

Central Council Tlingit & Haida Indian Tribes of Alaska Tribal Court

Procedure for Appealing to the Tribal Supreme Court

Tribal Judicial System		
	Supreme Court	Trial Court
What it does	Hears appeals from both the Trial & Subordinate Courts	Hears Civil matters
Who Presides	Chief Justice & whatever number of Associate Justices the Chief Justice deems necessary	Tribal Court Judges & Magistrates

If you are interested in appealing a decision made by a Judge or Magistrate, below are steps you must follow:

1. You need to have a final order or judgment from the Tribal Trial Court.
2. Within 30 days after the date of the final order or judgment you must file with the Clerk of the Court a Notice of Appeal along with the appropriate filing fee.
3. You must then file a Statement of Reasons for the appeal along with any supporting documents that were a part of the Court record. This Statement of Reasons may be filed at the same time as the Notice of Appeal or within 30 days of filing the Notice of Appeal.
4. The Clerk of the Court will send out copies of your Notice of Appeal and Statement of Reasons to all parties of the proceeding of which you are appealing via certified mail.
5. Any other party to the proceeding of which you are appealing then has an opportunity to file with the Court a response to your Notice of Appeal and Statement of Reason. This response must be filed with the Court within 30 days of receiving a copy of the Notice of Appeal and Statement of Reason.
6. The Clerk of the Court will then send out copies of the Response to all parties, including you.
7. You will then have the opportunity to Reply to the other parties Response. Your Reply must be filed within 30 days of receiving a copy of the Response.
8. Then the Supreme Court Chief Justice will review the Statement of Reasons, Response and Reply, and if deems necessary, will schedule a hearing for oral arguments. It is not required that a hearing be scheduled and is up to the Chief Justice.
9. The Supreme Court, in hearing appeals, will determine whether the Trial Court's factual findings are supported by substantial evidence and whether its conclusions are in accordance with applicable law. The Supreme Court will not consider any error or defect in proceedings unless the substantial rights of the parties have been affected.
10. In making a final determination, the Supreme Court shall consider only the record of the lower Court's proceedings and such briefs and oral arguments presented during the appeal process.
11. The decision of the Supreme Court is final.