

Cherokee Nation Code Annotated
Title 22: Criminal Procedure
Chapter 2: Prevention of Public Offenses
§ 70.2. Rights Applicable to Defendants
Cite as: 22 CNCA § 70.2

A. In all proceedings in which the Tribal Court is exercising Special Tribal Criminal Jurisdiction, the rights enumerated in the Cherokee Nation Code Annotated shall be provided to all defendants.

B. In proceedings in which the Special Tribal Criminal Jurisdiction is being exercised, a defendant charged under Special Tribal Jurisdiction has a right to a trial by jury of six fair and impartial jurors drawn from the community.

1. Jury Pool. A list of eligible jurors shall be prepared by the Court. The Court will ensure that the eligible juror list be updated to reflect a fair cross-section of the community, and not systematically exclude any distinctive group in the community, including non-Indians, Jurors shall be 18 years of age or older.

Historical Data

LA 12-18, eff. June 13, 2018. Amended LA 31-22, eff. September 22, 2022.