

## TRIBAL COURT BENCH GUIDE

### TYPES OF CASES IN THE TRIBAL COURT

#### **Government Violation Action – Petitions or Citations**

- Election Ordinance – Removal from Office – Tribal Court Hearing [Art. XIII, Sec. 3] - Petition
- Business Corporations Ordinance- Violations of the Business Corporations law. [Sec. 14.2] - Petition

#### **Review of Gov Decision - Notice of Appeal**

- Election Ordinance – Hearing on Suspension by EC. [Art. XIII Sec. (4)(A)] – Automatic Hearing
- Initiative and referendum Ordinance - Appeal of petition rejections. [Sec. IV] – Notice of Appeal
- Enrollment Ordinance - EC decisions can be appealed to the tribal court once established (currently grievance board. [Sec. XI(F)(4); Sec. XVI(A); Sec. XVIII(F)] – Notice of Appeal

#### **Civil Claims - Petitions**

- Business Corporation Ordinance - Civil protection order. [Sec. 8.24.5; [Sec. 8.24.6.; Sec. 11.10.1; Sec. 11.11; Sec. 11.13.1; Sec. 11.14] - Petition
- Business Corporation Ordinance - Individual claim. [Sec. 1-8.26.]
- Tribally Owned Limited Liability Company Ordinance - allows limited waiver of sovereignty immunity to be sued in tribal court. [Sec. 2-1.6.]

#### **Enforcement of Judgement - Petitions**

- Garnishment Ordinance - Recognition of valid orders. [Sec. 4-V(A); Sec. 4-VI(A); Sec. 4-VIII.]
- Business Corporation Ordinance - enforce share holder demand to pay. [Sec. 1-8.28.7.]
- Business Corporation Ordinance - Enforcement of judgment, forced share sales. [Sec. 1-11.10.2.]

#### **Child Welfare - Petitions**

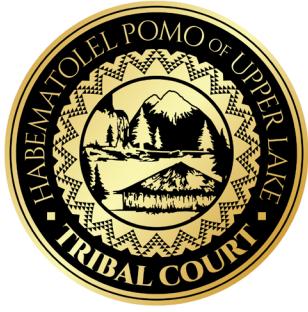
- Children and Families Code - Modification of parental rights, termination of parental rights, guardianships, Adoptions, Appeals.

#### **Abuse Complaints**

- Children, Elders and Disabled Adults Protection Code – Protects these categories of tribal members or people who reside with tribal members or are in the presence of tribal members from abuse.

#### **Garnishment Actions**

- Garnishment Ordinance - Actions brought by Tribe against members. [Sec. 4-V(B); Sec. 4-V.]



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**Appeals – Notice of Appeals**

- Constitution - Any party to a civil action or criminal defendant may appeal to tribal court of appeals. [Art. XII, Sec. 11.]
- Tribal Cemetery Ordinance - Appeals directly to Appels court from EC decisions. [Sec. 12.]