

Cherokee Nation Code Annotated

Title 10: Children

Chapter 51: Delinquent, Dependent and Neglected Children

Article I: Dependent and Delinquent Children

§ 1115. Dispositional hearings—Additional reports or evidence

Cite as: 10 CNCA § 1115

A. After making an order of adjudication, the Court shall hold a dispositional hearing, at which all evidence helpful in determining the proper disposition best serving the interest of the child and the public, including oral and written reports, may be admitted and may be relied upon to the extent of its probative value, even though not competent for the purposes of the adjudicatory hearing.

B. Before making an order of disposition, the Court shall advise the prosecuting attorney, the parents, guardian, custodian or responsible relative, and their counsel, of the factual contents and the conclusion of reports prepared for the use of the Court and considered by it, and afford fair opportunity, if requested, to controvert them. An order of disposition shall include a specific finding and order of the Court relative to the liability and accountability of the parents for the care and maintenance of the child as authorized by 10 CNCA § 1121, except where custody is placed with both parents.

C. On its own motion or that of the Prosecuting Attorney, or of the parent, guardian, custodian, responsible relative or counsel, the Court may adjourn the hearing for a reasonable period to receive reports or other evidence and, in such event, shall make an appropriate order for detention of the child, or his release from detention subject to supervision by the Court, during the period of the continuance.

D. In scheduling investigations and hearings, the Court shall give priority to proceedings in which a child is in detention, or has otherwise been removed from his home, before an order of disposition has been made.