

Cherokee Nation Code Annotated

Title 12: Civil Procedure

Chapter 10: Harassment

§ 1507. Service of Order

Cite as: 12 CNCA § 1507

1. An order issued under this chapter shall be personally served upon the respondent, except as provided in subsections (5) and (7) of this section.
2. The Cherokee Nation Marshal Service or a cross-deputized law enforcement officer shall serve the respondent personally unless the petitioner elects to have the respondent served by a private party. If the order includes a requirement under Section 1505 for the immediate surrender of all firearms and any dangerous weapons, the order must be served by a law enforcement officer.
3. If the Cherokee Nation Marshal Service or a cross-deputized law enforcement officer cannot complete service upon the respondent within ten days, the Marshal or law enforcement officer shall notify the petitioner.
4. Returns of service under this chapter shall be made in accordance with the applicable court rules.
5. If an order entered by the court recites that the respondent appeared in person before the court, the necessity for further service is waived and proof of service of that order is not necessary. The court's order, entered after a hearing, need not be served on a respondent who fails to appear before the court, if material terms of the order have not changed from those contained in the temporary order, and it is shown to the court's satisfaction that the respondent has previously been personally served with the temporary order.

Historical Data

LA 28-21, eff. June 14, 2021.