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2011 MAY -3 AM 10:30
CHEROKEE NATION
SUPREME COURT
KENDALL BIRD, COURT CLERK

IN THE SUPREME COURT OF THE CHEROKEE NATION

**IN RE: the Amendment and Adoption
of Supreme Court Rules and Procedures**

SC-AD-11-02

ORDER

The Supreme Court of the Cherokee Nation hereby amends provisions to the Appendix: Supreme Court Procedures. The amended provisions are the following:

- 54. Bond or supersedeas bond
- 56. Designation of record
- 60. Filing and Service of Briefs
- 132. Membership in Cherokee Nation Bar required to practice before Cherokee Nation Courts-Qualifications for membership

Rule 54. Bond or Supersedeas Bond

Upon the filing of the Petition In Error of a civil money judgment, the District Court may order the filing of a bond or other security in an amount sufficient to satisfy the judgment including costs in the event that the judgment is affirmed on appeal. The Supreme Court may waive the bond if the party demonstrates by petition or affidavit that he/she is unable to post the bond.

Rule 56. Designation of Record

All parties to an appeal shall file either a designation of record or counter designation of record. Concurrently with filing a petition in the Supreme Court, the party desiring the appeal shall mail to the other parties and file in both the District Court and Supreme Court a designation of any pertinent pleadings or documents filed in the case, transcript of proceedings, and evidence adduced which are sought to be included in the record of appeal. The Supreme Court reserves the right to order any additional parts of the entire District Court record to be transmitted to the Supreme Court at any stage of the appeal.

The Designation of Record shall be made using the Designation Record form or Court Docket sheet. Pleadings and other documents filed with District Court Clerk in the case can be designated by circling the document on a copy of the Court Docket sheet or by listing the specific pleadings and other documents on the Designation Record form.

The record on appeal shall not include unless ordered by the Supreme Court the following: subpoenas, summonses, certificate of service, and procedural motions or orders (e.g. extensions, continuances, etc.)

All appellees shall file a counter designation of record in the District Court and Supreme Court within 30 days after appellant's designation of record is filed. The counter designation of record shall be made by using the Counter designation of record form or Court docket sheet .

Each appellant must advance the costs for transcripts ordered by any party relating to the appeal of the appellant. Failure to pay costs shall not be a good cause for an extension of time to complete the record and shall be grounds for dismissal of the appeal.

Rule 60. Filing and Service of Briefs

A. The appellant shall file and serve an appellate brief-in-chief within sixty days after the date on which the appellee has filed his/her response to the Petition In Error. The appellee shall file and serve the appellee's brief within forty days after service of the brief of the appellant. The appellant may file and serve a reply brief within twenty days after service of the brief of the appellee.

B. One original unstapled/unbound copy each brief shall be filed with the court clerk and one copy shall be served on counsel for each party separately represented.

C. If an appellant fails to file the appellant's brief-in-chief within the time provided by this rule, or within the time as extended, the court may dismiss the appeal. If an appellee fails to file the appellee's brief within the time provided by this rule, or within the time as extended, the appellee will not be heard at oral argument except by permission of the court upon a showing of good cause submitted in writing prior to argument; and in determining the appeal, the court may rule on the appellant's statement of the facts and issues.

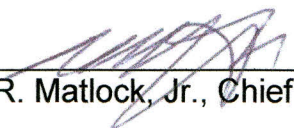
D. The appellant or appellee may file an extension of time to file a brief or response to a brief for extraordinary circumstances and the court may grant it for good cause shown. An extension shall be granted for no more than fourteen days.

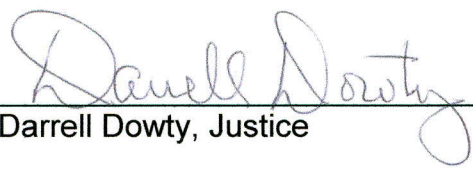
Rule 132. Membership in Cherokee Nation Bar required to practice before Cherokee Nation courts-Qualifications for membership

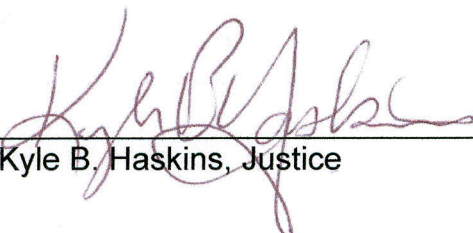
No person shall practice as an attorney and counselor at law in any Court of the Cherokee Nation unless said person first obtains membership in the Cherokee Nation Bar Association. An attorney shall submit a certificate certifying the attorney's good standing from his or her resident state bar in which the attorney has been admitted. This Court may take into consideration the suspension or disbarment from practice in any other Court of Law. All members in good standing may be admitted upon making application and submitting themselves to the jurisdiction of the Cherokee Nation Courts and subjecting themselves to the contempt powers of the Cherokee Nation Courts. Annual dues may be charged for membership in the Cherokee Nation Bar. CNCA 5§1

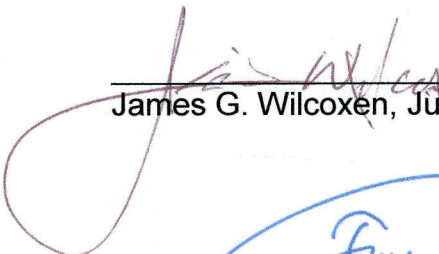
These Supreme Court Rules and Procedures are amended this 2nd day of May, 2011.

IT IS SO ORDERED.


Darell R. Matlock, Jr., Chief Justice


Darrell Dowty, Justice


Kyle B. Haskins, Justice


James G. Wilcoxen, Justice


Troy Wayne Poteete, Justice