

Cherokee Nation Code Annotated

Title 12: Civil Procedure

Chapter 3: Interest on Judgments

§ 30. Interest on judgments

Cite as: 12 CNCA § 30

The Court may award interest on the total damages for the period beginning on the date of filing of a pleading setting forth a claim at a rate equal to the average United States Treasury Bill rate of the preceding calendar year. In determining whether an award of interest under this paragraph for any period is just in the circumstances, the court shall only consider:

A. Whether plaintiff or the opposing party, or either party's representative, made motions or asserted claims or defenses so lacking in merit as to show that such party or representative acted intentionally for delay or otherwise acted in bad faith;

B. Whether, in the course of the action involved, plaintiff or the opposing party, or either party's representative, violated any applicable rule, statute, or court order providing for sanctions for dilatory behavior or otherwise providing for expeditious proceedings; and

C. Whether plaintiff or the opposing party, or either party's representative, engaged in conduct primarily for the purpose of delaying the litigation or increasing the cost thereof.

Historical Data

LA 16–16, eff. April 21, 2016. Amended LA 07–18, eff. May 18, 2018.