

Cherokee Nation Code Annotated

Title 51: Officers and Employees

Chapter 9: Impeachment Procedures for Elected and Appointed Officials

§ 614. Costs—How paid—Cost of accused if acquitted

Cite as: 51 CNCA § 614

A. If the accused is acquitted, he or she shall be entitled to costs, including attorney fees, to be taxed by the Clerk and paid by Cherokee Nation out of any funds available, and if convicted, he or she shall pay the costs, unless the Supreme Court of Cherokee Nation otherwise directs.

B. Personal liability, treble damages. If an official is convicted of impeachment based on the earlier filing of frivolous allegations of impeachment under 51 CNCA § 604(B), such convicted official shall be liable for up to triple the amount of any cost, including attorney fees, borne by the accused official subject to said earlier allegations of impeachment, as determined by the Court of Impeachment, unless the Supreme Court of Cherokee Nation otherwise directs.

Historical Data

LA 10-02, eff. March 15, 2002. Amended LA 05-12, eff. February 28, 2012.