

## **Title 2 – Courts**

### **Chapter 2. Fort Peck Court of Appeals**

#### **Sec. 207. Procedure on decision for review in civil cases.**

(a) Time to petition and how to petition. A party to a civil case may petition for review. Upon appellant's request, the Tribal Public Defender shall prepare the petition for review. The petition for review must be taken within fifteen (15) days from the date of entry of the final order or judgment appealed from by filing such petition with the clerk of the Tribal Court together with the docket fee and any bond required pursuant to this Section. No extensions of the fifteen (15) day period shall be granted.

(b) Contents of petition for review. The petition for review shall specify the parties taking the appeal, shall designate the final order or judgment, or part appealed from, and shall contain a short statement why the petition should be granted. The clerk shall mail a copy of the petition for review to all parties other than the petitioner. Other parties shall have fifteen (15) days to respond to the petition for review, after which time the Court of Appeals or the Chief Justice thereof shall grant the petition and allow the appeal to be heard or shall deny the petition.

(c) Designation of parties. The party taking the appeal is the appellant. All other parties are appellees.

(d) Docket fee and bond. The petition for review shall be accompanied by a docket fee of fifty dollars (\$50.00) and a bond to be set by the Court. The maximum amount of the bond is fifty dollars (\$50.00). The Court may waive or reduce the bond and the docket fee if it finds that the appellant is indigent.

(e) Stay on appeal. In civil cases the petitioner may request the Trial Court to stay the judgment pending action on the petition and on the appeal if the petition is granted, and either party may request the Tribal Court to grant or stay an injunction pending appeal. The Court may condition a stay or injunction pending appeal on the depositing of cash or bond satisfactory to the Tribal Court. The appellant's bond shall be sufficient to

cover the damages awarded by the Tribal Court together with interest. The cash or bond may be deposited at or after the time petition is filed. The stay shall be effective when the deposit of cash or bond is approved by the Tribal Court. The appellant may petition the Court of Appeals, or the Chief Justice thereof, to review any decision of the Tribal Court under this Section.