

Cherokee Nation Code Annotated
Title 12: Civil Procedure
Chapter 8: Uniform Arbitration Act
§ 1320. Change of award by arbitrator
Cite as: 12 CNCA § 1320

A. On motion to an arbitrator by a party to an arbitration proceeding, the arbitrator may modify or correct an award:

1. upon a ground stated in 12 CNCA § 1324(A)(1) or (3);
2. because the arbitrator has not made a final and definite award upon a claim submitted by the parties to the arbitration proceeding; or
3. to clarify the award.

B. A motion under subsection (A) of this section must be made and notice given to all parties within twenty (20) days after the movant receives notice of the award.

C. A party to the arbitration proceeding must give notice of any objection to the motion within ten (10) days after receipt of the notice.

D. If a motion to the Court is pending under 12 CNCA § 1322, § 1323, or § 1324, the Court may submit the claim to the arbitrator to consider whether to modify or correct the award:

1. upon a ground stated in 12 CNCA § 1324(A)(1) or (3);
2. because the arbitrator has not made a final and definite award upon a claim submitted by the parties to the arbitration proceeding; or
3. to clarify the award.

E. An award modified or corrected pursuant to this section is subject to 12 CNCA §§ 1319(A), 1322, 1323, and 1324.

Historical Data

LA 25-03, eff. September 30, 2003.