

THE NAVAJO NATION  
JUDICIAL BRANCH

CHINLE DISTRICT COURT: LOCAL COURT RULES

- (1) Courtroom Behavior. Attorneys must assist the court in making sure that their clients, witnesses and other interested individuals observe proper courtroom behavior. This includes the following:
  - No food or drink is permitted in the courtroom.
  - No gum or tobacco chewing is permitted in the courtroom.
  - Spectators are not permitted to talk while the court is in session.
  - Children who are noisy or distracting must be immediately removed from the courtroom.
  - Pagers and cell phones must be turned off prior to entering the courtroom. Failure to do so may result in confiscation.
  - No weapons, including knives, are permitted.
  - Everyone in the courtroom must remain seated while the court is in session. There can be no standing in the back or in the aisles.
  - Gentlemen should remove their hats.
  - Sunglasses should not be worn unless the wearer has a medical condition requiring their use.
- (2) Navajo Interpreter. All parties shall inform opposing parties that all or part of the testimony of their witnesses will be in Navajo. Such notice shall be provided in the Pre-trial statement. Upon notice, the non-Navajo speaking party is responsible to provide their own interpreter. Failure to do so will result in not allowing the testimony to continue until the Navajo speaking party provides an interpreter for the opposing non-Navajo speaking party.
- (3) Arraignment Time. An individual summoned for a criminal arraignment must be in the courtroom at 8:30 a.m. on the day set for arraignment. Late arrivals will not be permitted into the courtroom except in an extreme emergency.


- (4) Recording Equipment. No cameras, video recorders, tape recorders or any other type of recording equipment are permitted in the courtroom without prior approval for good cause from the presiding judge.
- (5) Pretrial Requirement. Opposing parties must meet five (5) days before trial in both civil and criminal cases scheduled for trial to discuss a settlement or plea agreement and submit written proof of said meeting to the court as soon as possible after the meeting.
- (6) Order to Show Cause Hearing for Debtors. Before a party will be granted a hearing for an Order to Show Cause why a debtor should be held in contempt of court for failure to pay a civil judgment, other than for child support, the party must allege facts to support the following:

- a. The party has attempted other methods to collect payments permitted under Navajo law, or any such attempt is impossible.
- b. The party has the ability to pay for some or all of the judgment.

The Court will order a Debtor's Examination upon motion by a party in order to determine if a judgment debtor has the ability to pay.

- (7) Proof of Service Requirements in Repossession Cases. In repossession cases, the declaration of proof of personal service must include the following:
- a. The date and time the documents were served.
  - b. The physical address where the documents were served.
  - c. The name or reasonable description of the person who was served, and, if the person served is other than the person named in the complaint, a statement that the person was over sixteen (16) years of age.
  - d. A complete listing of all the documents served.
- (8) Death of Debtor in Repossession Cases. In order to repossess secured collateral after the death of the secured party, creditors must file a probate action. The creditor must request to be appointed as the administrator for the limited purpose of probating the collateral.
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- (9) Repossession of Residence: If a party seeks repossession of a mobile home, the party must use the procedures under the Navajo Rules of Civil Procedure and not the Navajo Rules for Repossession Proceedings.

- (10) Writs of Execution: Parties must file a motion in order to request a Writ of Execution. A Writ will not be issued prior to payment of the required fee.
- (11) Attorney Gifts: Attorneys who practice in Chinle District Court are prohibited from giving gifts of any kind to the court.
- (12) Telephonic Appearances: Attorneys will not be permitted to appear telephonically for final hearings except under extraordinary or emergency circumstances.
- (13) Signing Pro Se Court Documents: If court documents signed and submitted by a pro se party are prepared by another individual, the document must also include the signature of the preparer after the statement, "Prepared by." Remember that Rule 11 of the Navajo Rules of Civil Procedure requires that the signer of court documents is verifying the truth and accuracy of the facts and law asserted.
- (14) Deadlines for Civil Motion Response and Reply: A Response to a civil motion is due ten (10) days after a motion is filed with the court and a reply is due five (5) days after a response is filed, unless otherwise required by Navajo law or by order of the court. As required by the Navajo Rules of Civil Procedure, five (5) days are added to the prescribed time if service is made by regular mail.

  
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Honorable Leroy S. Bedonie,  
Chinle Judicial District

2-2-10  
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Date

  
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Honorable Cynthia Thompson,  
Chinle Judicial District

2-2-10  
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Date