

# Appeals process explained

This diagram explains what happens after a notice of appeal has been filed.

First, the notice of appeal will be given to the Chief Appeals Judge. The Chief Appeals Judge then reviews the notice and decides whether or not an appeal hearing will be granted. If the Chief Appeals Judge denies the request, appellates are entitled to file another notice, restating the reasons for appealing the decision of the trial court.

If an appeal hearing is granted, an appeals panel consisting of at least three appeals judges will be appointed. All appeals judges are tribal members. A hearing will then be scheduled during

which the appeals judges will consider the case. Before the time, each person is entitled to submit a written statement to the appeals judges explaining their position. Also, each person is entitled to appear at the appeals hearing and present their case orally to the judges panel.

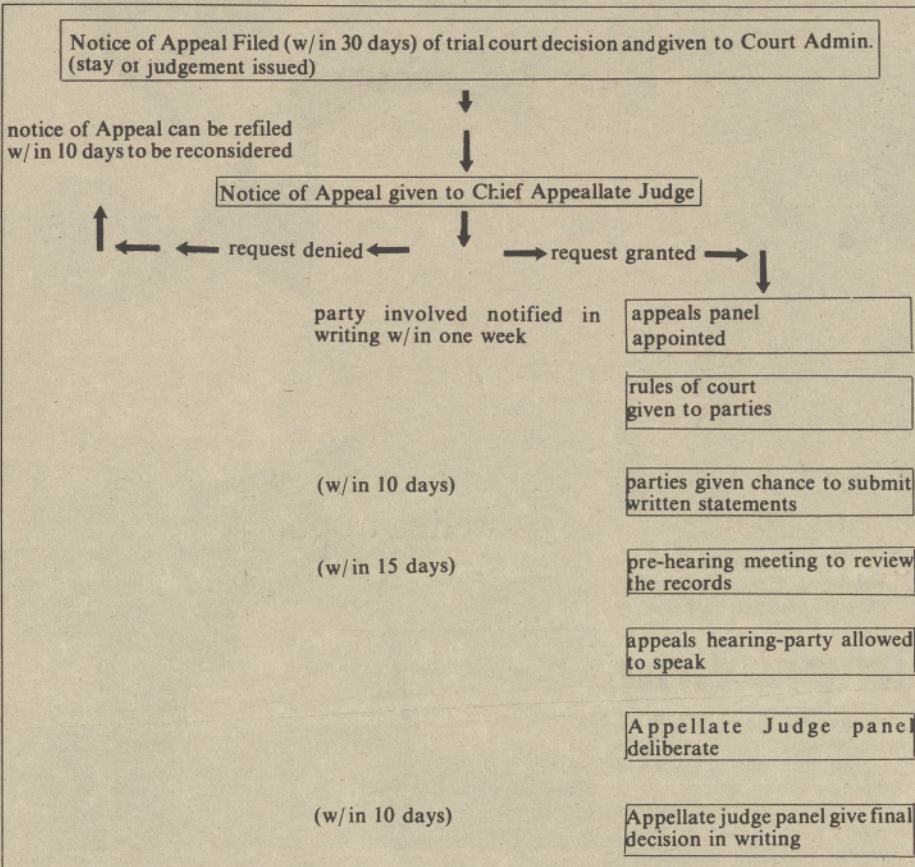
The presentation of new evidence or the calling of witnesses is not allowed at the appeals hearing. The judges panel will make their decision based upon the recording of the proceeding that was made in the trial court and any arguments that were presented to them. The judges are not retrying the case, they are simply deciding whether the judge in

the trial court made an error or not.

After the appeals hearing, the appellate will receive a written decision of the appeals court. Once that decision has been made, it is final and there are no further appeals allowed.

If there are any questions about the procedures, or about what is happening in your case. It is stressed that the Appellate Court is separate of the Trial Court in responsibilities.

The Appellate Court hearings will be held in the tribal court courtroom downstairs and will run on a timely basis when an appeals hearing is scheduled.



# Judge's schedule

The following is the daily schedule for Chief Judge Irene Wells and Judge Dave Harding. This schedule became effective October 3, 1983, in the hopes to simplify and improve the court system and to develop a more workable court scheduling guideline.

## MONDAYS

8 a.m. to 11 a.m.—Judge's meeting; 11 a.m.—backlog cases; 1 p.m. to 5 p.m.—adult cases including arraignments (10 minutes each) and not guilty (1 hour each).

## TUESDAYS

Judges will work on not guilty cases the entire day. Every third Tuesday, the judges will handle housing cases, every fourth Tuesday, the judges will handle probate hearings.

## WEDNESDAYS

Beginning at 9 a.m., the judges will handle civil hearings (½ hour per case); dispositions (5 minutes per case); sentencings (5 minutes per case); show cause (10 minutes per case); and no guilty (1 hour each).

Beginning at 1 p.m., adult arraignments and traffic court cases will be alternated between Wells and Harding. Not guilty will be heard when time is available.

## THURSDAYS

Beginning at 9 a.m., Judge Wells will conduct jury trial. Judge Harding will handle jury trials beginning at 2 p.m.

## FRIDAYS

Adult arraignments, emergencies and not guilty will be handled beginning at 9 a.m. The court is closed on

Friday afternoons and justice team meetings will be alternated with staff meetings.

The following is the daily schedule of Juvenile Judge Anita Jackson.

On Monday mornings, beginning at 8 a.m., judge's meetings are held. Beginning at 10 a.m., adoptions (½ hour per case) and relinquishments, terminations and parental duty to support cases (each lasting 10 to 15 minutes) will be heard.

Each Monday, Tuesday, Wednesday and Thursday, custody cases are heard beginning at 2 p.m. Also included are petitions (1 hour per case) and emergencies (½ hour per case). On Mondays only, preliminaries are heard beginning at 3:30 p.m.

Also heard Monday through Thursday are arraignments beginning at 4 p.m.

On Tuesdays and Thursdays, divorces are heard, (1 hour per case). Also heard are divorce MOD, separation agreements, R.O. and filiation. Each case is allotted ½ hour.

On Tuesdays, Wednesdays and Thursdays, custody cases are heard including petitions, reviews and emergencies. Each case is allotted ½ hour to 1 hour.

Beginning at 9 a.m. on Wednesdays, not guilty and remands are heard.

Following preliminaries on Friday mornings, name changes and guardianships will be handled beginning at 9 a.m. At 10 a.m., dispositions and contempt of court cases are handled. From 11 a.m. to noon, miscellaneous hearings are handled.

Tribal court is closed on Friday afternoons.

## Yard Sale

Monday and Tuesday, October 10-11  
10:00 a.m. til 6 p.m.

"Raising funds to help Terry and C.R. to go the National Finals"

Clothes, kids clothes, tack, baked goods, etc.

At Graybael's house, 2115  
Wasco/Hollywood Blvd.  
on the Campus

## Marathon T-shirts are in

Your T-shirts are in! You may pick them up in the Extension office any time. Extra T-shirts are available for

purchase. The shirts are sky blue, with the Simnasho Marathon logo printed on the front. Cost is \$5.00

## Use baking soda to extinguish fire

When small grease or electrical fires flare up in the kitchen 1) turn off the heat in the broiler, range or oven, 2) unplug the appliance, if possible and 3) stand back and toss generous handful of salt

or baking soda at the base of the flames. But use caution! In a deep-fat fire, don't toss the baking soda into hot oil—this may cause spattering! Instead, slide a lid on sideways. If the fire is not immediately extin-

guished, call the fire department.

When you reach for the baking soda, don't reach into the refrigerator; the baking soda may have caked with time and won't spread enough to extinguish the flame. Instead always keep an open box near your kitchen stove and near your woodburning stove.

You can easily make a fire pail by simply pouring baking soda into a one pound coffee can.

## YIKES YIKES Toe Ness YIKES YIKES

There was this little boy who asked his college-bound big brother, "Wha-cha reading?" His brother answered, "How Hannibal crossed the Alps with a big elephant." The little boy, "Well, what did he get, a mountain with big ears?" YIKES

SS SS SS

The wife said to her husband: "Wasn't it disgusting the way those men stared at the girl who was getting on the bus?" The husband, "What bus?" YIKES

SS SS SS

This doctor told the wife, "Your husband needs a lot of rest, here's some sleeping pills." The wife answered, "When shall I give them to him?" The doctor said, "They're not for him, they're for you." YIKES

SS SS SS

This mother told her little boy, "Go to sleep now, the sandman is coming." The little boy sleepily answered, "Well, slip me 50 cents and I won't tell dad." YIKES

SS SS SS

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## SUBSCRIPTION RATES: ONE YEAR \$6.00

All Warm Springs tribal members will receive the Spilyay Tymoo at no cost. Spilyay Tymoo is published bi-weekly by the Confederated Tribes of Warm Springs.