

Cherokee Nation Code Annotated

Title 28: Ethics

Chapter 2: Solicitation, Conflicts of Interest and Dealings with Relatives

§ 21. Solicitation of employment and appointment of relatives of appointed and elected officials unlawful

Cite as: 28 CNCA § 21

A. It shall be unlawful for any elected official, any District Court Judge, or any Supreme Court Justice to appoint or vote for the appointment or employment of any of his or her relatives to any position within the Nation or the Nation's instrumentalities.

B. It shall be unlawful for any elected official, any District Court Judge, or any Supreme Court Justice to campaign, urge or endorse for appointment or employment any of his or her relatives to any position within the Nation or the Nation's instrumentalities.

C. Where a relative of any elected official, any District Court Judge, or any Supreme Court Justice is employed or appointed to any position within the Nation or its instrumentalities, it shall be unlawful for any official, any District Court Judge, or any Supreme Court Justice to campaign or urge for or against or to otherwise affect or attempt to affect any terms or conditions of that relative's appointment or employment, including but not limited to salary, position, disciplinary action, and termination of employment; provided that this section shall not affect the ability of a District Court Judge or Supreme Court Justice to decide employment cases concerning relatives of other officials, Judges or Justices.

D. Any elected official, District Court Judge, or Supreme Court Justice who shall violate any provision of this section shall be deemed guilty of a crime involving official misconduct and willful neglect of duty, and may be subject to removal from office as prescribed in the Constitution and laws of Cherokee Nation.

E. Nothing in this act shall prohibit the Nation or its instrumentalities from promulgating policies and procedures intended to prevent conflicts of interest within the chain of command or within a department based on the relationships of employees not otherwise covered by this act.

Historical Data

LA 31–89, eff. April 8, 1989. Amended LA 34–07, eff. September 13, 2007; LA 25–12, eff. July 24, 2012; LA 40–12, eff. October 16, 2012.