible. This constitutes the highest priority.

The minor renovation of the Tuba City and Shiprock facilities could be initiated immediately. However, if construction funds are made available within a relatively short period of time, the funds for short-term renovation could be saved if new facilities could be planned and constructed in the near future. This is the second priority.

The construction priority of new facilities in Chinle is not as critical as at the other locations. Plans should commence, as soon as funds are available, for a new Court of Appeals building in Window Rock. Existing court facilities in Window Rock can be converted for use by the Trial Court until expanding police functions could absorb the entire building at which time new Trial Court facilities should be constructed as an integral part of the Judiciary Complex, in close proximity to the Court of Appeals Building.

PRELIMINARY COST ESTIMATES (Table 8)

The projected cost involved in the construction of each District Trial Court facility, with adequate housing for key personnel, is \$314,688, bringing the total cost of all five facilities to \$1,573,440. The construction cost of the Judicial Complex at Window Rock, including new facilities for the Court of Appeals and the Trial Court, is estimated to be \$672,850. If, however, an interim phase is implemented in the Window Rock facility which involves the renovation and reorganization of the existing facilities for use by the Trial Court, and the construction of new housing for key personnel, an additional expense of \$153,42 must be added to the cost of the complex. A new facility for the Court of Appeals at Window Rock would cost \$305,500. In total, the projected construction and renovation cost for all facilities, including the renovation and reorganization of the existing facility at Window Rock, amounts to \$2,032,360. If a new Court of Appeals and Trial Court Building Complex is constructed at Window Rock, the total construction cost, based on current unit construction cost, would be \$2,246,290.

Minor renovation work in the interim phase is estimated at \$200,000. Prefabricated mobile units to house Circuit Court facilities should result in considerable savings when compared to the construction of permanent buildings. It is estimated that a 40 ft. x 24 ft. (960 sq. ft.) unit would be in the vicinity of \$30,000 to \$40,000, fully equipped.

TABLE 1
EXISTING/PROPOSED SPACE USE DATA

Court of Appeals, Window Rock, Arizona

FUNCTION	EXISTING SPACE TYPE	NET AREA (sq. ft.)	INTERIM		PROPOSED	
			SPACE TYPE	NET AREA (sq. ft.)	SPACE TYPE	NET AREA (sq. ft.)
JUDICIAL	Appeals Courtroom	813			Appeals Courtroom	1000
					Public Waiting	400
	Chief Justice's Chambers/Conference Room	300			Judges' Conference Room	350
					Judge's Chamber	300
					Assoc. Judge's Chambers	400
					Law Clerk & Secy's offices	320
					Law Library/ Atty conference	400
					Court Officer	150
					Court Reporter/ Steno	150
					Clerk's Office	400
CLERICAL	Appeals Ct. Clerk	170			Records Storage	200
					General Storage	200
					General Counsel	180
ADMINISTR.	Admin. Ass't. to Chief Justice	131			Court Administrator	180
	Court Administr'r/ Legal Record Clerk	181			Associate Counsel	150
	General Counsel	160			Legal Sec'y/ Recpt.	120
	Legal Sec'y	90			Recpt./Sec'y	120
	Assoc. Atty./ Law Library	252			Records Mgmt Clerk	150
TOTAL		2,097				5,170

TABLE 2
EXISTING/PROPOSED SPACE USE DATA

Trial Court, Window Rock Arizona

FUNCTION	EXISTING SPACE TYPE	NET AREA (sq. ft.)	INTERIM		PROPOSED	
			SPACE TYPE	NET AREA (sq. ft.)	SPACE TYPE	NET AREA (sq. ft.)
JUDICIAL	Trial Ctrm.	813	Trial Ctrm	813	Trial Ctrm.	1,000
	Public Lobby	437	Trial Ctrm.	813	Public Waiting	400
			Law Library/ Atty conf.	200	Law Library/ Hearing Rm.	500
			Jury Room/ Witness Interview	120	*Jury Room/ Conference	200
			Court Reporter/ Steno	80	Witness Rm	100
					Prisoner Holding/ Interview	200
					Court Recorder/ Steno	100
JUDGE'S CHAMBERS	Judge's Chamber	120	Judge's Chamber	160	Judge's Chamber	200
			Law Clerk/Secy	164	Secretary	120
					Law Clerk	120
CLERICAL	Court Clerk	142	Court Clerk Private Office	100	Court Clerk Private Office	120
	File/Reprod.	100	Clerical	350	Clerical (3)	250
	File/Supply	60	Records Storage	150	Records Storage	120
			Reproduction	120	Reproduction	120
			General Storage	100	General Storage	80
OTHER COURT RELATED	P & P Offices	180	Juvenile Office	160	P & P Office	300
			P & P Offices	300	Secy/Recept.	150
			Secy/Recept.	100	Prosecutorial	300
					Secy/Recept.	150
TOTAL		1,852		3,730		4,530
HOUSING FOR COURT STAFF					Judge's Family	800
					Clerk's Family	800
TOTAL INCLUDING HOUSING						6,130

TABLE 3
EXISTING/PROPOSED SPACE USE DATA

Trial Court, Crownpoint, New Mexico

FUNCTION	EXISTING SPACE TYPE	NET AREA (sq. ft.)	INTERIM		PROPOSED	
			SPACE TYPE	NET AREA (sq. ft.)	SPACE TYPE	NET AREA (sq. ft.)
JUDICIAL	Courtroom	481			Courtroom	1,000
	Public waiting	140			Public Waiting	400
	Hall	67			Law Library/ Hearing Rm.	500
					Jury Room/ Conference	200
					Witness Room	100
					Prisoner Holding/ Interview	200
					Court Recorder/ Steno	100
JUDGE'S CHAMBERS	Judge's Chamber	204			Judge's Chamber	200
					Secretary	120
					Law Clerk	120
CLERICAL	Court Clerk	231			Court Clerk Private Office	120
	Rec. Storage	22			Clerical (3)	250
	Gen. Storage	24			Records Storage	120
					Reproduction	120
					General Storage	80
OTHER COURT RELATED	P & P	131			P & P Office	300
					Secy/Recept.	150
					Prosecutorial	300
					Secy/Recept.	150
TOTAL		1,300				4,530
HOUSING FOR COURT STAFF					Judge's Family	800
					Clerk's Family	800
TOTAL INCLUDING HOUSING						6,130

TABLE 4
EXISTING/PROPOSED SPACE USE DATA

Trial Court, Chinle, Arizona

FUNCTION	EXISTING SPACE TYPE	NET AREA (sq. ft.)	INTERIM		PROPOSED	
			SPACE TYPE	NET AREA (sq. ft.)	SPACE TYPE	NET AREA (sq. ft.)
JUDICIAL	Courtroom	565	Courtroom	565	Courtroom	1,000
			Exterior Addition	286	Public Waiting	400
					Law Library/ Hearing Rm.	500
					Jury Room/ Conference	200
					Witness Rm.	100
					Prisoner Holding/ Interview	200
					Court Recorder/ Steno	100
JUDGE'S CHAMBERS	Judge's Chamber	128	Judge's Chamber	128	Judge's Chamber	200
					Secretary	120
					Law Clerk	120
CLERICAL	Court Clerk	111	Court Clerk Private Office	111	Court Clerk Private Office	120
	Deputy Clerks	95	Clerical	95	Clerical (3)	250
			"	149 *	Records Storage	120
			"	120 *	Reproduction	120
					General Storage	80
OTHER COURT RELATED	P & P -trailer				P & P Office	300
	Prosecutorial (Trailer)				Secy/Recept.	150
					Prosecutorial	300
					Secy/Recept.	150
TOTAL		899		1,454		4,530
HOUSING FOR COURT STAFF					Judge's Family	800
					Clerk's Family	800
TOTAL INCLUDING HOUSING						6,130

* 269 sq. ft. available through relocation of captain's office and laundry.

TABLE 5
EXISTING/PROPOSED SPACE USE DATA

Trial Court, Shiprock, New Mexico

FUNCTION	EXISTING SPACE TYPE	NET AREA (sq. ft.)	INTERIM		PROPOSED	
			SPACE TYPE	NET AREA (sq. ft.)	SPACE TYPE	NET AREA (sq. ft.)
JUDICIAL	Courtroom	565	Courtroom	565	Courtroom	1,000
				286	Public Waiting	400
					Law Library/ Hearing Rm.	500
					Jury Room/ Conference	200
					Witness Room	100
					Prisoner Holding/ Interview	200
					Court Recorder/ Steno	100
JUDGE'S CHAMBERS	Judge's Chamber	128		128	Judge's Chamber	200
					Secretary	120
					Law Clerk	120
CLERICAL	Court Clerk	111 95	Court Clerk Private Office	120 * 111	Court Clerk Private Office	120
			Clerical	95	Clerical (3)	250
			Clerical	149 *	Records Storage	120
					Reproduction	120
OTHER COURT RELATED	P & P Prosecutorial	rented space		trailer	P & P Office	300
				trailer	Secy/Recept.	150
					Prosecutorial	300
					Secy/Recept.	150
TOTAL		899		1,454		4,530

* 269 sq. ft. available through relocation of captain's office and laundry.

TABLE 6
EXISTING/PROPOSED SPACE USE DATA

Trial Court, Tuba City, Arizona

FUNCTION	EXISTING SPACE TYPE	NET AREA (sq. ft.)	INTERIM		PROPOSED	
			SPACE TYPE	NET AREA (sq. ft.)	SPACE TYPE	NET AREA (sq. ft.)
JUDICIAL	Courtroom	565	Courtroom	565	Courtroom	1,000
				286	Public Waiting	400
					Law Library/ Hearing Rm.	500
					Jury Room/ Conference	200
					Witness Room	100
					Prisoner Holding/ Interview	200
					Court Recorder/ Steno	100
JUDGE'S CHAMBERS	Judge's Chamber	128		128	Judge's Chamber	200
	Judge's Chamber	95		111	Secretary	120
					Law Clerk	120
CLERICAL	Court Clerk	111	Court Clerk Private Office	120 *	Court Clerk Private Office	120
			Clerical	95	Clerical (3)	250
			Clerical	149 *	Records Storage	120
					Reproduction	120
					General Storage	80
OTHER COURT RELATED	P & P	rented space			P & P Office	300
	Prosecutorial	within the Police Building			Secy/Recept.	150
					Prosecutorial	300
					Secy/Recept.	150
TOTAL		899		1,454		4,530
HOUSING FOR COURT STAFF					Judge's Family	800
					Clerk's Family	800
TOTAL INCLUDING HOUSING						6,130

* 269 sq. ft. available through relocation of captain's office and laundry.

TABLE 7
EXISTING/PROPOSED SPACE USE DATA

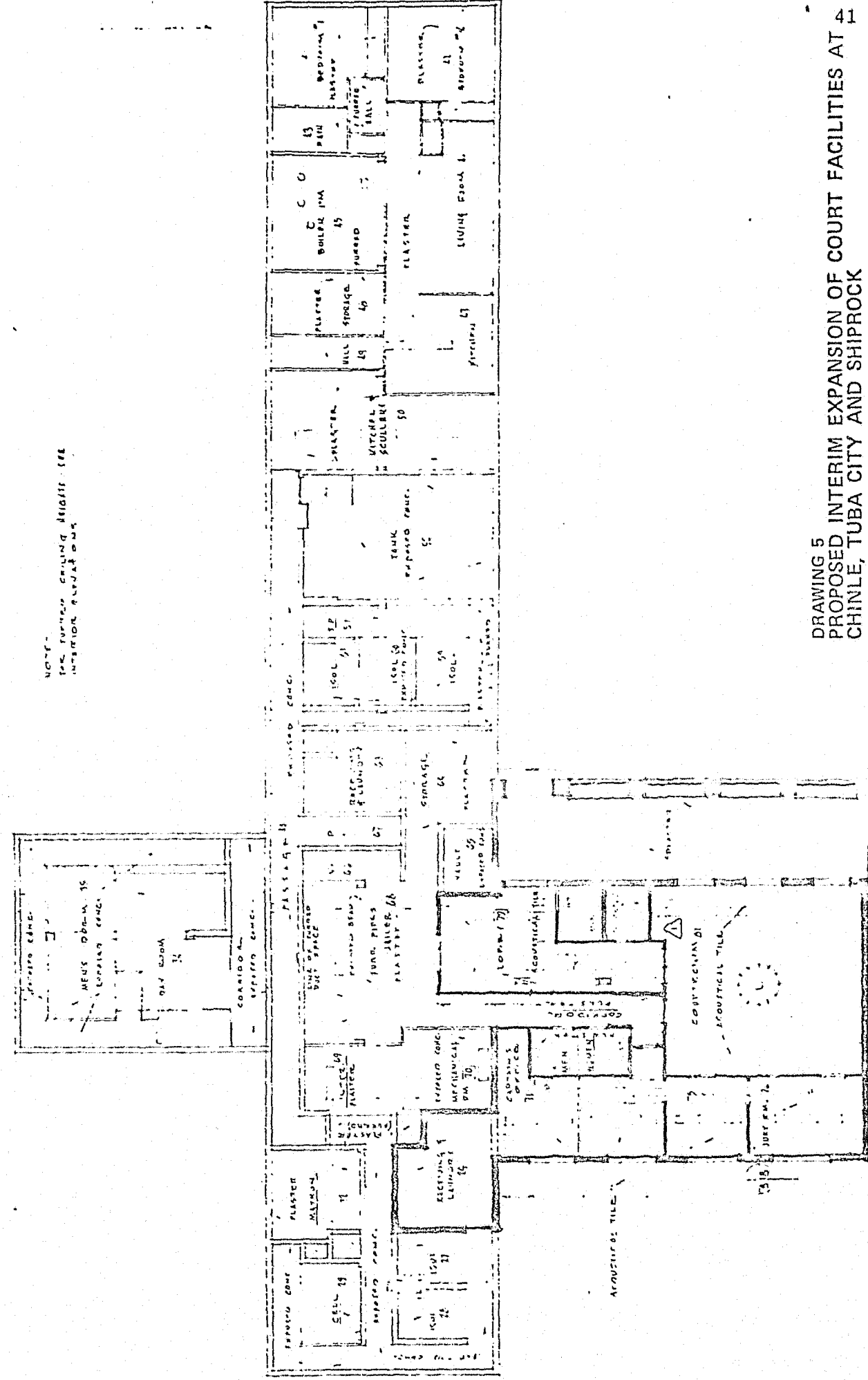
Trial Court, Kayehta, Arizona

FUNCTION	EXISTING SPACE TYPE	NET AREA (sq. ft.)	INTERIM		PROPOSED	
			SPACE TYPE	NET AREA (sq. ft.)	SPACE TYPE	NET AREA (sq. ft.)
JUDICIAL	Courtroom				Courtroom	1,000
					Public Waiting	400
					Law Library/ Hearing Rm.	500
					Jury Room/ Conference	200
					Witness room	100
					Prisoner Holding/ Interview	200
					Court Recorder/ Steno	100
JUDGE'S CHAMBERS					Judge's Chamber	200
					Secretary	120
					Law Clerk	120
CLERICAL					Court Clerk Private Office	120
					Clerical (3)	250
					Records Storage	120
					Reproduction	120
					General Storage	80
OTHER COURT RELATED	P & P Office *includes courtroom for Circuit Court	500			P & P Office	300
					Secy/Recept.	150
					Prosecutorial	300
					Secy/Recept.	150
TOTAL		500				4,530
HOUSING FOR COURT STAFF					Judge's Family	800
					Clerk's Family	800
TOTAL INCLUDING HOUSING						6,130

TABLE 8
PRELIMINARY COST ESTIMATES FOR IMPLEMENTING THE FACILITY MASTER PLAN
OF THE JUDICIAL BRANCH OF NAVAJO NATION

COURT FUNCTION	SPACE TYPE (sq. ft.)	GROSS AREA (sq. ft.)	CONSTRUCTION COSTS (include contingencies and professional fees)	TOTAL PROJECT COST
TYPICAL DISTRICT TRIAL COURTS AT FIVE COURT LOCATIONS	courtroom	7,143	285,720	
	office	25,214	882,490	
	housing*	8,000	200,000	
			subtotal	1,368,210
			fee	136,820
			contingen- cies	68,410
			Total	1,573,440
TRIAL COURT RENOVATION AT WINDOW ROCK	courtroom	2,323	34,850	
	office	3,006	45,090	
	housing**	2,000	50,000	
			subtotal	129,940
			fee	12,990
			contingen- cies	10,490
			Total	153,420
COURT OF APPEALS AT WINDOW ROCK	courtroom	1,429	57,160	
	office	5,957	208,500	
			subtotal	265,660
			fee	26,560
			contingen- cies	13,280
			Total	305,420
COURT OF APPEALS AND TRIAL COURT BUILDING COMPLEX AT WINDOW ROCK	courtroom	3,752	150,080	
	office	11,000	385,000	
	housing	2,000	50,000	
			subtotal	585,080
			fee	58,510
			contingen- cies	29,260
			Total	672,850

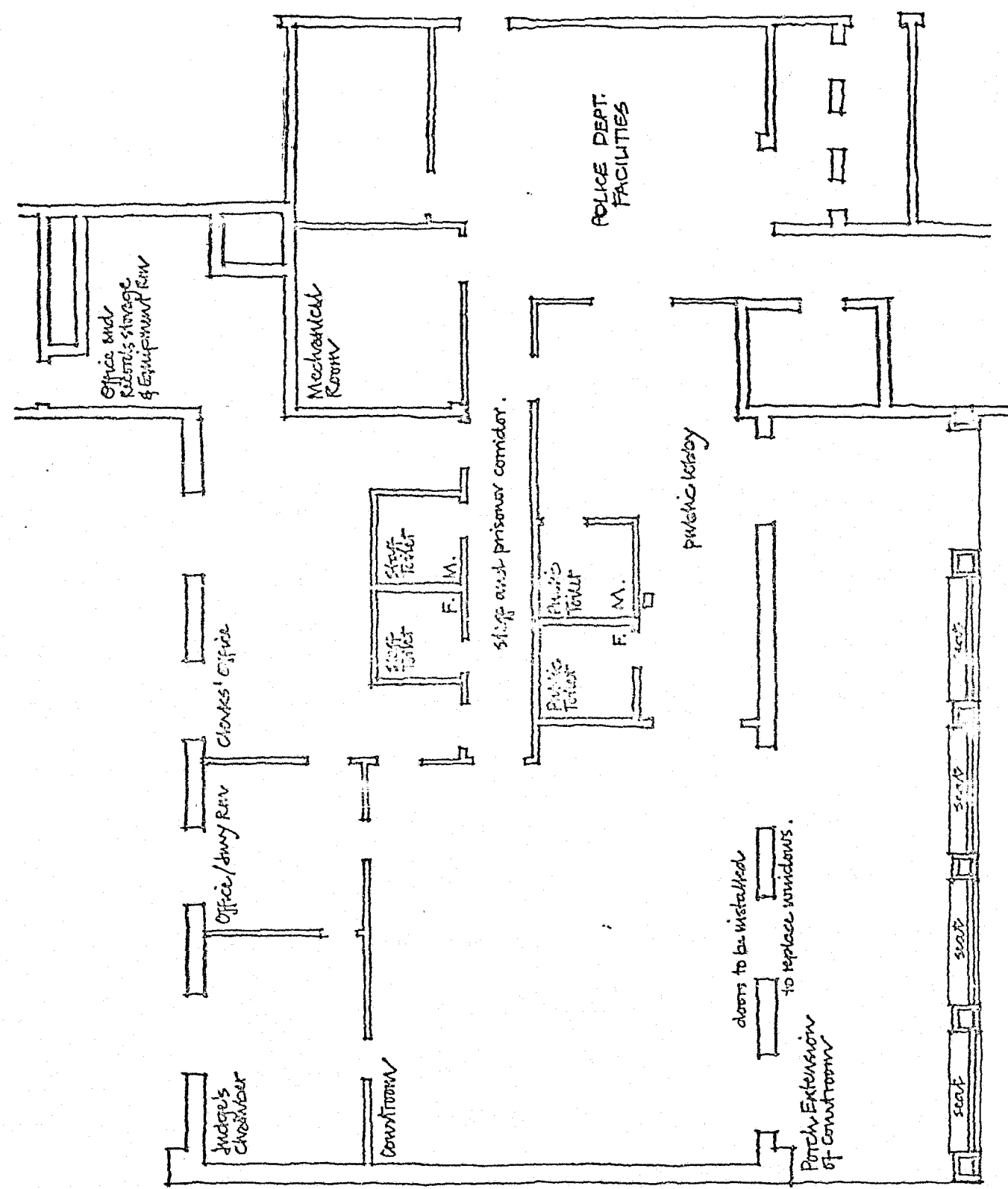
* At 4 locations only. Shiprock already has housing for the judge and clerk.
** New construction.



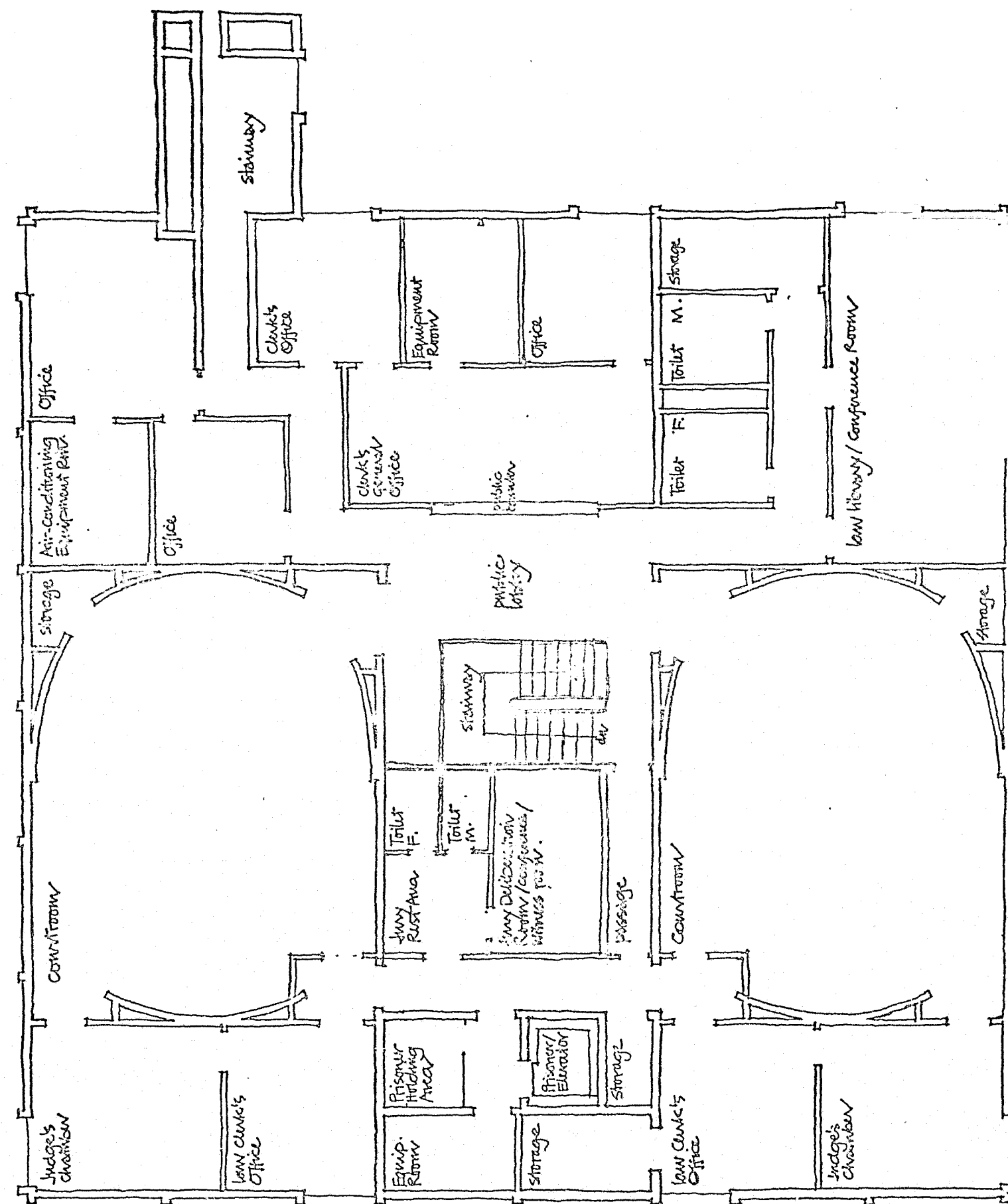
DRAWING 5
PROPOSED INTERIM EXPANSION OF COURT FACILITIES AT
CHINLE, TUBA CITY AND SHIPROCK 41

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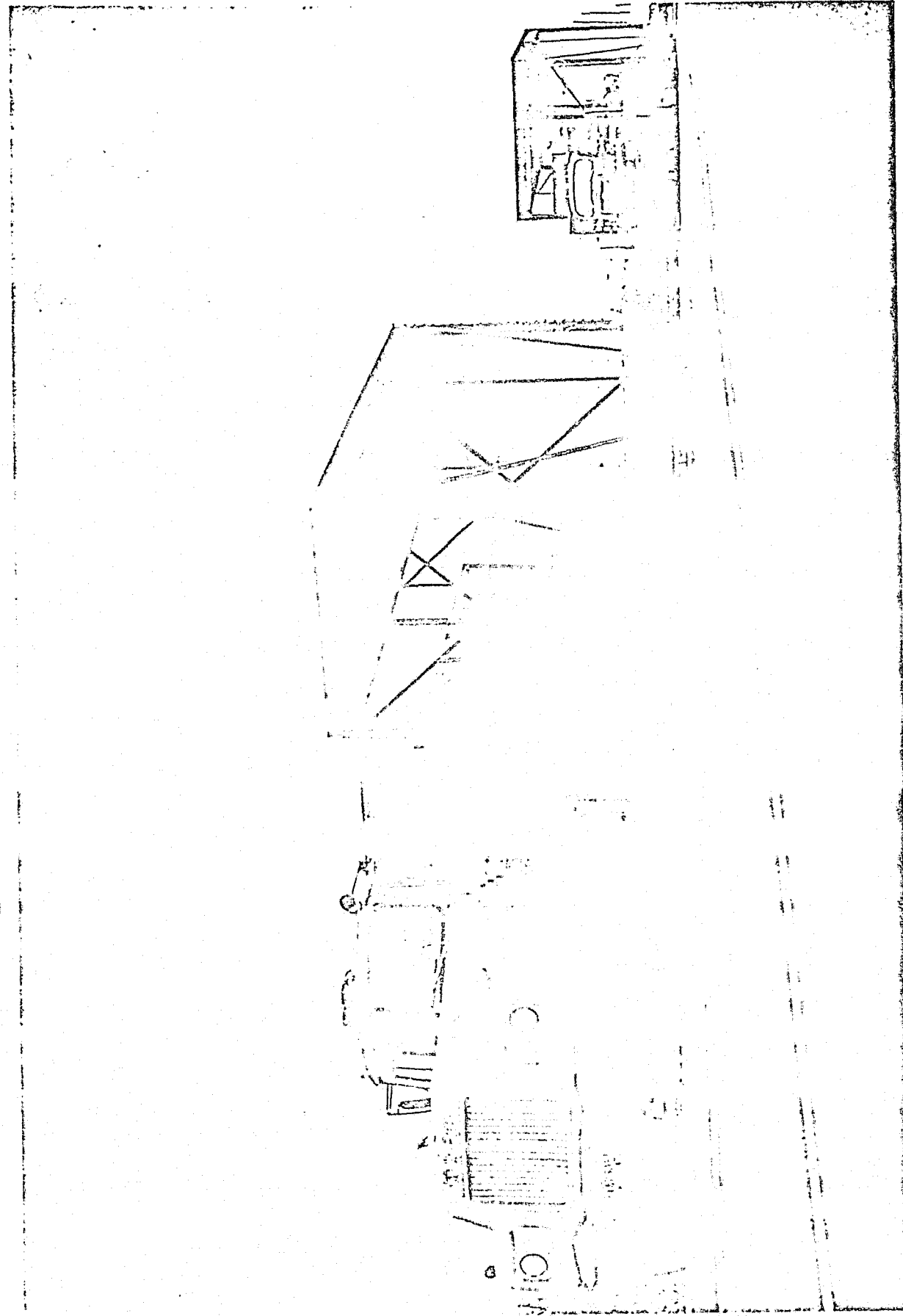
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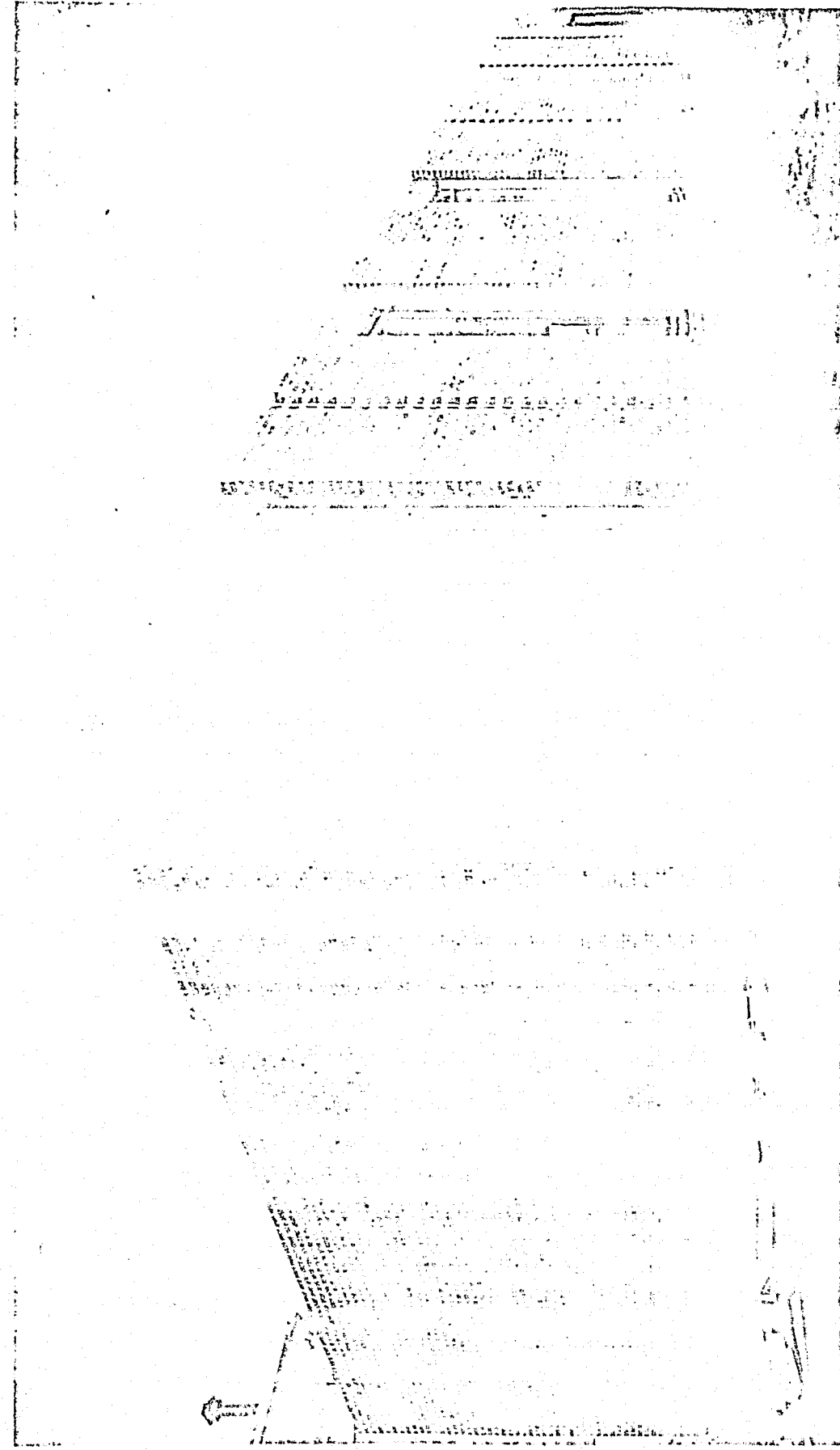


DRAWING 6
PROPOSED INTERIM EXPANSION OF COURT FACILITIES



DRAWING 7
PROPOSED SPACE USE PLAN FOR TRIAL COURT AT WINDOW ROCK





Module Split

