

Cherokee Nation Code Annotated

Title 20: Courts

Appendix I. Supreme Court Rules and Procedures

VII. Appellate Procedure

Rule 57. Record of appeal

Cite as: 20 CNCA app. I, r. 57

A. Upon receiving the designation of record, the Clerk of the District Court shall compile the record for transmittal to the Supreme Court. The Clerk of the District Court shall certify the contents of the record as true, correct, and complete.

B. If no report of the evidence or proceeding at a trial or hearing was made, or if a transcript is unavailable, the appellant may prepare a statement of the evidence. The appellant must file a copy of the statement with the Supreme Court and the appellee shall have twenty (20) days to raise objections and make amendments. The Supreme Court shall rule on the objections and amendments and approve the statement for inclusion in the record of appeal.

C. In place of the record on appeal, the parties may prepare, sign, and submit to the District Court a statement of the case showing how the issues presented by the appeal arose and were decided in the District Court. The statement must set forth only those facts certain and proved or sought to be proved that are essential to the Court's resolution of the issues. If the statement is truthful, the statement, together with any additions that the District Court may consider necessary to a full presentation of the issues on appeal must be approved by the District Court and must then be certified to the Supreme Court as the record on appeal.

D. The record on appeal shall be ready for transmission to the Supreme Court no later than six (6) months from the date of the judgment appealed.

Historical Data

SC-AD-13-01, adopted March 27, 2013.