

Who we are

The Shingle Springs Band of Miwok Indian Tribal Court provides a culturally- sensitive, independent judicial forum. Indian tribes retain inherent sovereign powers over their members and territory. In 2009, the Shingle Springs Band of Miwok Indians established a Tribal Court to uphold the Tribe's codes and ordinances and to enforce state court orders. Over the years, the Tribal Court has expanded its work in an effort to provide the most complete services possible.

- The objective of the Tribal Court is "to discover the truth and, to the extent possible, seek a resolution which restores balance to the community in accordance with the customs and traditions of the Tribe, repairs relationships, results in fairness and avoids principles of retribution and punishment." —Gov Code, Art. 6, Sec 3.

Contact Us

5281 Honpie Road
Placerville, CA 95667
Mailing address:
PO Box 1340
Shingle Springs, CA 95682

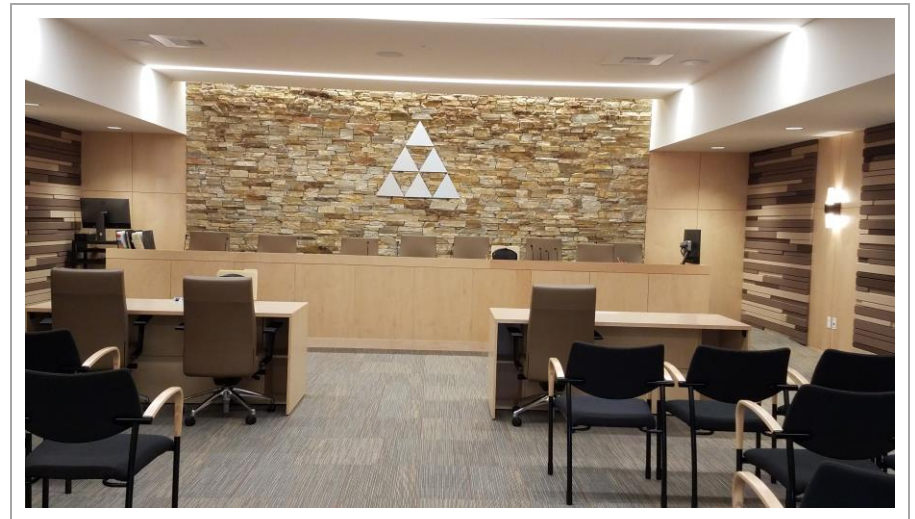
Phone: (530) 698-1446
Email: cgallegos@ssband.org
Web: shinglespringsrancheria.com



Shingle Springs Band of Miwok Indians Tribal Court

5281 Honpie Road
Placerville, CA 95667
Mailing address:
PO Box 1340
Shingle Springs, CA 95682

Tribal Court: Basic Terms and Procedures



SHINGLE SPRINGS BAND OF MIWOK INDIANS TRIBAL COURT

A Handout for Self-Represented Litigants

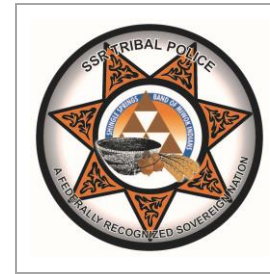
Table of Contents

Overview of Process.....	1
Getting Started.....	2
Where do I get the forms?.....	2
Terms to know.....	2
Let's Look at Court Forms.....	3
Tribal Court Welcome	4
Do I even need to go to Tribal Court?	4
How do I meet with the Self-Help Attorney?.....	4
Court Sessions.....	5

Court Sessions

In a typical day, we may hear the following types of cases:

Citations



Violations of the Peace & Protection Code often involve Tribal Police-issued citations.

Tribal Codes



The Court can hear many types of cases. Common ones involve child custody by non parents (known as guardianships), petitions to take care of elders and their finances, restraining orders, domestic partnership registrations and more.

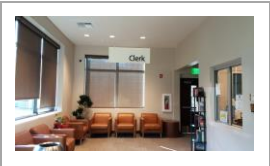
Family Wellness Court



The Tribal Court works together with the El Dorado County Superior Court in the joint Family Wellness Court hearing cases involving dependency, delinquency and some criminal law cases.

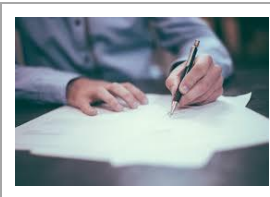
Overview of Process

Step 1: Forms



Identify the forms you will need. You may have to pay a visit to the Tribal Court's Self-Help Center or you can find the forms on the Tribe's website.

Step 2: Filing



Fill out the forms. You can type forms or fill them out in ink by hand. While others can help you fill out the forms, the forms must have your name and address if it is your own legal issue.

Step 3: Hearing



File the forms with the Court and wait for your hearing. Forms can be filed in-person or mailed to the Clerk of the Court. The Clerk will usually mail you a notice telling you when your hearing date will be.

Tribal Court Welcome

Going to Court can be confusing, frustrating, scary and time consuming!

In this brochure we hope to explain certain words and processes you will run into. We hope to make your experience with the Tribal Court as positive and easy as we can. Though our Court staff cannot provide you with legal advice we offer resources where you may find help.

Come visit the Pěłě'sũm Hũ (Courthouse)

Do I even need to go to Tribal Court?

If you are not sure whether you should file a case in Tribal Court – OR – if you have any legal issues, you might want to first give our Self-Help Attorney a try.

The Self-Help Attorney is available to all Tribal members and their families who have legal questions. While the Self-Help Attorney cannot represent you in Court he can provide you with a consultation to discuss your legal issue. He can give you advice and even suggest referrals if you need further legal assistance.

How do I meet with the Self-Help Attorney?

To schedule a meeting, contact Chatira Gallegos, the Clerk of the Court at (530) 698-1446 or email: cgallegos@ssband.org. The Self-Help Attorney is here at least twice a month, typically on days when Tribal Court is in session.

Getting Started

Where do I get the forms?

- The Self-Help Attorney will help you get the forms; or
- You can visit the Clerk of the Court for the forms; or
- You can download them from the Tribal Court's page located within the Tribe's website.
- Link: <http://www.shinglespringsrancheria.com/tribal-court/>

Forms are available at no cost but there is a \$50 fee charged for the Tribal Court to open a new case.

Terms to know

The following are terms you may run into:

- **PETITIONER.** This is the person who starts a case. It is the person who has the legal issue that they want to resolve. The petitioner's first document is usually called the **PETITION**.
- **RESPONDENT.** This is the person or group who is being sued. They have to respond to the Petition by filing a **RESPONSE** & appearing at the court hearing.
- **CLERK.** This is the person who maintains the case files, opens new files and receives payment for fines & fees.
- **FILING.** This is the act of opening a case by turning in all of your paperwork to the Clerk of the Court. It also refers to turning in any additional court forms from both sides (petitioner and respondent).
- **FILING FEE.** The charge for having the court open a case. Both the Petitioner & Respondent must pay the first time each files.

- **NOTICE OF HEARING.** This is the document that tells you when you must go to court and speak to the Judge.
- **SERVICE/PROOF OF SERVICE.** This refers to the act of providing copies of your documents to the other side then giving the court proof that this was done. The Petitioner & Respondent do not do their own mailing/giving documents to other side. Usually a friend or family member does that. A proof of service form is filled out by the person who did the mailing or who provided the documents in-person to the other side.

Let's look at a court form

The "Caption" is the front page.

SHINGLE SPRINGS BAND OF MIWOK INDIANS TRIBAL COURT
P.O. Box 331, Shingle Springs, CA 95682

INFORMATION OF PERSON FILING FORM: CASE NO.:

Name: _____

Address: _____

Phone: () _____

(Check which apply) I am:

☐ Petitioner

☐ Respondent

☐ Other: _____

☐ Attorney/Advocate for: _____

Petitioner: _____ Respondent: _____

This is filled out by the person who has the legal issue or who is responding to the legal issue. The person's name, address & phone MUST be there. Check the box that applies. Write in the names of Petitioner and Respondent. Then...

CASE NAME: _____ v. _____ CASE NO.: _____

This is usually found at the top of the second page & on.

On page 2, fill in the names of both sides and the case number, if you have it.