

Cherokee Nation Code Annotated

Title 20: Courts

Appendix II. Court Rules for the District Court of Cherokee Nation

VI. Attorney Bond Privileges

Rule 50. Procedures concerning release of defendants upon attorney's Affidavit of Responsibility for Court Appearance of Client (O.R. system)

Cite as: 20 CNCA app. II, r. 50

The privilege of having defendants released upon their attorney's Affidavit of Responsibility for Court Appearance is hereby given to all attorneys who are members of the Cherokee Bar Association, under the following terms and conditions:

1. That said privilege shall apply only to defendants arrested for crimes which are misdemeanors;
2. That the defendant involved shall never have been convicted of a felony or convicted of an offense involving dishonesty;
3. That the defendant is a resident of Cherokee Nation;
4. That the attorney involved signs an affidavit that personally holds the attorney responsible to the Court for the appearance of said defendant at all proceedings until final disposition has been made of the case to the satisfaction of the Court;.
5. That the Court Clerk shall have the duty of administering the procedures of the O.R. system;
6. That the Court Clerk shall maintain a list of eligible members having the O.R. privilege;
7. That no attorney shall be allowed O.R. privileges who has previously executed an attorney's Affidavit of Responsibility for Court Appearance of a client, and that said client did not appear at any proceedings required, the same which resulted in a Bench Warrant being issued for the said defendant and outstanding, unless the Court Clerk has, upon hearing, reinstated said attorney with O.R. privileges;
8. That the Clerk of said Court shall give written notice to attorneys of revocation of their O.R. privileges.

Historical Data

SC-AD-13-02, adopted September 3, 2013.