

COURT PROCEEDINGS POLICY

The intent of this policy is to clarify the purpose of a Court Proceeding, and to set policy in conformance with the Law and Order Code of the Northern Cheyenne Tribe and Northern Cheyenne Court Rules of Court.

The sole purpose of the Arraignment proceeding is for the charge to be presented against the Defendant, to allow the Defendant to enter a plea to the charge, and for the Court to set bail. There shall be no dismissal of charges against Defendants at arraignment proceedings. If a question is raised at arraignments as to the validity of the charge, a Not Guilty plea shall be entered by the Court and the matter will be resolved in future proceedings for contested charges.

The Sole Purpose of a Pre-Trial is for the Northern Cheyenne Court to determine from the Defendant/Respondent and the Plaintiff/Petitioner how they wish for their matter to proceed with in the court; by means of a Trial by Jury or Trial by Bench. There shall be no dismissal of charges against a defendant at Pre-Trials, should the defendant/respondent so wish to move the court; they shall file a Motion and pay the fee.

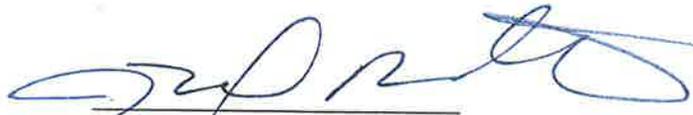
The Sole Purpose of a Status Hearing is to identify a Trial Date for the defense/respondent and notify all parties of the date and time of the Trial will take place. Again, there shall be no dismissal of charges at any status hearing. A defendant/respondent may file a motion and pay the motion fee. All Plea Changes and Motions are encouraged to be filed prior to a status hearing, especially when the defendant has opted for a trial by Jury.

The sole purpose of review hearings is to review the status of a case and make any necessary ruling or changes to orders. These hearings are held at regular intervals to monitor compliance with court orders. There shall be no dismissals at any review hearings, as the procedure to move the court for a dismissal shall be followed, "File a Motion and pay the filing fee."

This policy does not abrogate the right of the Northern Cheyenne Prosecutor to withdraw a charge against a Defendant, or to dismiss the charge, but shall require that a Motion be filed with the Northern Cheyenne Court.

Approved on this 21st day of January, 2025 in the Northern Cheyenne Court.


Judge Curtis Elkshoulder, Jr


Judge J. David Roundstone