

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. There must be a final order or judgment from the Tribal Trial Court.
2. Within 30 days after the date of the final order or judgment any party may file with the Clerk of the Court a Notice of Appeal along with the appropriate filing fee. The filing party then becomes the Appellant.
3. The Appellant 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 Appellant must serve copies of the Notice of Appeal and Statement of Reasons to all parties of the proceeding that is being appealed.
5. Any other party to the proceeding of which is being appealed has an opportunity to file with the Court a response to the Notice of Appeal and Statement of Reason. This response must be filed with the Court and served on Appellant within 30 days of the other party receiving a copy of the Statement of Reason.
6. The Appellant will then have the opportunity to Reply to the other parties Response. The Reply must be filed within 30 days of the Appellant receiving a copy of the Response.
7. The Supreme Court Chief Justice or designee 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 at the discretion of the Supreme Court.
8. 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.
9. 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.
10. The decision of the Supreme Court will be issued within 30 days of the final hearing and is final.