

IN THE SUPREME COURT OF THE CHEROKEE NATION

THE AMENDMENT AND ADOPTION OF)
COURT RULES OF THE DISTRICT)
COURT OF THE CHEROKEE NATION)

SC-AD-18-04

2018 SEP 10 PM 3:46
CHEROKEE NATION
SUPREME COURT CLERK
GENERAL BIRD, COURT CLERK
FILED

ORDER ESTABLISHING PRESIDING DISTRICT COURT JUDGE AND DUTIES

The Supreme Court of the Cherokee Nation hereby amends the District Court Rules of the Cherokee Nation. The amended provisions shall be known as "XXII. Presiding District Court Judge and Duties", and are:


XXII. Presiding District Court Judge and Duties

1. The Presiding Judge shall be responsible for the administration of the district court and address the needs of the public, attorneys, court staff, and fellow Judges. The Presiding Judge shall be a full time District Court Judge. If there is not a full-time District Court Judge or there are multiple judges, the Supreme Court of the Cherokee Nation shall designate a Presiding Judge who shall serve until he or she is no longer a District Court Judge or desires to relinquish the position of Presiding Judge.
2. The name of the Presiding Judge shall be posted in conspicuous places in the Court Clerk's office, and such other places as directed by the Court Administrator.
3. Should the Presiding Judge be temporarily unable to serve as Presiding Judge, he or she shall arrange for another Judge to handle the assignment during that time. The Chief Justice of the Supreme Court shall designate a replacement should the Presiding Judge fail to do so.
4. The Presiding Judge shall:
 - a. Serve as liaison between the District Court and tribal, state, and federal bar associations; the federal, state, and local judiciary; and schools.
 - b. Resolve informal disputes within the District Court system.
 - c. Promulgate dockets. The Presiding Judge may designate any Judge or Judges of the court to try any case and, when the circumstances so warrant, reassign the case to another Judge or Judges.
 - d. Ensure that the number of docket days of the District Court are adequate to provide expeditious resolution of cases.
 - e. After an in-camera motion and a motion on the record for recusal of an assigned Judge are both denied hear any appeal of those motions.

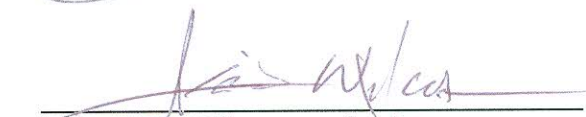
- f. Hear election, employment, licensing and other disputes requiring immediate action that jurisdiction over has not been constitutionally or legislatively vested in the Supreme Court.
- g. Hear any case designated as a complex business or civil case by statute, rule, or so designated by the Presiding Judge. The Presiding Judge shall have discretion to retain the case or transfer the case to another Judge's docket in the interests of judicial economy.
- h. In an effort to expedite the District Court's dockets and to improve judicial economy the Presiding Judge may select certain cases to preside over on an expeditious timeline.
- i. Be in charge of the jury panel and, with the assistance of the Court Administrator and the District Court Clerk, shall discharge and excuse those jurors not engaged when their services are no longer required.
- j. Hear and decide all individual juror requests to be excused from jury duty prior to the juror being sent to a courtroom as part of a trial panel. Once a juror is assigned to a courtroom the judge presiding over the trial may permanently excuse the juror without consulting with the Presiding Judge. If a juror is released the Court Administrator shall be notified.
- k. Upon his or her discretion call for a conference of Judges on his or her own initiative or upon the request of any other District Judge.
- l. Evaluate the court's effectiveness in administering justice and recommend changes.
- m. In his or her discretion, select via employment or through volunteerism, judicial clerks or interns as the Court budget allows.
- n. Hear any other matter directed to the Presiding Judge by the Supreme Court, statute, or rule.

IT IS SO ORDERED.

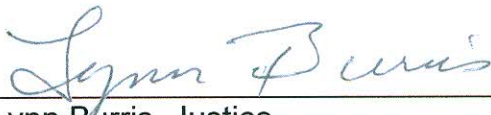
DATED this 10th day of September, 2018.

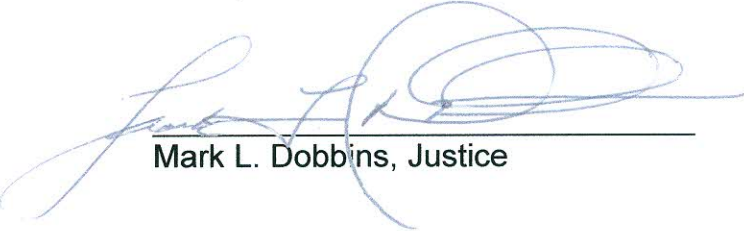


John C. Garrett, Chief Justice



James G. Wilcoxon, Justice


Lynn Burris, Justice


Mark L. Dobbins, Justice