

Cherokee Nation Code Annotated
Title 22: Criminal Procedure
Chapter 8: Jury—Formation
§ 660. Implied bias, challenge for
Cite as: 22 CNCA § 660

A challenge for implied bias may be taken for all or any of the following cases, and for no other:

1. Consanguinity or affinity within the fourth degree, inclusive; to the person alleged to be injured by the offense charged or on whose complaint the prosecution was instituted, or to the defendant;
2. Standing in the relation of guardian and ward, attorney and client, master and servant, or landlord and tenant, or being a member of the family of the defendant, or of the person alleged to be injured by the offense charged, or on whose complaint the prosecution was instituted, or in his employment on wages;
3. Being a party adverse to the defendant in a civil action, or having complained against, or been accused by him in a criminal prosecution;
4. Having served on a trial jury which has tried another person for the offense charged in the information;
5. Having been one of the jury formerly sworn to try the information and whose verdict was set aside, or which was discharged without a verdict, after the cause was submitted to it;
6. Having served as a juror in a civil action brought against the defendant for the act charged as an offense.

Historical Data

LA 10–90, eff. November 13, 1990.