



Eastern Band of the Cherokee Indians
The Cherokee Supreme Court

PO Box 1629, Cherokee NC 28719

Telephone: (828) 359-1064 Fax (828) 520-7068

Bradley B. Letts, Chief Justice Amber Shuler, Court Administrator



2025 State of the Judiciary
Message to the Cherokee Community and Tribal Leadership

October 17, 2025

Si Yo,

The Cherokee Judicial Branch extends our thanks to the Cherokee Community, the Cherokee Tribal Council, Principal Chief Michell Hicks, Vice Chief Alan “B” Ensley, Chairman Jim Owle, Vice Chairman David Wolfe, and our Cherokee relatives for the opportunity to talk and work with you on the Judicial Branch’s accomplishments, needs, goals, plans and challenges during this past year and our plans for 2026.

I. Actions & Goals

We at the Judicial Branch are pleased to share with you our new mission statement:

To uphold a justice system established by Tribal sovereignty, tradition, and values ensuring a fair, respectful, and culturally informed administration of justice that strengthens our community, protects individual rights, and promotes healing and harmony for future generations.

This mandate requires ensuring meaningful access to justice through a well-operated, efficient court system, with dedicated and proficient employees committed to providing their best efforts in the judicial setting. Continued support both for the mission and funding of the Judicial Branch provides for better outcomes, proper program implementation, and a safer more peaceful community.

I committed at my confirmation to work with tribal leadership to improve the administration of justice, improve the services at the Tribal Court, and in doing so, never lose sight of the need to keep our community safe by holding accountable those whose transgressions harm our neighbors, friends, family and community. I have been true to my word.

I have developed our goals, solutions, and recommendations for the coming year at the Judicial Branch. This effort allows the Judicial Branch to reflect on past performance and

develop solutions which align our policies and procedures to better serve the Cherokee community. Our present focus at the Judicial Branch is:

- Issue Opinions in a Timely Manner
- Domestic Violence Risk Assessment Tool Implementation
- Improve Information Packets
- Justice-Involved Reentry Program under NC Medicaid Reform

Regarding our professional staff, I am pleased to announce we have a new Clerk of Court, Teresa Keffer, and Lead Assistant Clerk, Keanu Crowe, both of whom are enrolled members. Overall, our staffing levels over the past years have remained consistent.

Year	Tribal Court Positions
2025	23
2024	23
2023	23
2022	21

II. Cases

Final opinions and dispositions in the last four years by the Cherokee Supreme Court are:

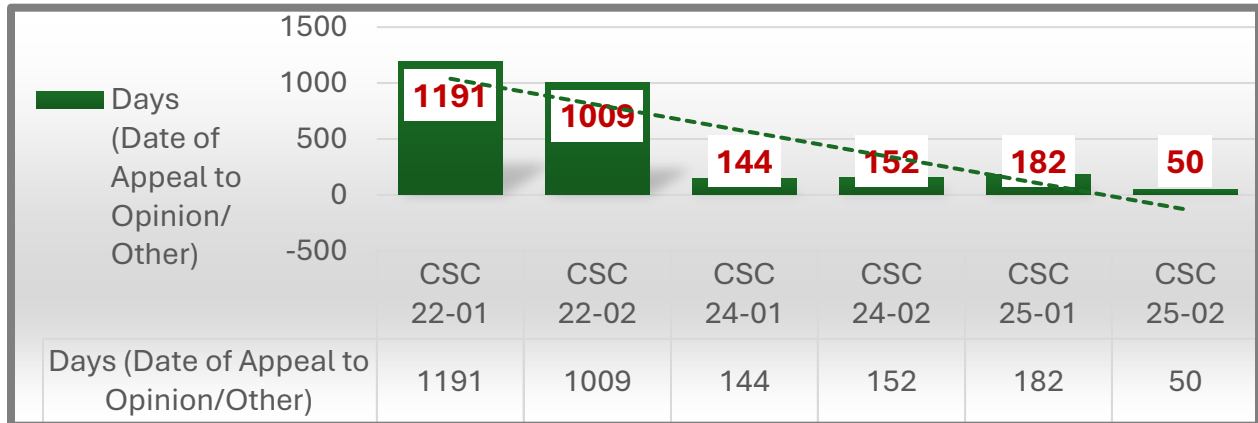
Case Number		Date of Appeal	Date of Argument	Date of Opinion	Time From Appeal to Opinion/Other
2022	CSC22-01*	3/24/2022	4/21/2025	withdrawn 6/26/25	1,191 days*
	CSC22-02*	4/25/2022	N/A	dismissed 1/27/2025	1,009 days*
	CSC22-03	7/22/2022	5/31/2024	consolidated with 23-01	655 days
	CSC22-04	9/20/2022	5/31/2024	consolidated with 23-01	655 days
	CSC22-05	10/3/2022	N/A	dismissed 10/24/2023	387 days
	CSC22-06	10/20/2022	11/3/2023	10/18/2024	730 days
	CSC22-07	12/7/2022	5/31/2024	consolidated with 23-01	655 days
2023	CSC23-01	1/3/2023	5/31/2024	10/18/2024	655 days
2024	CSC24-01*	10/7/2024	N/A	dismissed 2/27/2025	144 days*
	CSC24-02*	7/22/2024	N/A	remanded 12/20/2024	152 days*
2025	CSC 25-01*	4/1/2025	7/21/2025	9/29/2025	182days*
	CSC 25-02*	6/17/2025	7/10/2025	8/5/2025	50 days*
	CSC25-03	8/4/2025	1/16/2026		pending

**See Chart Below*

Improved timeliness in the issuance of opinions is a focus in my stewardship of the Cherokee Supreme Court. We have been successful in 2025. Average time to resolution

for the three cases appealed to the Supreme Court after I was confirmed by Tribal Council on September 30, 2024, is 125 days. (shaded in blue above)

Breaking down each of the six cases where an opinion or other disposition occurred since I assumed responsibility shows:



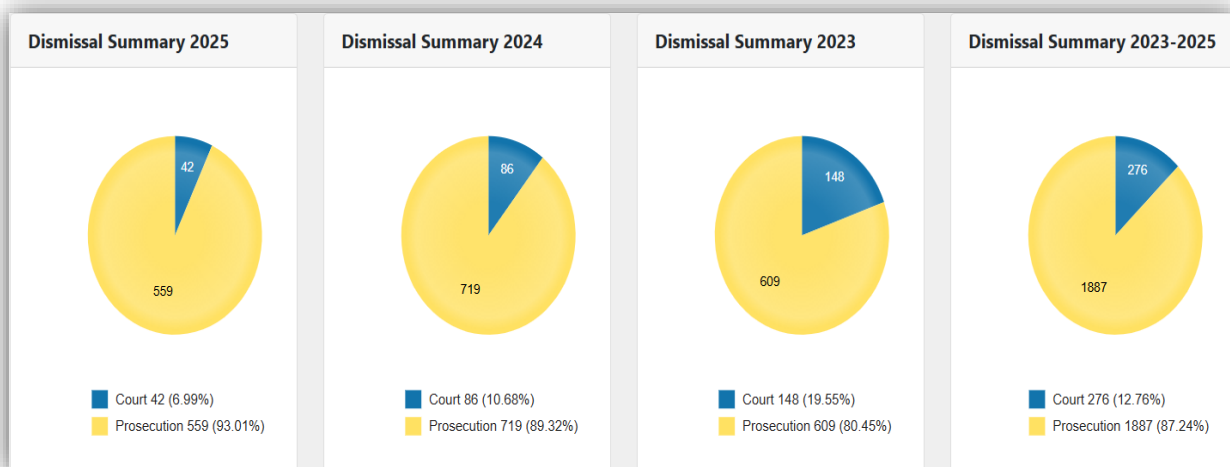
Also, I am pleased to report that we are working towards publishing all our prior Supreme Court opinions online on our new Tribal Court website.



SUPREME COURT OPINIONS	
2025	- In the Matter of: Patrick H. Lambert
2022	- EBCI v. Billy Jack Crowe
2021	- EBCI v. Benjamin Cody Long
	- Anders v. Cherokee Board of Elections
2020	- Beck v. EBCI Et Al
	- Bird v. EBCI Et Al
2019	- Greene v. Harrah's-Casino Et Al
	- McCoy v. EBCI Board of Elections
	- Campos v. EBCI Et Al

III. Dismissals¹

Prior to my appointment, many questions arose surrounding dismissals at the Tribal Court. Within the judicial setting, there are a multitude of reasons for why a case may be dismissed. In my role, I determined that it was essential to first collect and review the data on dismissals and then use this information to make informed decisions on policy changes and improved practices. This is an overview of dismissals in criminal cases from 2023-2025:



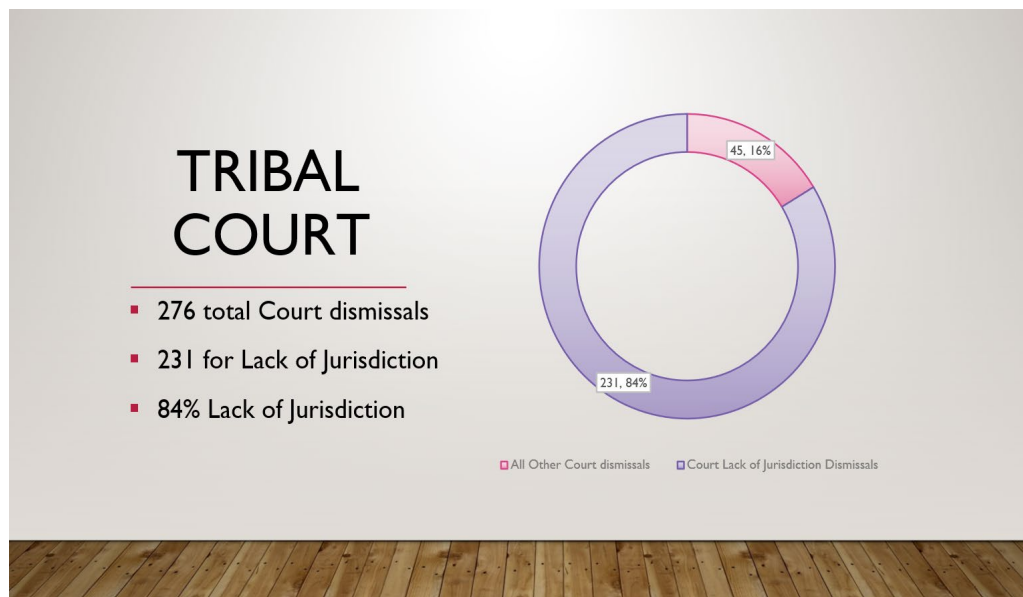
Thus, our data shows that out of all the dismissals since 2023, the Magistrates and Judges of the Tribal Court through their judicial authority are responsible for approximately 13% of all dismissals. But with this data we must look closer at the reasons the Judges dismissed cases in this small number of total dismissals.

By breaking down the reasons for Court ordered dismissals, we discovered that 84% of the cases dismissed were due to a lack of jurisdiction.



¹ Data through August 2025.

What does lack of jurisdiction mean?



As a starting point, when we speak about the jurisdiction of a court, we are generally talking about the power of the court in a given case to hear the matter, issue a ruling, and

enforce its ruling. Under the Cherokee Rules of Criminal Procedure, upon a person's arrest they are brought before a Judge or a Magistrate in the Cherokee Court "to determine whether the defendant is subject to the prosecutorial jurisdiction" of the Tribe.

"Prosecutorial jurisdiction" is often used interchangeably with "criminal jurisdiction" and generally refers to the power of a sovereign (i.e., states; the federal government; tribes and native nations) to prosecute and punish a person for criminal conduct. Criminal jurisdiction typically involves factors such as whether the person is charged with a crime under the law and whether the crime was alleged to have been committed in the sovereign's territory. Because of the complex framework in federal law, when crimes are committed in Indian Country, criminal jurisdiction involves additional factors such as the Indian or non-Indian statuses of the persons involved (i.e., victims, and/or alleged perpetrators) and the type of crime alleged to have been committed. Tribal Council previously acknowledged this federal framework, while affording the appropriate level of deference, in Sec. 7-2(c) of the Cherokee Code which provides that: "The Judicial Branch shall not have jurisdiction over matters in which the exercise of jurisdiction has been *specifically prohibited* by a binding decision of the United States Supreme Court, the United States Court of Appeals for the Fourth Circuit or by an Act of Congress."

Tribes have the inherent power to exercise criminal jurisdiction over all Indians. Congress has specifically “recognized and affirmed” this power and codified this recognition within the Indian Civil Rights Act (ICRA). 25 U.S.C. § 1301(2). The confusion about criminal jurisdiction over non-Indians mainly derives from the (highly controversial) United States Supreme Court case *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978). Before *Oliphant*, many tribal courts exercised full criminal jurisdiction over any person who committed a crime on tribal lands. However, in *Oliphant*, the court held that tribes were implicitly divested of aspects of sovereignty and do not have inherent power in criminal cases “to try non-Indian citizens of the United States except in a manner acceptable to Congress.” There are four key aspects to this holding.

EASTERN BAND OF CHEROKEE INDIANS File No. _____
The Cherokee Court

Date of Alleged Offense: _____

Initial Determination of Jurisdiction and Habeas Form

Defendant Name: _____
 Alleged Offense(s): _____
 Alleged Victim(s): _____

PART A

1) Does the Defendant have any quantum of Indian Blood? If so, what degree? ☐ YES ☐ NO

2) Is the Defendant an enrolled member or eligible to be an enrolled member of any Federally recognized Indian Tribe? ☐ YES ☐ NO

NOTE If the answers to questions 1 and 2 are "yes" the Cherokee Court has jurisdiction over the Defendant. If the answers to questions 1 and 2 are "no" proceed to question 3.

3) Is the Defendant a citizen of the United States? ☐ YES ☐ NO

NOTE If the answer to question 3 is "no" the Cherokee Court has jurisdiction over the Defendant regardless of the answers to questions 1 and 2. If the answer to question 3 is "yes" and the answers to questions 1 and 2 are "no" the Cherokee Court does not have jurisdiction unless the Defendant is charged with a Covered Crime as defined in the Indian Civil Rights Act, in which case proceed to Part B.

PART B

1) Is the Defendant charged with a **Covered Crime** as defined in the Indian Civil Rights Act? ☐ YES ☐ NO

2) Is the victim an Indian? ☐ YES ☐ NO

NOTE: If the answer to **both** questions 1 and 2 in Part B is "yes" the Cherokee Court has jurisdiction. If the answer to question 1 in Part B is "no", the Cherokee Court does not have jurisdiction. If the answer to question 1 is "yes" but the answer to question 2 is "no", proceed to Part C.

PART C

1) Is the Defendant charged with one of the following Covered Crimes as defined in the Indian Civil Rights Act:
 Obstruction of Justice or Assault of Tribal Justice Personnel? ☐ YES ☐ NO

NOTE If the answer to question 1 in Part C is "yes" the Cherokee Court has jurisdiction. If the answer to question 1 in Part C is "no" then the Cherokee Court does not have jurisdiction.

Does Defendant wish to have an attorney appointed to them? ☐ YES ☐ NO

Notice to the Defendant: If you are not a U.S. citizen, you have the right to contact your nearest home-country Consulate or Embassy. Further, if you are convicted of a criminal offense, such conviction may carry collateral immigration consequences which could include deportation, removal, and/or exclusion from the U.S.

CR Number	Offense Sec	Offense Desc	Jurisdiction
Signature of Judicial Official _____ Judge/Magistrate _____ Date _____			

Page 1 of 1

First, our own Cherokee Supreme Court held in 2005 and again 2018 that *Oliphant* was not a *specific prohibition* as to criminal jurisdiction over non-Indian, **non-U.S. citizens** and that the Tribe retained the inherent sovereign power to exercise criminal jurisdiction over non-U.S. citizens for crimes committed on tribal lands.

Second, there are the questions of who is a non-Indian and who is an Indian as a matter of law for purposes of jurisdiction. These questions have never come before the Cherokee Supreme Court; Tribal Magistrates and Judges currently conduct this jurisdictional inquiry in accordance with Rule 6(b) of the Cherokee Rules of Criminal Procedure. This jurisdictional inquiry broadly touches upon issues in tribal and federal law, and to the extent possible, the Judicial Branch is willing and ready to work with Tribal Council to scrutinize and reevaluate this process to ensure that the Tribe is fully exercising the bounds of its criminal jurisdiction.

Third, since 2015 there are (albeit still limited) paths to try non-Indian U.S. citizens “in a manner acceptable to Congress.” This is where the tribal jurisdictional provisions included the 2013 and 2022 federal reauthorizations of the Violence against Women Act (VAWA) come into play as each reauthorization codified provisions within ICRA which contained reaffirmations of the inherent sovereign power of tribes to exercise special types of

PART A		
1) Does the Defendant have any quantum of Indian Blood? If so, what degree	<input type="checkbox"/> YES	<input type="checkbox"/> NO
2) Is the Defendant an enrolled member or eligible to be an enrolled member of any Federally recognized Indian Tribe?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
NOTE If the answers to questions 1 and 2 are “yes” the Cherokee Court has jurisdiction over the Defendant. If the answers to questions 1 and 2 are “no” proceed to question 3.		
3) Is the Defendant a citizen of the United States?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
NOTE If the answer to question 3 is “no” the Cherokee Court has jurisdiction over the Defendant regardless of the answers to questions 1 and 2. If the answer to question 3 is “yes” and the answers to questions 1 and 2 are “no” the Cherokee Court does not have jurisdiction unless the Defendant is charged with a Covered Crime as defined in the Indian Civil Rights Act, in which case proceed to Part B.		

criminal jurisdiction over non-Indians for crimes committed in a participating tribe’s Indian Country. In 2013, with an effective date of 2015, Congress reaffirmed the inherent sovereign power of tribes to exercise **special domestic violence criminal jurisdiction** over all defendants for criminal conduct that fell into one or more categories of: domestic violence and dating violence,

and violations of protection orders. In 2022, Congress reaffirmed the inherent sovereign power of tribes to exercise **special Tribal criminal jurisdiction**, which the Tribe elected to exercise in Ordinance No. 367(2022). Generally, special Tribal criminal jurisdiction is jurisdiction over all persons who commit “covered crimes” within the Tribe’s territory – covered crimes are categories of certain qualifying conduct but the crime that a person is charged with is created and defined by the Tribe (as the sovereign). So, if a non-Indian commits an act on tribal lands which is a criminal offense under Cherokee law, the Tribe can prosecute the person if the offense falls under a “covered crime”. Under Rule 6 of the Rules of Criminal Procedure, during the initial appearance, a Tribal Magistrate or Tribal Judge is generally required to dismiss a charge if they determine that a non-Indian, U.S. citizen is charged with an offense that does not fall under a covered crime.

Fully exercising special Tribal criminal jurisdiction places responsibilities on various stakeholders in our tribal justice system. Every effort is being made to improve communication between the Tribal Court; Tribal law enforcement; the Office of the Attorney General and the Office of the Tribal Prosecutor. To this end, I have commenced bi-annual training for Magistrates where the Tribal Court educates and instructs Magistrates on jurisdiction and special Tribal criminal jurisdiction. At these meetings we invite and welcome Tribal law enforcement, prosecutors, and

others. We also held a joint training on April 25, 2025, where we invited State judges and magistrates. Our next Tribal-State training is scheduled for April 24, 2026.

Fourth, while criminal and civil jurisdiction both generally refer to the power of a court, the Tribe can exercise civil jurisdiction to enforce civil fees and fines where it otherwise may be limited in its exercise of criminal jurisdiction. There are existing remedies in different places in the Cherokee Code, such as in Sec. 14-1.2 which allows victims to bring civil actions and allows the Tribe to terminate leases, licenses, or permits, enforce the controlled substances civil penalty fee, and for Council to order banishment.

Thus, against this unique jurisdictional backdrop, we can better understand the dismissals for lack of jurisdiction entered by a Magistrate or Judge. I commit to the community that I will work with Tribal leadership to discuss how we can focus on reducing dismissals through procedural and legal reforms and work to mitigate harms through enforcement of existing civil mechanisms.

General Framework for Magistrates

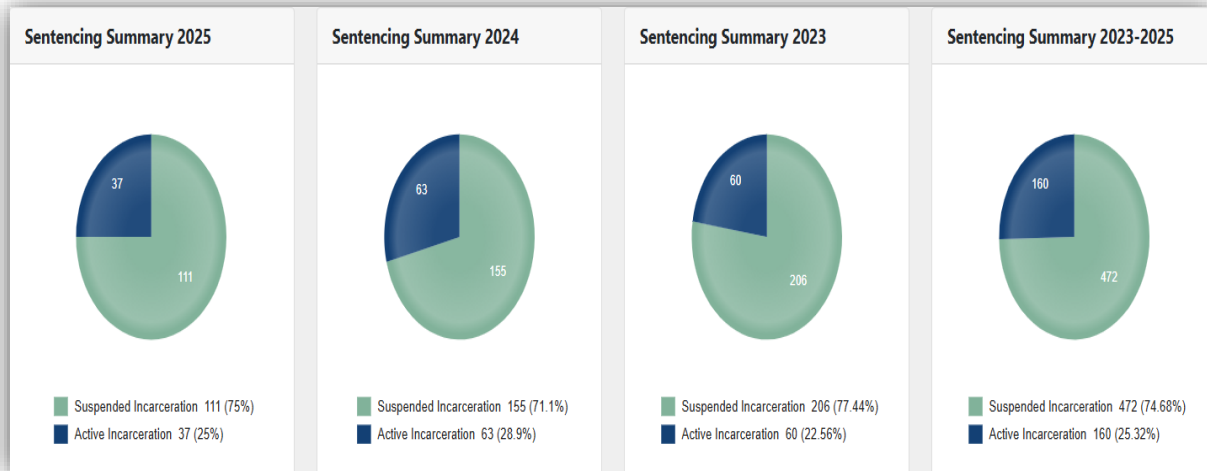
- | | |
|---|--|
| <ul style="list-style-type: none"> ▶ Where was the crime committed? ▶ Was the defendant charged with having committed a crime over which the Tribal Court has jurisdiction? ▶ Is jurisdiction over the matter specifically prohibited? <ul style="list-style-type: none"> ◦ Prohibitions: No Tribal jurisdiction if non-Indian, U.S. citizen defendant where Tribe may not exercise special Tribal criminal jurisdiction over the alleged offense. | <ul style="list-style-type: none"> ▶ Where was the crime committed? ▶ Was the defendant charged with having committed a crime over which the Tribal Court has jurisdiction? <ul style="list-style-type: none"> ◦ Indian defendants. ◦ Non-Indian, non-U.S. citizens. ◦ Non-Indian where the Tribe may exercise special Tribal criminal jurisdiction. |
|---|--|

Tribal

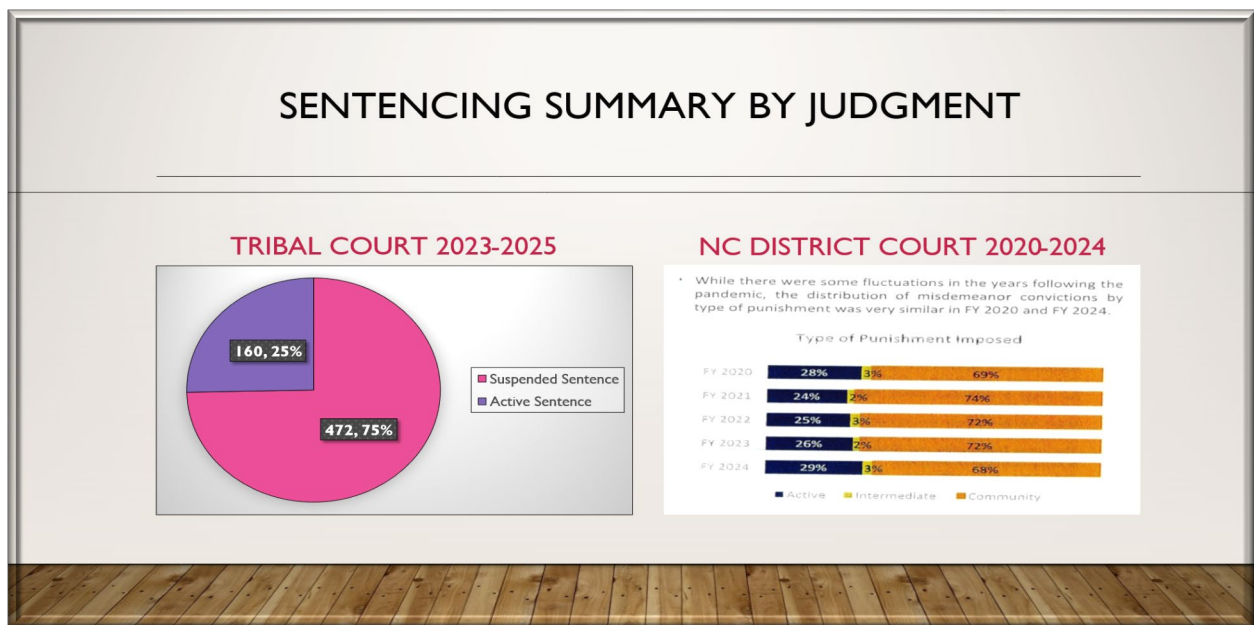
State

IV. Sentencing

Questions were raised also about how the Judges handled final dispositions in criminal cases. The chart below shows a summary of the sentencing data from 2023-2025:



From this data we learn that 25% of criminal judgments resulted in active incarceration while 75% were resolved with a probationary sentence. With this information in hand, we can ask how this compares to other court systems. For comparison purposes I consulted the statistics from the North Carolina Sentencing and Policy Advisory Commission.² In the North Carolina District Courts, the percentage of active sentences from 2020-2024 was 26%.



² https://www.nccourts.gov/assets/documents/publications/SPAC-FY-2024-Misdemeanor-Quick-Facts.pdf?VersionId=r0hY7lSGm_mXUxW_.OjI7HNPHEelljXW

Thus, the data shows that the Judges of the Tribal Court are pronouncing incarceratory sentences on a comparable, consistent basis as seen in the state district court. These statistics show a judicial temperament we should hope for and expect from our Tribal Judges in the discharge of their duties.

V. Budget

From a budgetary perspective, there has been little change since the commencement of my duties. For comparison I share the past five years' expenditure. In 2026, I see the need to review salary and related expenses as the main budget priority.

YEAR	Original Budget	Revised Budget	Actual Budget	% Used
2025	4,235,189	5,391,553	3,024,579‡	56.09%
2024	4,561,556	5,046,904	3,068,970	60.81%
2023	3,990,467	4,690,366	3,159,313	67.36%
2022	3,991,642	4,589,040	3,127,929	68.16%
2021	3,783,739	4,173,601	3,592,168	86.07%
‡As of Oct. 15, 2025				

VI. 2026 Projects

As we move into 2026, efforts will focus on the following projects:

<ul style="list-style-type: none"> • Updating Court Rules of Practice & Procedure • Increased technology in court filings • Improved self-help publications • Supreme Court Opinions published in hardbound format • Tribal-State Magistrate Trainings • West Center seminars 	<ul style="list-style-type: none"> • Revision of Chapter 7-Judicial Code • Appointment of new justices and judges • Remote access to tribal court for Snowbird and Cherokee County residents • Facilities Study & Improvement • Jury Service Video • Comment Form • Expedited Juror Payment • Annual Attorney Conferences
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VII. Summary

Upholding justice and sovereignty of the Eastern Band of Cherokee Indians is the mainstay of the Cherokee court system. The Cherokee Supreme Court Justices and Cherokee Court Judges are mandated to remain neutral and impartial. We have been true to our oath administering justice without bias, favoritism, or reward, making decisions based on facts as presented in the proper legal setting.

Charles Hicks, a prominent Cherokee Chief, stated in 1818 that the national council

*“is composed of chiefs from each clan, some sending more or less, regard being had to the population of each – though the number is not very definitely fixed. Each clan has its separate portion of land, which it holds in common right – the poorest man having the same right as the greatest.”*³

What was true in Cherokee more than two centuries ago remains true today. Every person who comes to the Cherokee Tribal Court in 2025 regardless of situation has the same rights and protections. While leading the Cherokee Tribal Court, I commit to the Cherokee community these sacrosanct values will remain intact.

The Judicial Branch has accepted the challenge from tribal leadership to build upon our past successes and improve access to justice. We do not shy away from this task. We ask for continued support of elected leadership and public voices as together we walk this path toward a better, safer community for us, and the seven generations following.

Respectfully,

Bradley B. Letts
Chief Justice

³ Swanton, Indians of the Southeastern United States, 654.

Tribal Court Annual Report 2025

Chief Justice Letts



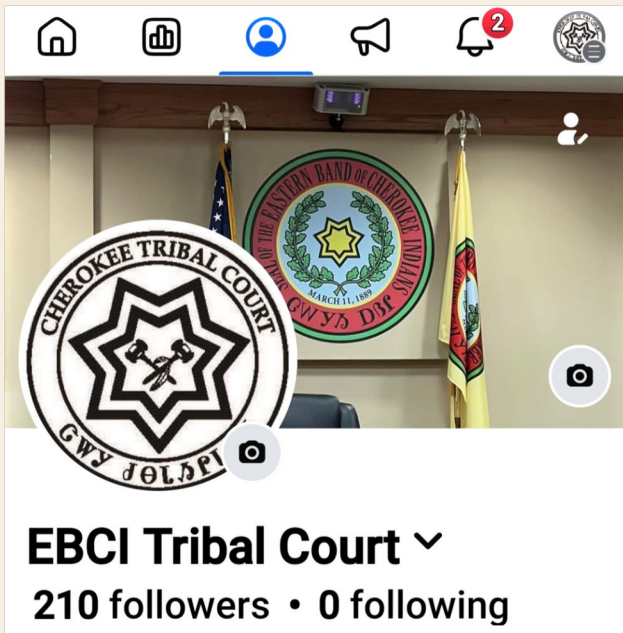
Information

- * Anthony Edward Lossiah Justice Center
- * 137 Seven Clans Lane, Cherokee
- * Post Office Box 1629, Cherokee
- * www.ebci.gov/tribal-court
- * Facebook – EBCI Tribal Court
- * Phone - (828) 359-1068
- * Fax - (828) 520-7068
- * Email – EBCITribalCourt@ebci-nsn.gov



New Communication

FACEBOOK



SHARING INFORMATION WITH THE COMMUNITY

- Addition of a New Facebook Page
- Updated Website @ www.ebci.gov

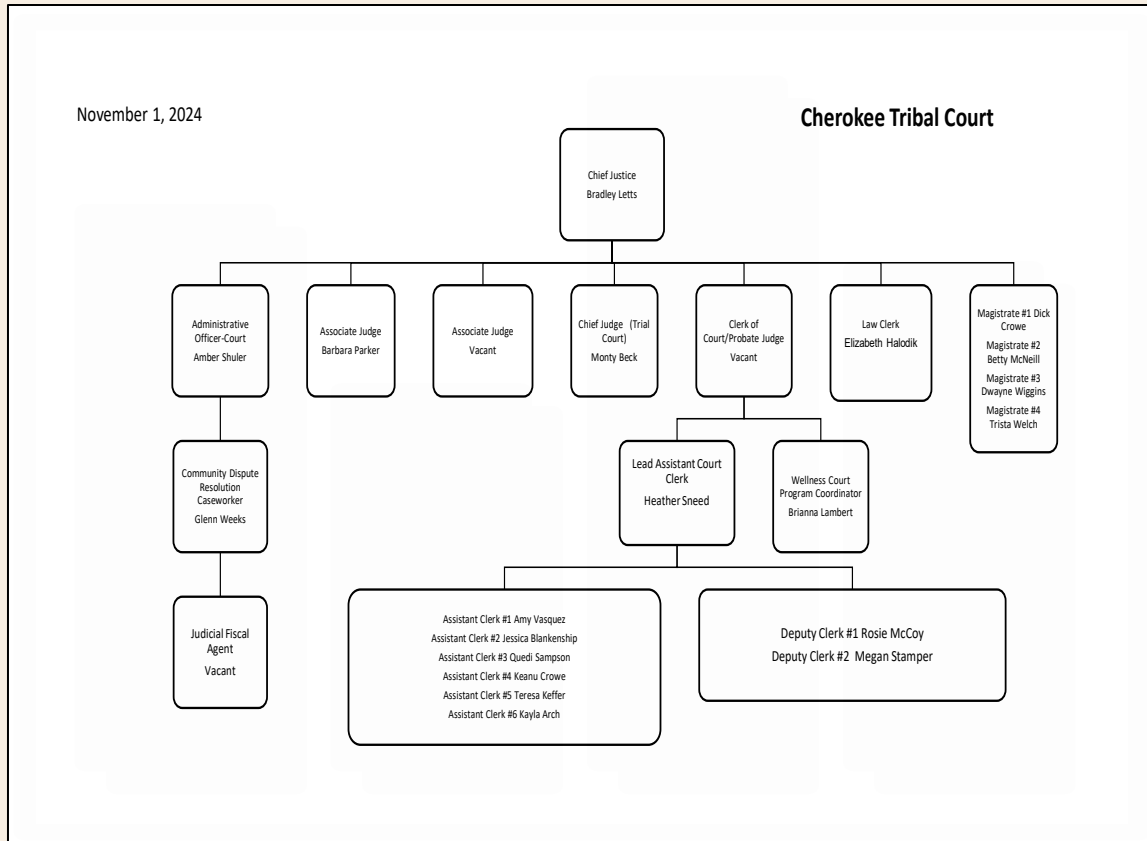
Social media is a powerful tool for engaging with the public, sharing updates, and promoting transparency. The Court will share official business-related information and posts utilizing these platforms. These will reflect the professionalism and integrity of our organization. Content will be accurate, respectful, and aligned with our mission and values.

WEBSITE

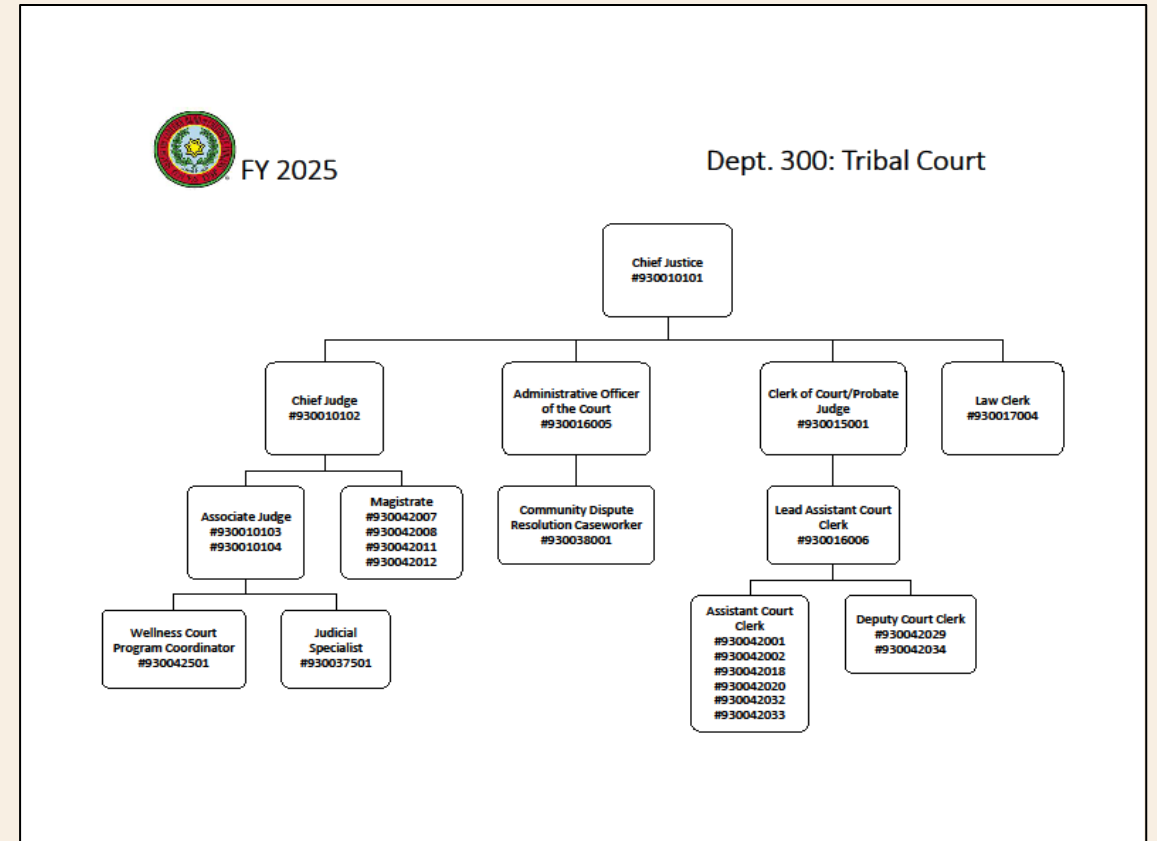


Organizational Chart

OLD



NEW



New Clerk of Court & Lead Assistant Clerk

TERESA KEFFER
CLERK OF COURT



KEANU CROWE
LEAD ASSISTANT CLERK



NEW

- Consultation with Legal Assistance Office
- Coordination with Family Safety Office
- Introduction of New Office Policies
- Regular Monthly Staff Meetings
- Site visits to Haywood & Graham County Clerk's Offices
- Initiating Data Exchange between Tribalex and the State of North Carolina for Traffic Information
- Department-wide Cross-training of Clerks
- Implementation of an Office Staff Code of Conduct
- Launching use of NCIC and TAP National Databases for Criminal History Checks and Disposition Entries

Public Administrator of Estates

*Assists Tribal members with opening estates, determining heirs, explaining estate procedures, assisting with distributions, and helping with annual or final accounts.

*In addition, the Public Administrator can be appointed to act as the Personal Representative of estates with the following duties:

- Locate and secure the decedent's assets
- Notify creditors and publish legal notices
- File an inventory of the estate's assets
- Pay debts, taxes, and administrative expenses
- Distribute remaining assets according to the laws of the Tribe
- File a final accounting and petition for discharge



The Public Administrator of Estates is Kelly Ball, and she is available for consultation on each Friday. Scheduling is done through Amy Vasquez, the Estates Clerk for the Tribal Court. Amy may be reached at (828) 359-1071.

Wellness Court

BACKGROUND

Wellness Court is a court-supervised diversion program where participants plead guilty, but their sentence is suspended during the program. It involves active participation in various areas of treatment and support.

- **Successful completion** leads to dismissal of the charges.
- **Termination** from the program results in the suspended sentence being enforced.

BROCHURE



2025 PROGRAM RESULTS

- There have been 6 successful completions of Wellness Court, and 4 have obtained their driver's licenses.
- 3 out of 4 current participants have obtained and maintained employment.

The Cherokee Supreme Court Eastern Band of Cherokee Indians

Qualla Boundary, Cherokee,
North Carolina

Schedule of Terms ‡
2025-2030

Six-year Calendar



The Cherokee Supreme Court
Eastern Band of Cherokee Indians
Qualla Boundary, Cherokee, North Carolina
Schedule of Terms ‡
2025-2030

2025

January	27 28 29 30 31
April	21 22 23 24 25
July	21 22 23 24 25
September	22 23 24 25 26
October	9 ^a 10

2026

January	12 13 14 15 16
April	13 14 15 16 17
July	13 14 15 16 17
September	14 15 16 17 18
October	9 ^a

2027

January	11 12 13 14 15
April	12 13 14 15 16
July	12 13 14 15 16
September	13 14 15 16 17
October	11 ^a 12 13 14 15

2028

January	10 11 12 13 14
April	10 11 12 13 14
July	10 11 12 13 14
September	11 12 13 14 15
October	9 ^a 10 11 12 13

2029

January	8 9 10 11 12
April	9 10 11 12 13
July	9 10 11 12 13
September	10 11 12 13 14
October	9 ^a 10 11 12

2030

January	7 8 9 10 11
April	8 9 10 11 12
July	8 9 10 11 12
September	9 10 11 12 13
October	9 ^a 10 11

^aOctober 9th is a profoundly important date for the Cherokee Tribal Court and the Eastern Band of Cherokee Indians. Beginning with a series of written laws in 1820, the Cherokee tribe organized a judicial system as part of a three-branch political structure similar to the United States. These actions were taken as part of the tribe's efforts to remain in the Southeastern United States; prevent the loss of Cherokee lands; and avoid forcible removal. The Supreme Court of the Cherokee Nation held its first session on October 9, 1823,¹ hearing as its first case *James Griffin v. Nancy West*. Scan our QR Code for a glimpse into the history of the Cherokee Supreme Court.



¹ The Cherokee Supreme Court predates the U.S. Courts of Appeals, 81 federal judicial districts, and the admission of 26 States of the United States.

‡ As needed, the Chief Justice may convene additional sessions of the Supreme Court as necessary to maintain the proper administration of justice and timely disposition of cases.

EBCI & NC Magistrate Training

APRIL 25, 2025

Objectives

1. To provide magistrates with a foundational understanding of the criminal jurisdictional framework for crimes committed on Tribal lands.
2. To review developments in criminal jurisdiction through the 2022 reauthorization of the Violence against Women Act and discuss the scope of “covered crimes”.
3. To create a workable and practical reference for magistrates to use when making initial determinations of jurisdiction involving non-Indian defendants.
4. To promote open dialogue and professional relationships between Tribal and State Judicial Officials.

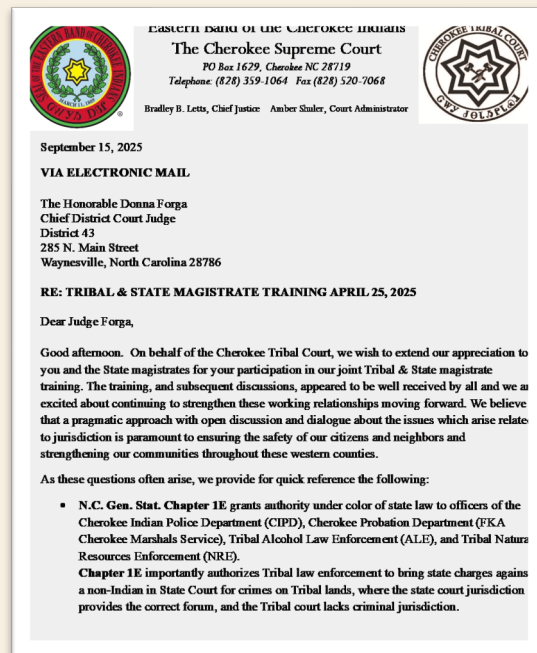


ATTENDEES

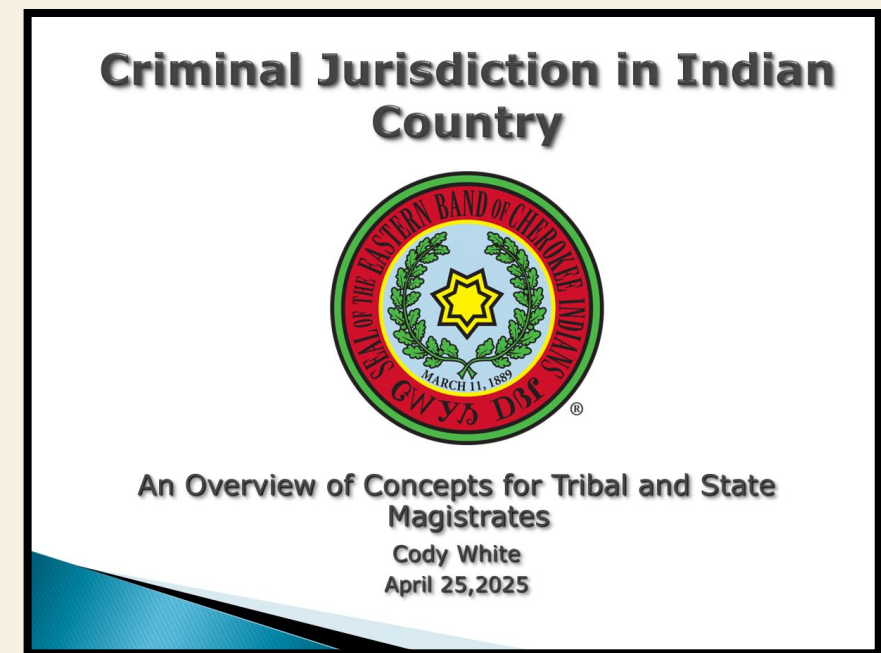
- Superior Court Judges Sellers & Wijewickrama
- State Magistrates from Cherokee, Graham, Swain, Jackson & Haywood counties
- All Tribal Court magistrates

EBCI & NC Magistrate Training

LETTER TO NC JUDICIARY



LEGAL PRESENTATION



October 31, 2025

EBCI Magistrate Training

Our Magistrates meet bi-annually for training and discussions. One meeting is with State Magistrates.

One meeting is for Tribal magistrates only.

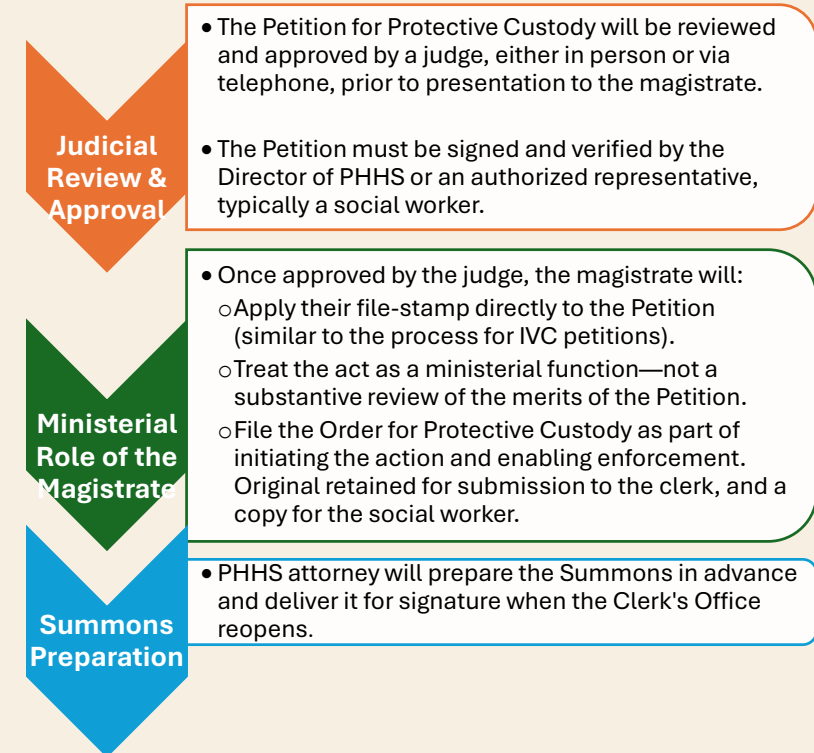
Issues, topics, questions and other matters are discussed and addressed during these meetings.



New Procedure For After-Hours Petitions

Procedure for After-Hours Submission of Petitions for Protective Custody Orders

Purpose: To establish a uniform procedure for magistrates and clerks to process after-hours Petitions for Protective Custody Orders, ensuring compliance with statutory requirements and consistency with existing practices while at the same time recognizing the delineated roles involved in these matters.



N.B. This process is distinct from IVC petitions where the magistrate evaluates the petition's substance. In Protective Custody matters, the magistrate's role is limited to facilitating the initial steps post-judicial approval.

US Attorney

May 12, 2025-Meeting



Eastern Band of the Cherokee Indians

The Judicial Branch

PO Box 1629, Cherokee NC 28719

Telephone: (828) 359-1068 Fax (828) 520-7068

June 18, 2025

The Honorable Russ Ferguson
United States Attorney
Western District of North Carolina
227 West Trade Street
Suite 1650
Charlotte, North Carolina 28202

Fred Hudson
Assistant United States Attorney
Western District of North Carolina
227 West Trade Street
Suite 1650
Charlotte, North Carolina 28202

RE: EASTERN BAND OF CHEROKEE INDIANS

Dear Mr. Ferguson & Mr. Hudson,

It was a pleasure speaking with you both recently. In an effort to continue the constructive dialog begun at our meeting, I write to follow up with some items discussed during our conversation. You will find included three cases:

- *Eastern Band of Cherokee Indians v. Torres*, 2005 WL 6437828 (Eastern Cherokee Sup. Ct. 2005) (holding that the Cherokee Court had jurisdiction to try and punish non-Indian, citizen of Mexico).
- *Eastern Band of Cherokee Indians v. Martinez*, 15 Am. Tribal Law 45 (Eastern Cherokee Sup. Ct. 2018) (affirming *Torres* and holding that the Tribe had jurisdiction to prosecute non-Indian, non-citizens who committed crimes on Tribal lands).
- *United States v. Wheeler*, 435 U.S. 313 (1978) (citing the dual-sovereignty doctrine and holding that the Double Jeopardy Clause is not offended where a defendant prosecuted in tribal court is later prosecuted in federal court for an offense based on the same underlying conduct).

Principal Chief Hicks also discussed his concerns regarding the prosecution of sexual assault cases and the challenges faced by Tribal and Federal law enforcement in this unique investigatory area. Sexual assaults are offenses with long-term, pernicious ramifications which tear at the very fabric of a close-knit, tribal community. In discussing the issues regarding the

AGENDA



உயர் பதவி

DETAILS

Registration will close May 16, 2025, at 4:00 PM. Late registrations after the deadline may be accepted on a space availability basis – food and beverage is not guaranteed for late registrants.

This session will provide a fascinating look into population demographics and better explain the people who comprise a jury pool. The interdisciplinary insight provided by Dr. Dollar of Carolina Demography

CLE May 29, 2026: Digital Evidence

AGENDA



**EASTERN BAND OF CHEROKEE INDIANS
JUDICIAL BRANCH**

ငွေပမာဏ

Cherokee Courts 2025 CLE Symposium

DETAILS

Event | In-Person Live

Date | May 30, 2025

Pending CLE Credit* | 5.5 credits, including 1.0 ethics credit.

Location | 137 Seven Clans Lane, Anthony Edward Lossiah Justice Center, Qualla Boundary, Cherokee, NC 28719

North Carolina State Bar CLE approval pending for 5.5 credits, including 1.0 ethics credit.

Register by completing the online form. Registration and attendance to this event are **free**.

Registration will close May 16, 2025, at 4:00 PM. Late registrations after the deadline may be accepted on a space availability basis – food and beverage is not guaranteed for late registrants.

AGENDA

8:30 – 8:55 AM: Check-In

8:55 – 9:00 AM: **SCƏLHAFS** (detsvyadanilvga) | Welcome | Honorable Bradley Letts

9:00 – 9:45 AM: VAWA 2022 & Special Tribal Criminal Jurisdiction | Honorable Monty C. Beck

This session will discuss the developments in Cherokee case law on criminal jurisdiction over non-Indians under the special Tribal criminal jurisdiction affirmed within the Violence against Women Reauthorization Act of 2022; attendees will learn about the complex and nuanced legal issues which accompany a determination of criminal jurisdiction for crimes committed in Indian Country.

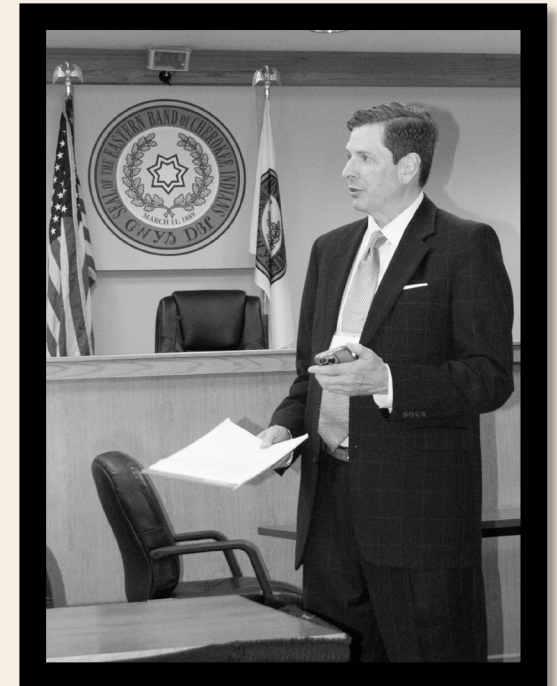
9:45 AM – 10:00 AM: Break

10:00 – 10:15 AM: Jury Selection, General Issues & Challenges: Introductory Discussion | Honorable B. Letts | Honorable R. Ervin | Honorable T. Sellers

This session will highlight aspects of trial preparation and jury selection with recommended practical steps and best practices. Attendees will gain insight into the trial preparation phase, with guidance learned first-hand by trial judges with a combined experience of almost 60 years on the bench. Additional topics will touch on the cultural perspectives in trials within the Tribal Court.

10:15 – 11:15 AM: Jury Selection, General Issues & Challenges: Population Demographics | Dr. Nathan Dollar

This session will provide a fascinating look into population demographics and better explain the people who comprise a jury pool. The interdisciplinary insight provided by Dr. Dollar of Carolina Demography



Supreme Court Opinions

BOOK FORMAT



- Past opinions from the Cherokee Supreme Court are now online and accessible for everyone on our Tribal Court website.
- I am currently publishing all Supreme Court opinions in both book & electronic format for reference by judges, attorneys, and the public.

ONLINE ACCESS

SUPREME COURT OPINIONS	
2025	
– In the Matter of: Patrick H. Lambert	
2022	
– EBCI v. Billy Jack Crowe	
2021	
– EBCI v. Benjamin Cody Long	
– Anders v. Cherokee Board of Elections	
2020	
– Beck v. EBCI Et Al	
– Bird v. EBCI Et Al	
2019	
– Greene v. Harrah's-Casino Et Al	
– McCoy v. EBCI Board of Elections	
– Campos v. EBCI Et Al	

NC Supreme Court & AOC

NC CHIEF JUSTICE NEWBY



TOPICS & ISSUES

- 3 Volumes of NC Supreme Court and Court of Appeals Books provided to EBCI
- Certified opinions submitted between Supreme Courts
- Transfer of Cases between State and Tribal Courts

NC AOC DIRECTOR BOYCE



NC State Bar

- *NC State Bar visited the Tribal Court in July
- *It was a successful visit, and we are discussing improved cooperation and communications



Budget

YEAR	Original Budget	Revised Budget	Actual Budget	% Used
2025	4,235,189	5,391,553	3,024,579‡	56.09%
2024	4,561,556	5,046,904	3,068,970	60.81%
2023	3,990,467	4,690,366	3,159,313	67.36%
2022	3,991,642	4,589,040	3,127,929	68.16%
2021	3,783,739	4,173,601	3,592,168	86.07%

‡As of October 15, 2025

Attorney Fees in Appointed Cases

PROCESS FOR REPAYMENT OF COURT APPOINTED ATTORNEY FEES AS AUTHORIZED BY TRIBAL CODE-RULES OF CRIMINAL PROCEDURE: RULE 26

THE CHEROKEE COURT
EASTERN BAND OF CHEROKEE INDIANS
QUALLA BOUNDARY, CHEROKEE, NORTH CAROLINA

In Re:

Reimbursement of Attorney's Fees
For Appointed Counsel in Criminal
Cases

ADMINISTRATIVE ORDER

This matter is before the Court pursuant to the authority granted under Chapter 7 of the Cherokee Code and the inherent authority of the Cherokee Court.

Rule 7 of the Cherokee Rules of Criminal Procedure provides: "If a defendant receives appointed counsel and is convicted, the Court may Order the defendant to pay the counsel fees as part of the Judgment or as part of the costs of Court."


The Court adopts as a guide the attached schedule of attorney's fees for appointed criminal cases. The schedule shall be effective July 1, 2025.

IT IS THEREFORE ORDERED:

1. Effective July 1, 2025, the Cherokee Court will exercise its discretion to determine whether to order a defendant who is convicted to pay attorney's fees as part of the judgment.
2. The Cherokee Court will use the attached schedule as a guide. The judge may deviate from the schedule, including deciding not to assess any fees, if satisfactory information is presented to the Court that an attorney expended more or less time than shown on the schedule or that other circumstances warrant deviating from the schedule.

So ordered this the 16th day of June, 2025


Bradley B. Letts
Chief Justice, Cherokee Supreme Court


Barbara Parker
Associate Judge, Cherokee Court


Monty C. Beck
Chief Judge, Cherokee Court

Appointed Fee Schedule in Criminal Cases

Effective 7/1/25

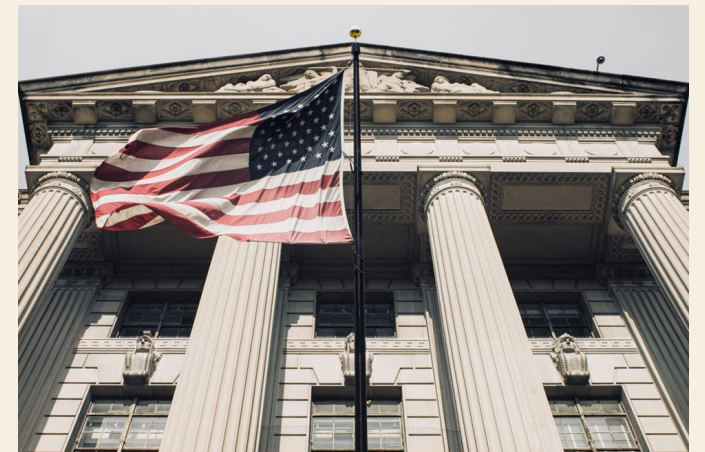
Schedule determined using \$75 hourly

Felonies	Trial			Non-Trial		
	Hours	Rate	Fee	Hours	Rate	Fee
Homicide	100	\$75	\$7,500	40	\$75	\$3,000
Sexual Abuse Charges	55	\$75	\$4,125	20	\$75	\$1,500
Drug Trafficking	40	\$75	\$3,000	18	\$75	\$1,350
All Other Felonies	15	\$75	\$1,125	10	\$75	\$750
DWI - No Trial	7	\$75	\$525			
DWI - Bench Trial	9	\$75	\$675			
DWI - Bench Trial and Jury Trial	12	\$75	\$900			
Misdemeanors - No Trial	5	\$75	\$375			
Misdemeanors - Bench Trial	7	\$75	\$525			
Misdemeanors - Bench Trial and Jury Trial	10	\$75	\$750			
Probation Violations - Trial and Non-Trial	3	\$75	\$225			

www.ncids.org

IDS Research & Data

IDS OFFICE OF INDIGENT
DEFENSE SERVICES
SAFEGUARDING JUSTICE



2025 NC IDS STUDY

Class A Felony (Non-Capital)

53.08

Class B1 or B2 Felony

33.57

Class C Felony

20.53

Class D Felony

15.86

Class E Felony

11.90

Class F Felony

10.74

Class G Felony

9.27

Class H Felony

7.35

Class I Felony

5.99

Felony PV

3.67

DWI

5.84

Class 1 and 2 Misdemeanors

3.92

Policy for Repayment of Court Appointed Attorney Fees



- * Questions arose earlier about the policy of recouping attorney fees. Misinformation was shared in our community claiming that Tribal Court was limiting payments to attorneys for appointed representation of individuals. This was a misinterpretation of the Order. The Order and schedule of fees does not affect the amount paid to attorneys. Simply stated, the Order only establishes a payment schedule of how much a person **convicted** of a crime **may** have to reimburse the Tribe for the legal services provided to them from Tribal funds. In developing the payment schedule adopted, the Tribal Court used established payment schedules previously adopted by NC IDS as a guide. These hours and related expenses are reasonable and commonly recovered in all courts around the United States. Ultimately, the decision whether to award attorney fees or not is always left to the discretion of the presiding judge.

Goals for the Tribal Court in 2025

Issue Supreme
Court Opinions in
a Timely Manner

Domestic
Violence Risk
Assessment
Screening Tool

Create an Adult
Guardianship
Information
Packet

Update
Chapter 7
Judicial Code

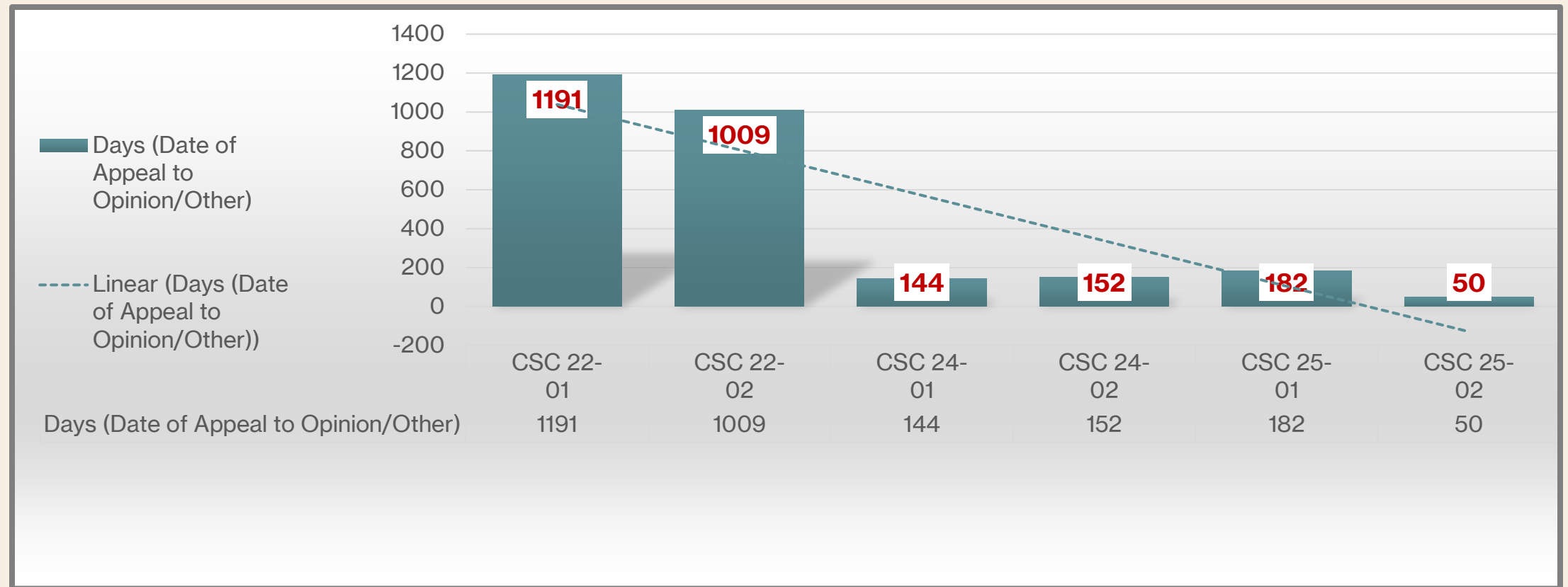
Justice-Involved
Reentry Program
under NC
Medicaid Reform



Action Items



Timeliness of Opinions





Pending Opinions

The Supreme Court currently has three pending cases as of October 15, 2025.

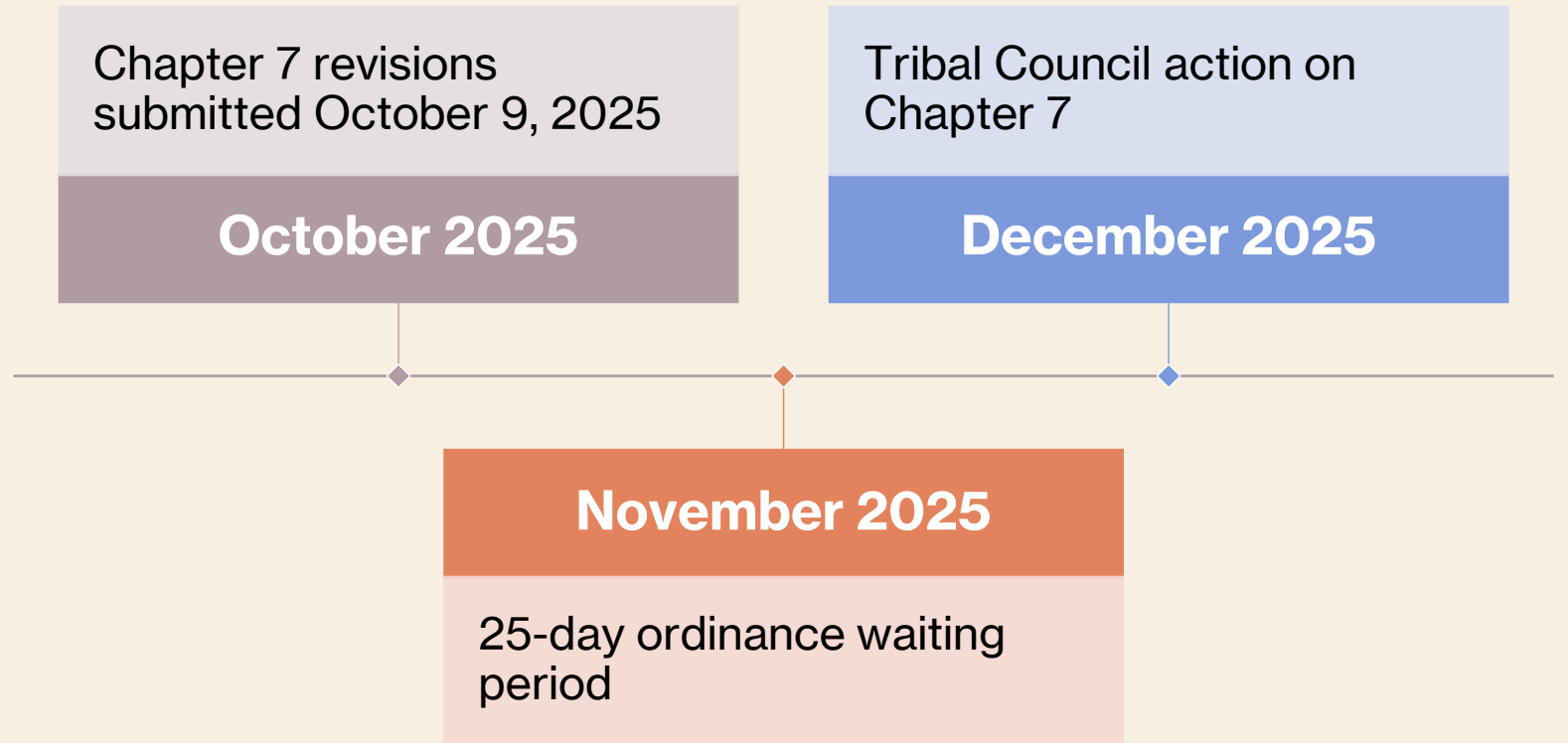
Chapter 7 Judicial Code Revisions

1	CHEROKEE COUNCIL HOUSE
2	CHEROKEE, NORTH CAROLINA
3	
4	Date: _____
5	ORDINANCE NO. _____ (2025)
6	
7	<i>An ordinance amending the Judicial Code - Chapter 7 of the Cherokee Code</i>
8	
9	WHEREAS, it has been a longstanding policy and belief of the Tribe that a court system is an
10	essential aspect of the Tribe's inherent sovereign authority, and a Tribal judiciary has
11	existed and operated in different forms in accordance with the Tribe's exercise of its powers
12	of self-government;
13	
14	WHEREAS, the Judicial Branch in its current form was established in 2000 upon passage of
15	Ordinance No. 29 (2000), which was codified as the Judicial Code in Chapter 7 of the
16	Cherokee Code, and although various provisions have been amended since its codification,
17	the Judicial Code must be amended to ensure consistency and harmony throughout Tribal
18	law, to promote and facilitate the administration of justice and judicial efficiency, and to
19	protect the interests of the Tribal community and the parties appearing before the courts;
20	
21	WHEREAS, the Judicial Code in Chapter 7 of the Cherokee Code governing the Judicial Branch
22	should be amended to clarify and add provisions controlling matters such as the structure
23	and operation of the courts, the roles and powers of judicial officers, and the procedures
24	ensuring independent and impartial judicial officers;
25	
26	NOW THEREFORE BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal
27	Council assembled, at which a quorum is present and upon a vote of two-thirds of Tribal
28	Council, that Chapter 7 is amended as set forth in Exhibit A:
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
Page 1 of 12	

- Chapter 7, the Judicial Code, needs to be updated to reflect the growth and changes that have occurred over the past 25 years at the Tribal Court.
- These changes strengthen the Tribal Court and provide for improved accountability at the Court and increased access by the public.

1	Exhibit A.
2	
3	Chapter 7 JUDICIAL CODE
	ARTICLE I. IN GENERAL
4	Sec. 7-1. Establishment ; Composition of the Judicial Branch.
5	(a) The Judicial Branch is established as a branch of government of the Eastern Band of Cherokee Indians. The
6	Judicial Branch shall be comprised of one Supreme Court, known as the "Cherokee Supreme Court", and one
7	Trial Court, known as the "Cherokee Court", and such other Trial Courts of Special Jurisdiction as established
8	by law. The Supreme Court shall be known as the "Cherokee Supreme Court" and the Trial Court shall be
9	known as the "Cherokee Court". Trial Courts of Special Jurisdiction shall be established by the Tribal Council
10	and named according to their function (e.g., Cherokee Juvenile Court). The Judicial Branch shall be located
11	within the Qualla Boundary, provided however that the Judicial Branch may sit and conduct hearings at
12	another location within the territory of the Eastern Band of Cherokee Indians in accordance with rules
13	established by the Judicial Branch for the conduct of hearings.
14	(b) The Cherokee Supreme Court shall be comprised of (i) one Chief Justice and two (ii) three Associate Justices.
15	The Trial Court shall be comprised of one Chief Judge and two Associate Judges, and other Associate Judges
16	of the Trial Courts of Special Jurisdiction. Cases and controversies shall be heard and determined by a panel
17	of no less than three Justices. The Cherokee Supreme Court shall determine by rule a procedure for which
18	panels are randomly assigned, except that the Chief Justice shall preside over every panel unless disqualified,
19	recused, or unavailable. In the event that a panel cannot be assigned due to disqualification, recusal, or
20	unavailability, the Chief Justice may, in a random manner, designate a Judge to serve temporarily on a panel
21	as an Associate Justice pro tem, except that when the Cherokee Supreme Court is exercising appellate
22	jurisdiction, no Judge who presided over or participated in the case or controversy on appeal shall be eligible
23	for designation.
24	(c) The Cherokee Court shall be comprised of (i) one Chief Judge (ii) no less than two full-time Associate Judges
25	and (iii) such part-time Associate Judges as necessary to effectively administer the Cherokee Court. The
26	Cherokee Court may operate specially divisions however denominated now existing or as may be established
27	or provided for by law or by the Judicial Branch. The Court shall maintain a list of temporary justices, judges
28	and magistrates available for assignment to particular cases or duties by the Chief Justice. Prior to
29	assignment by the Chief Justice, temporary justices, judges or magistrates must be nominated and confirmed
30	in accordance with G.C. §§ 3-1:
31	(d) In the event of unavailability, disqualification, vacancy, or other cause which interferes with the timely
32	administration of justice, the Chief Justice may request that the Chief Justice designate an Associate Justice to
33	serve as an Associate Judge pro tem to preside over a given case or session, provided that the Associate
34	Justice shall be disqualified from participating in a review on appeal of any decision entered or case heard
35	while serving as an Associate Judge pro tem.
36	(e) For construction purposes in this Chapter and throughout Tribal law, unless stated otherwise, the term
37	"Justice" means and includes the Chief Justice of the Cherokee Supreme Court and Associate Justices, and
38	the term "Judge" means and includes the Chief Judge of the Cherokee Court, full-time Associate Judges, and
39	part-time Associate Judges, and the term "judicial officer" or "judicial official" means and includes Justices,
40	Judges, magistrates, and any clerk acting in a judicial or quasi-judicial capacity.
41	(f) For construction purposes in this Chapter, pro tem means for a specific time or temporary.
42	(g) Reserved.
43	(Ord. No. 29, 4-1-2000; Ord. No. 186, 4-19-2022)

Timeline



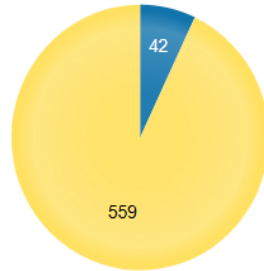
Case Data

If you can't measure it,
you can't improve it.

William Thomson, Lord Kelvin

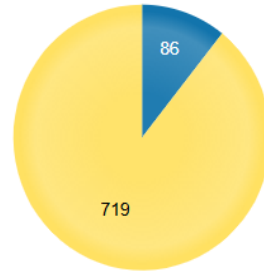


Dismissal Summary 2025



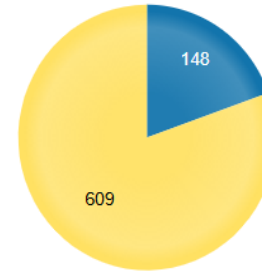
■ Court 42 (6.99%)
■ Prosecution 559 (93.01%)

Dismissal Summary 2024



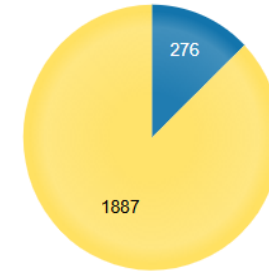
■ Court 86 (10.68%)
■ Prosecution 719 (89.32%)

Dismissal Summary 2023



■ Court 148 (19.55%)
■ Prosecution 609 (80.45%)

Dismissal Summary 2023-2025



■ Court 276 (12.76%)
■ Prosecution 1887 (87.24%)

DISMISSAL SUMMARY: 2023 – PRESENT*

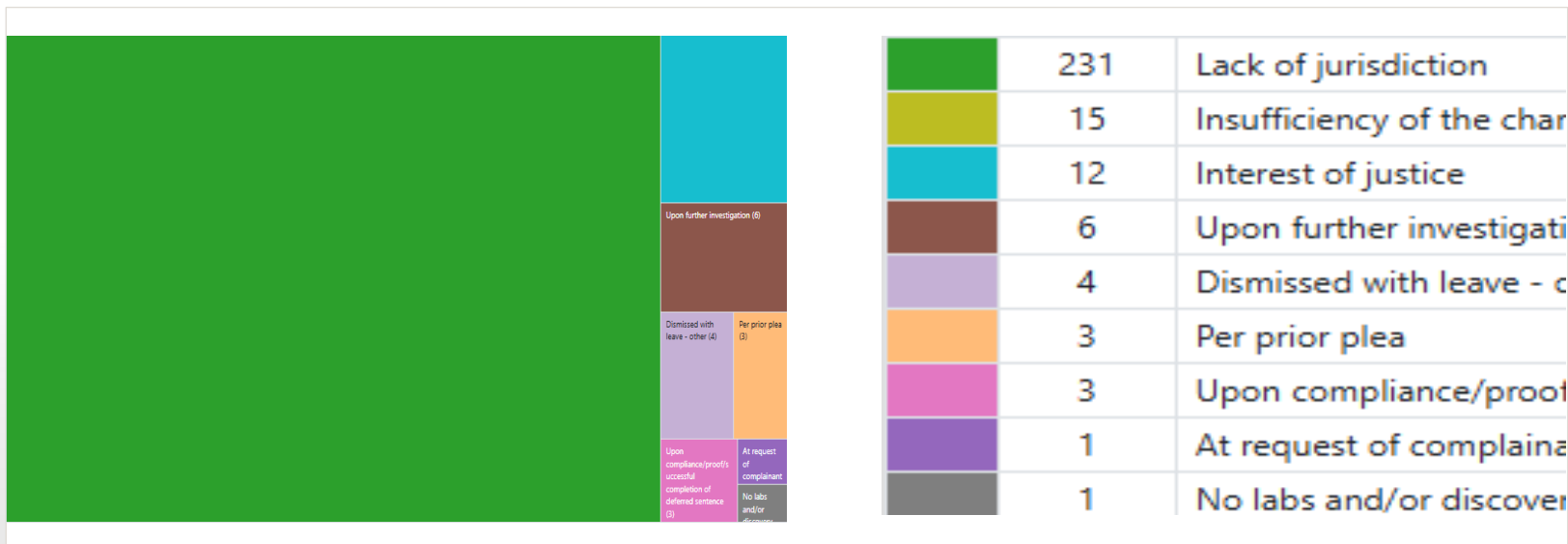
*DATA THROUGH AUGUST 2025

288	Interest of justice
272	Per prior plea
235	Dismissed with leave - other
224	At request of complainant and/or complainant's failure/ref
171	Defendant or necessary witness deceased
145	Upon compliance/proof/successful completion of deferred
131	Unavailability of officer/necessary witness
126	Upon further investigation
113	No labs and/or discovery provided
49	Defendant adequately sentenced in federal court
38	Insufficiency of the charging document(s)
34	Dismissed for further investigation
26	Codefendant accepted responsibility
25	Lack of jurisdiction
10	Successful mediation

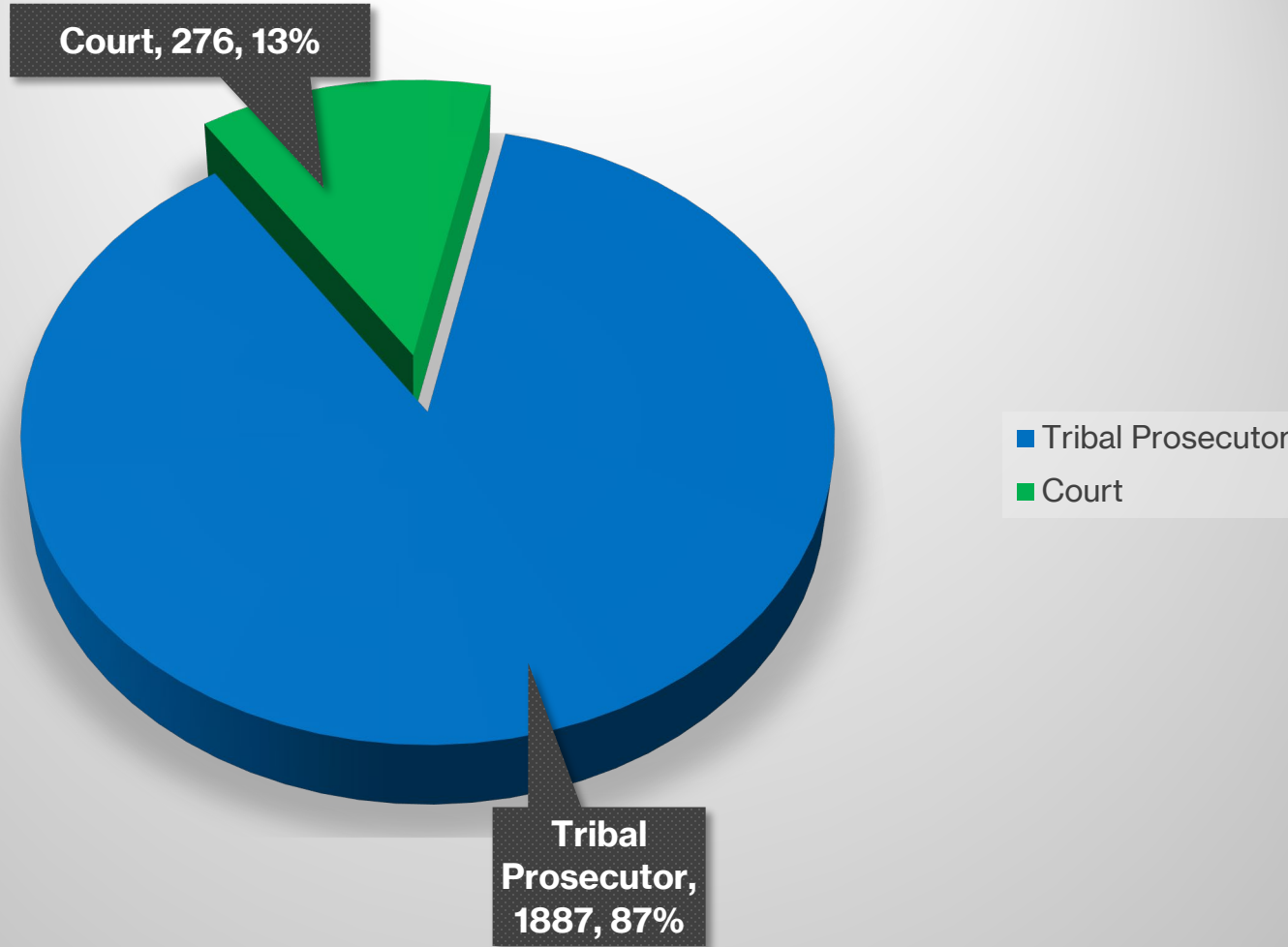


DISMISSALS BY PROSECUTION: 2023 - PRESENT

- **Top 3 Reasons:**
 - ***Interest of Justice***
 - ***Per prior Plea***
 - ***Dismissed with Leave to Refile***



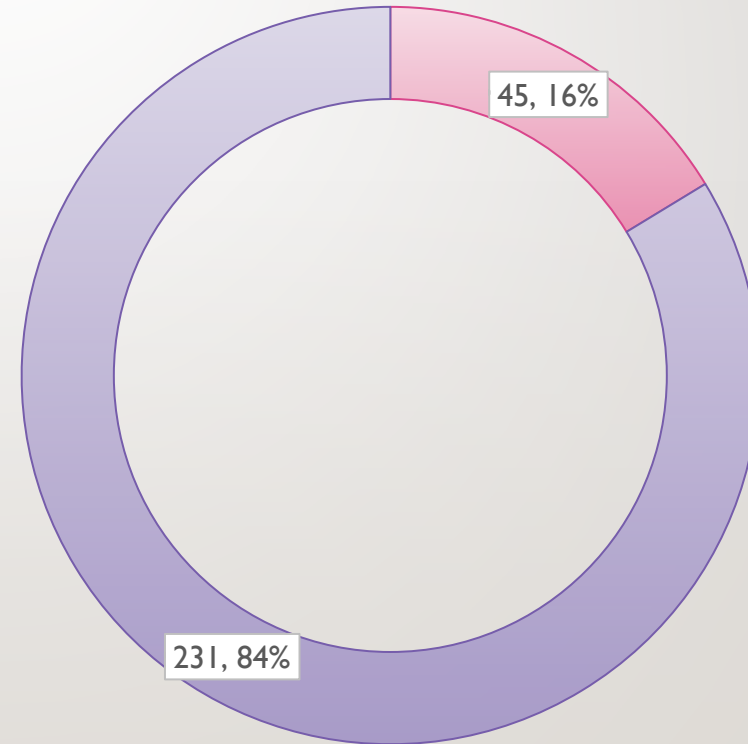
DISMISSALS BY COURT: 2023 TO PRESENT



Dismissal Summary 2023-2025

TRIBAL COURT

- 276 total Court dismissals
- 231 for Lack of Jurisdiction
- 84% Lack of Jurisdiction

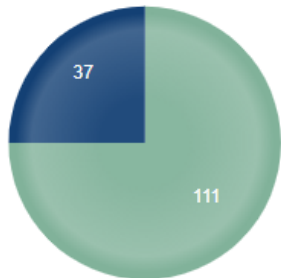


■ All Other Court dismissals

■ Court Lack of Jurisdiction Dismissals

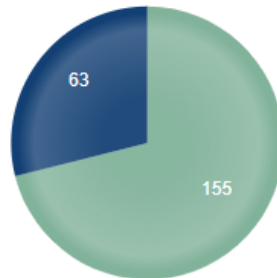
Sentencing Summary by Judgment

Sentencing Summary 2025



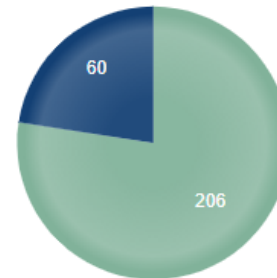
■ Suspended Incarceration 111 (75%)
■ Active Incarceration 37 (25%)

Sentencing Summary 2024



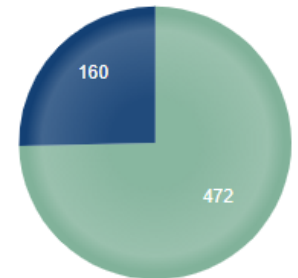
■ Suspended Incarceration 155 (71.1%)
■ Active Incarceration 63 (28.9%)

Sentencing Summary 2023



■ Suspended Incarceration 206 (77.44%)
■ Active Incarceration 60 (22.56%)

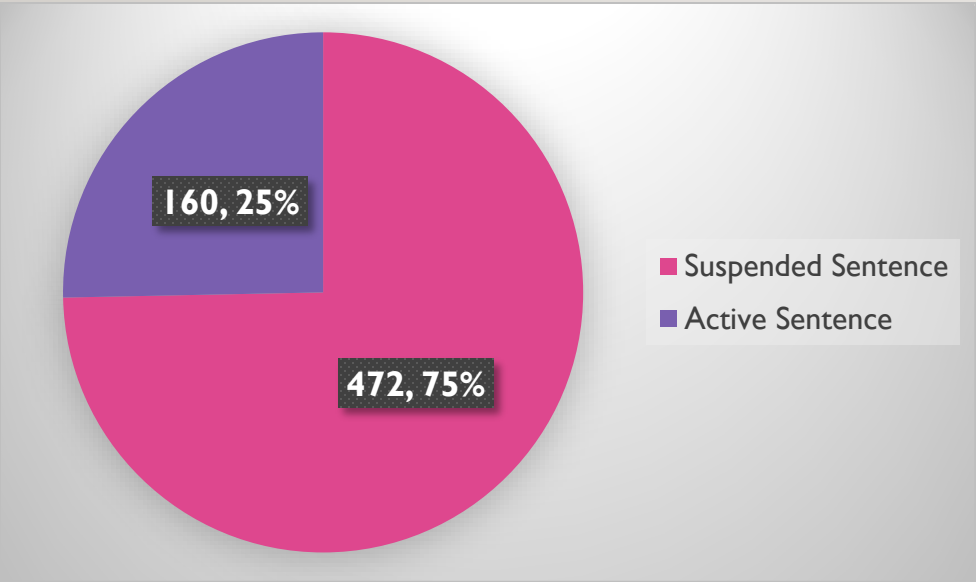
Sentencing Summary 2023-2025



■ Suspended Incarceration 472 (74.68%)
■ Active Incarceration 160 (25.32%)

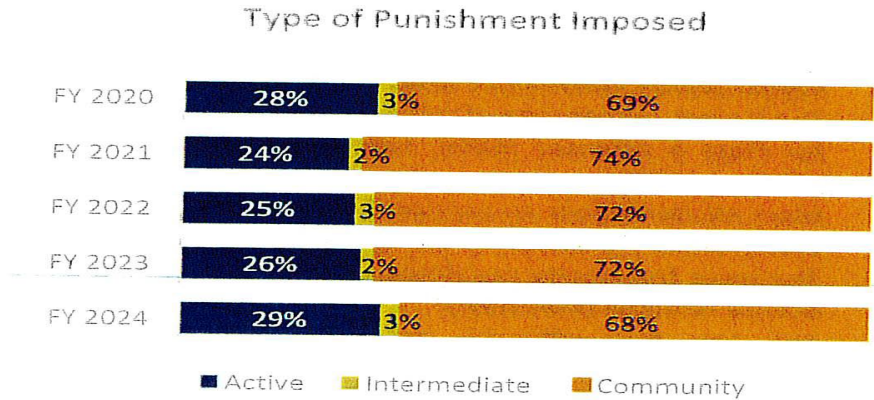
SENTENCING SUMMARY BY JUDGMENT COMPARISON

TRIBAL COURT 2023-2025



NC DISTRICT COURT 2020-2024

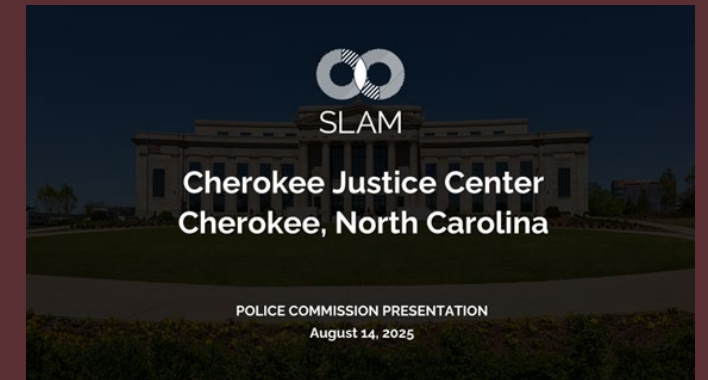
- While there were some fluctuations in the years following the pandemic, the distribution of misdemeanor convictions by type of punishment was very similar in FY 2020 and FY 2024.



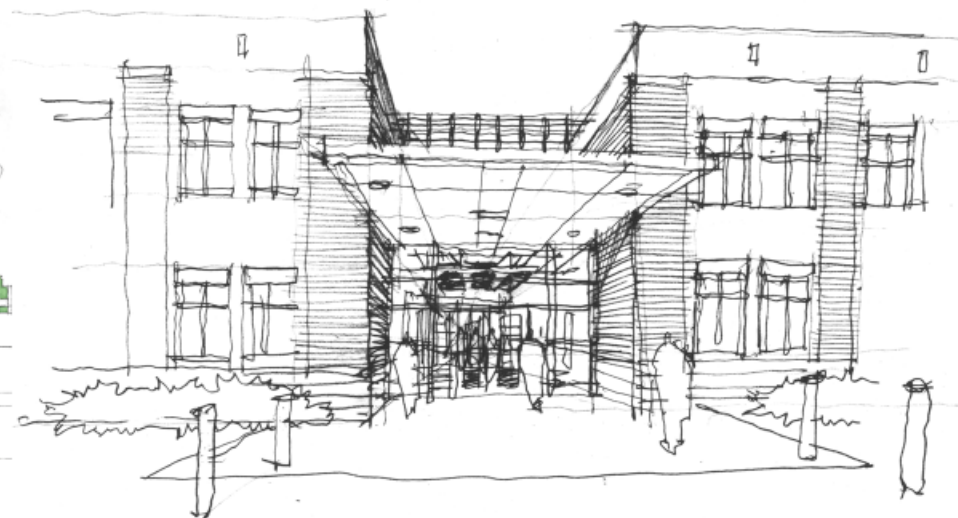
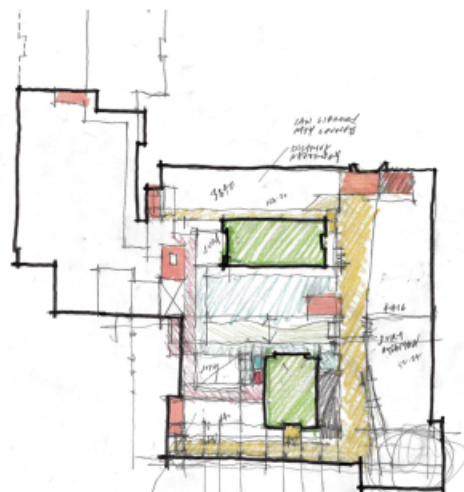
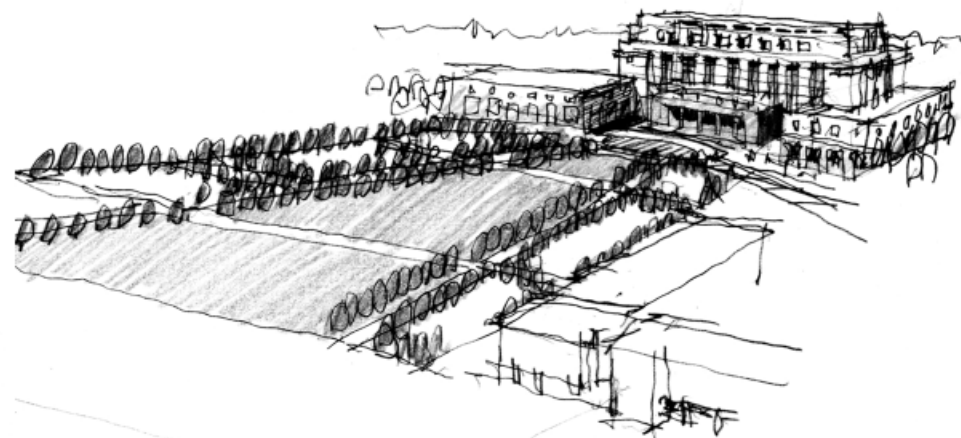
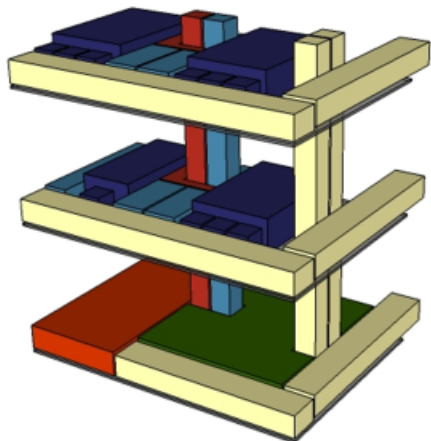
Action Items

- * Court & Police Building Evaluation
- * Self-Serve Suite for Tribal Members Modeled on Wake County Legal Support Center





Building Evaluation



ON SITE CHARRETTE

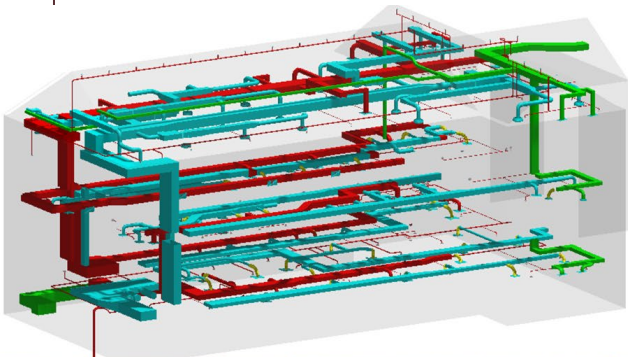
ASSESSMENTS

SPACE NEEDS

CONCEPT PLANS

MASSING

CHARACTER SKETCHES



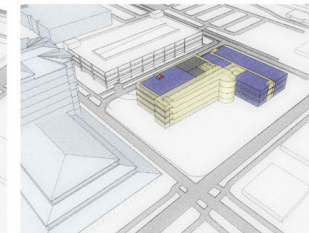
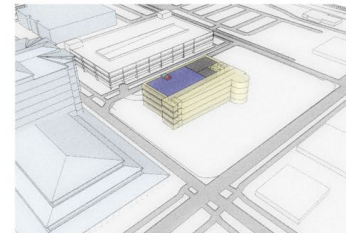
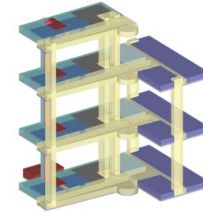
BUILDING ASSESSMENT

ENVELOPE CONDITIONS
SYSTEMS CONDITIONS
ACCESSABILITY
WAYFINDING
SECURITY SCREENING



SITE ASSESSMENT

PARKING ANALYSIS
STORMWATER
UTILITIES
GRADING



ALTERNATIVE OPTIONS

STACKING + BLOCKING
MASSING STUDIES
PHASING PLANS
CHARATER STUDIES



The mission of the Legal Support Center is to increase access to justice for residents of Wake County by serving as a resource hub for self-represented litigants in civil legal matters.

The Legal Support Center provides access to legal forms and information packets that address common problems like family law and housing, while partnering with community organizations to provide free legal clinics and access to other social services and community resources.

To date, the WCLSC has served over 13,552 visitors.



CAN:

CANNOT:

Tell you how the court works

Give you legal advice

Offer you forms to assist you with your case

Represent you in court

Provide lawyer referral information to you

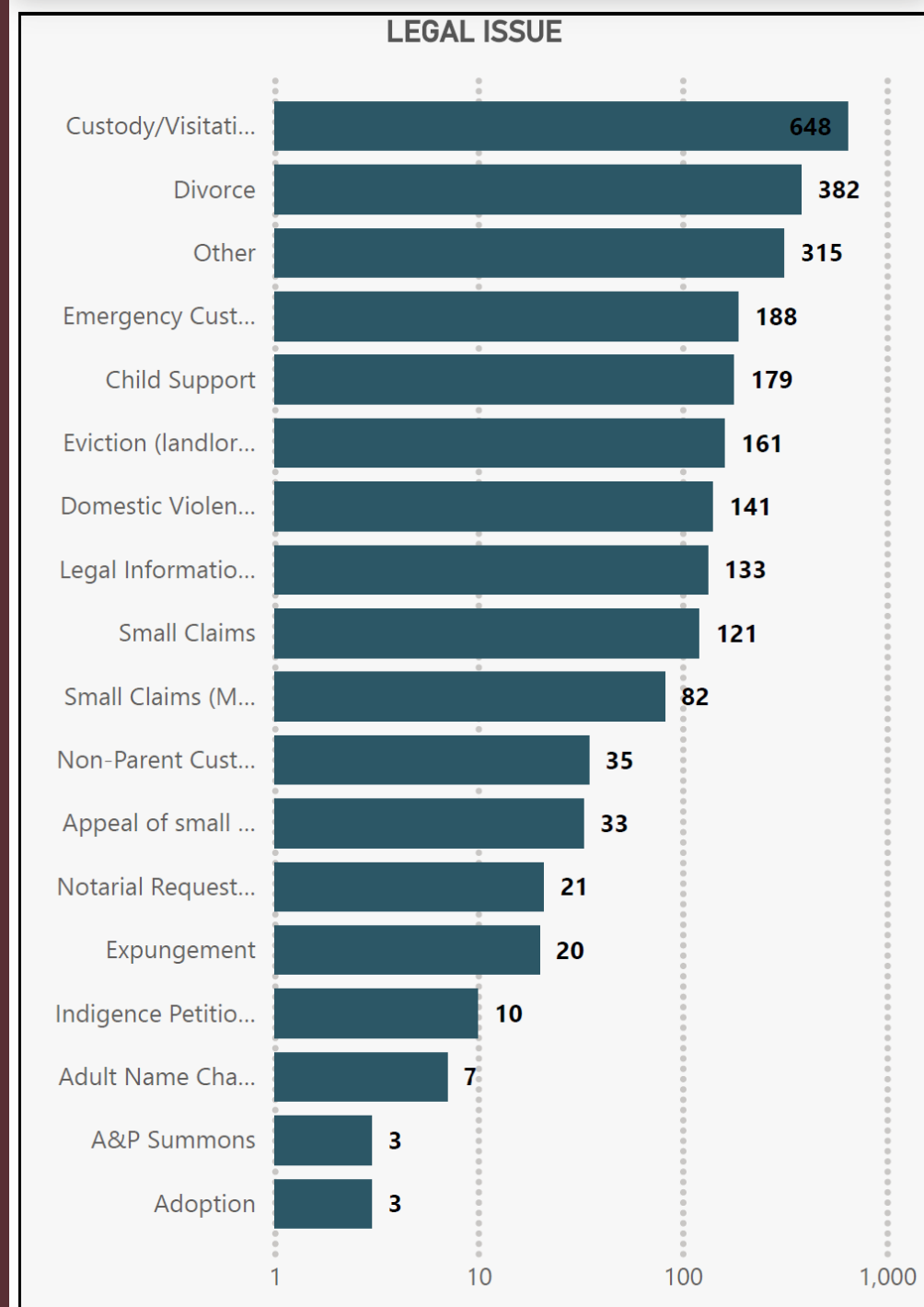
Fill out the forms for you

Refer you to other agencies or resources to assist you

Tell you what to say or write

Guarantee confidentiality

Wake County Common Legal Issues



Action Items

- Confirm Justices & Judges
- Update Rules of Appellate Procedure
- Update Local Rules of Practice
- Bi-Monthly Clerk Hours in Graham County



Justices & Judges



EBCI Justices & Judges

Brad Letts- #930010101			Supreme Court- Chief Justice	Term expires October 21, 2030 Res. 301 (2024)
Bob Hunter			Supreme Court- Associate Justice	Term Expired April 8, 2019 Res. 537 (2015)
Sharon Barrett			Supreme Court- Associate Justice	No Expiration Res. 244 (2016)
Monty Beck- #930010102	Chief Judge	Full Time	Trial Court	Term expires March 31, 2027 Res. 398 (2021)
Barbara Parker-#930010103	Assoc. Judge		Trial Court	Term expired March 31, 2025 Res. 398 (2021)
Vacant- #930010104	Assoc. Judge		Trial Court	<i>vacant</i>
Jerry Waddell	Part-Time		Trial Court	No expiration Res. 523 (2017)

2026 Bi-Monthly Clerk Hours

BI-MONTHLY MEETINGS

- 2-4 PM @ Friday
- January 16th
- March 20th
- May 15th
- July 24th
- September 18th
- November 20th

SNOWBIRD SENIOR CITIZENS CENTER



ACTION ITEMS

- Answer Questions
- No filings or \$\$
- Explore what we can offer to our friends in Snowbird & Cherokee County
- Report back with recommendations

The Verdict

- *Fantastic staff
- *Total - 20 Employees
- *75% of Employees are Enrolled Members
- *Exciting projects afoot
- *Available to present & answer questions
- *Proactive & positive action will continue under my leadership at the Tribal Court



2025 ANNUAL REPORT

The Cherokee Tribal Clerk of Court Annual Report

2025



2025 REPORT

- Introduction – Clerk of Court Teresa Long Keffer
- Program Operations
- Converting the “Old” to “New”
- Social Media
- Confidentiality Statement
- Office Initiatives Fiscal Year 2026
- Team Members
- Mission Statement
- Vision Statement
- Court Costs
- Summary



Siyo!

As the Tribal Clerk of Court, I am honored to present the 2025 Annual Report, and my first as Clerk of Court, reflecting the continued dedication and service of our Tribal Court staff and to the community we serve. Our mission is to ensure fair and accessible legal processes for all.

Over the past year, our court has worked diligently to improve efficiency, transparency, and responsiveness. We have embraced new technologies and strengthened interdepartmental collaboration.

This report is a brief summary which highlights our daily operations and initiatives that have shaped our work for the past Fiscal Year. It also acknowledges the tireless efforts of our court staff who contribute daily to the integrity and strength of our judicial system.

Sgi!

Teresa Long Keffer


Cherokee Tribal Clerk of Court

The Clerk of Court's Office plays a vital role in the day-to-day operations of the Cherokee Tribal Court. In the following report, you will find information regarding the duties performed daily by the Clerk's Office. Please be advised this list is not all-inclusive, but serves as an overview of responsibilities performed.

Introduction



Mission Statement



The Mission of the Cherokee Clerk of Court's Office is to serve the public, judiciary, and legal community with integrity, efficiency, and transparency. The Office is committed to maintaining accurate court records, providing courteous and professional service, and upholding the principles of justice and accountability in every interaction involving The Cherokee Court.

Vision Statement

To be a trusted cornerstone of the Cherokee Judicial System, recognized for excellence in service, court administration, and commitment to justice and public trust.

The Tribal Clerk of Court's Office plays a vital role in the functioning of the Tribal judicial systems. It serves as the administrative backbone of the Tribal court system. It ensures the smooth operation of court proceedings and assists in maintaining the integrity of court records and processes.

Program Purpose

Program Operations

- Support of the following Tribal Courts: Criminal, Civil, Small Claims, Juvenile, Juvenile Wellness, Estates, Domestic Violence, Family Safety, Traffic, Special Proceedings (confidential), and Guardianships
- Prepare certified copies of documents
- Assist Tribal members with the estate process, filing of wills, POA's, and guardianships
- Calendar the court sessions on a quarterly basis
- Receive, process, and calendar complaints and legal actions
- Assign case numbers and organize case files
- Schedule hearings, trials, and other court proceedings
- Prepare court documents
- File legal documents and ensure proper recordkeeping
- Handle audio recording related to cases
- Collect filing fees, fines, bond payments, and other court-related payments
- Maintain financial transactions via Tyler Cashiering Program
- Support staff to Tribal Judiciary
- Manage courtroom logistics and computer issues
- Provide information and guidance to the Tribal public regarding Court matters



Program Operations - continued

- Manage jury notifications, juror orientation, and assist the Judges with jury sessions
- Enter necessary data for court cases into Tribalex database
- Convert data into new system from old database
- Perform and provide criminal background checks for individuals, law enforcement, and Tribal programs
- Send notifications to court-related parties
- Endorse, certify, file, and notarize documents as required
- Maintain garnishment records
- Maintain social media presence via Facebook, web page, etc.
- Undertaken new policy of cross training all staff for each type of legal area , thereby ensuring that the court is prepared to carry on with necessary work



Converting the “Old” to “New”

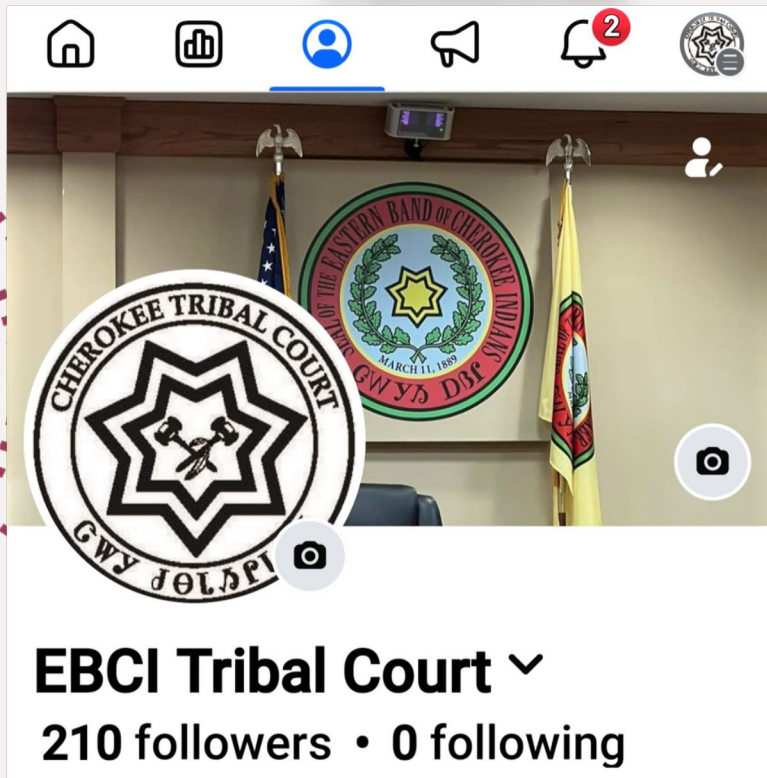


Introducing Tribalex

- In the past, the Clerk’s Office relied entirely on paper filings, with all processes conducted in written format. This involved extensive handwritten documentation, which slowed down operations and was neither time-efficient nor practical. Today, the Office utilizes a software system called Tribalex, which has significantly streamlined court processes. Staff can now quickly and securely enter and manage:
- Garnishments
- Orders for Arrest
- Dismissals
- Plea Agreements
- Other Court Documentation
- Additionally, Tribalex includes a centralized document center where both prosecutors and defense attorneys can upload case-related documents, making access and collaboration much easier. This system is now used across all courts, enhancing efficiency and reducing administrative burden.
- As of September 2025, thousands of files and documents have been uploaded into Tribalex, greatly enhancing the staff’s ability to deliver information quickly and efficiently. Digitizing and uploading older files into Tribalex has been a major effort, but it promises meaningful long-term advantages for the future.

Social Media

Facebook



Getting Noticed

- Addition of a New Facebook Page
- Updated Website @ www.ebci.gov

Social media is a powerful tool for engaging with the public, sharing updates, and promoting transparency. The Clerk of Court will be sharing official business-related information and posts utilizing these platforms. These will reflect the professionalism and integrity of our organization. Content will be accurate, respectful, and aligned with our mission and values. Personal opinions will not be shared on these official accounts.

Website



CONFIDENTIALITY

The Clerk of Court staff upholds all principles of confidentiality to the fullest extent, and adheres to all professional and ethical standards of the Tribal Court. Employees are expected to interact with customers and fellow employees in an honest and trustworthy manner to maintain the reputation of the office.

The Tribal Clerk of Court's Office is committed to upholding the highest standards of confidentiality in all court-related matters. As custodians of sensitive legal records and proceedings, we recognize the trust placed in us by Tribal members and the broader community.

Office Initiatives FY 2026

The following projects will be implemented in FY 2026

- Completion of a Code of Conduct Manual for the Tribal Clerk's Office.
- Development of a new Clerk's manual which will provide the Clerk's staff step-by-step standard procedures for different office processes, thereby allowing all Clerks to have access to approved staff processes. This manual will also include pro se packets.
- Utilization of NCIC/TAP database. This will provide a more comprehensive criminal history when background checks are prepared for court matters or use by individuals.

Court Costs



Circumstances/Cost

- Criminal/Traffic/Infraction Court Cost - \$190
- Probation Fee - \$200
- Civil Filing Fee (custody, divorce, money owed, \$5,000 and over, etc.) - \$150
- Small Claims Filing Fee (repo, eviction, money owed, \$4999.99 and under, etc.) - \$100

Circumstances/Cost

- Civil Appeal Fee - \$250
- Criminal Appeal Fee - \$0
- Appeal Transcript Deposit - \$300
- Estate Filing Fee - \$100
- Special Proceedings Filing Fee (name change, adoptions, power of attorney, etc.) - \$100

Circumstances/Cost

- Records Check - \$25
- Administrative Fee for Garnishment (in addition to any Finance Office fees) - \$20
- Service Fee (other than Tribal) - \$15
- Pro Hac Vice - \$200

• Teresa Long Keffer – Clerk of Court	359-1073	Program Director – Clerk’s Office
• Keanu Crowe – Lead Clerk	359-6203	Assists Clerk with day-to-day office functions
• Amy Vasquez – Assistant Clerk	359-1071	Domestic Violence Court; Estates
• Kayla Arch – Assistant Clerk	359-1075	Criminal Court; Traffic Court
• Sarah Toineeta – Assistant Clerk	359-1070	Civil Court; Small Claims Court
• Tiffany Taylor – Assistant Clerk	359-8117	Juvenile; Family Safety Court
• Quedi Sampson – Assistant Clerk	359-1060	Front Desk
• Rosie R. McCoy – Assistant Clerk	359-6213	Jury; Public Relations

The main office line is (828) 359-1068. From there, you may reach staff members through the directory provided.

Team Members

*** All staff are being cross-trained in each area to improve services to the community and increase office efficiency. The Clerk’s Office has two vacancies.**



Summary

In conclusion, under my stewardship, the Clerk's Office remains committed to the principles of justice, fairness, and cultural integrity within the court system. We strive for transparency, efficiency, and respect for the Eastern Band of Cherokee Indians in all we do. We extend our gratitude to Chief Hicks, Vice Chief Ensley, the Tribal Council, Court Staff, and community members for their continued support and collaboration.

Sgi!

Teresa Long Keffer

Cherokee Clerk of Court

Program Report

Mission Statement

Program Purpose

Program Achievements

Program Operations & Ongoing Projects

Program Facilitator & Primary Contact

Program Projects & Goals for FY26

MISSION STATEMENT

The mission of the Community Dispute Resolution Program (CDRP) is to provide an alternative to litigation in the Cherokee Court by allowing the parties to utilize a neutral third party to facilitate and assist the parties in reaching an agreement.



When established, the CDRP goals were to embed Cherokee values in the process of child custody and parenting time among children's caregivers, help the court make decisions in the best interest of the children, reduce animosity among family members, and improve judicial economy.

The role of the program is to seek peace, cooperation, and commitment from all parties involved to find the best alternative to child custody and other disputes.

The CDRP is designed to support healthy, stable homes for all the children of the EBCI Community. The purpose is to provide child-centered facilitation to encourage parties to resolve disagreements.

The CDRP has authority to facilitate any matters referred by the Cherokee Court or requested by the parties. If the parties cannot reach an agreement, or arrive at an impasse, the CDRP shall notify the Court which will resume authority over the case, if an action has been filed.

Program Purpose

Program Achievement: NC Administrative Office of Courts and Child Custody and Visitation Mediation Program Training

The 2025 conference, titled “Working With Polarization in Conflict,” was held in Raleigh, NC on September 22–23. Dr. Bernie Mayer led the presentations, exploring key topics that offer valuable insights for enhancing the Cherokee Court Dispute Resolution Program.

- Custody Mediation and Permanency Mediation
- Approaches to Mediation, Why We Mediate
- Exploring Impasse, Case Practice
- Dealing With a Conflict at a Deeper Level
- Working Through Emotions in Impasse
- Beyond Outcomes – a Long-term View
- Success and Outcomes
- Certification Achieved for Program Participation

Program Highlight



All seven Criminal Cases referred to the Cherokee Court Dispute Resolution Program were successfully mediated, and the cases were dismissed as part of the resolution agreement.

PROGRAM STATS & ACHIEVEMENTS

7 Criminal Cases were ordered to Mediation. All 7 were successfully mediated and dismissed by the Court.

23 custody cases were ordered to Mediation in 2025.

7 cases reached an agreement, and 11 returned to Civil Court after being declared an impasse.

4 are still currently awaiting the Mediation Process.

1 Equitable Distribution case was ordered to Mediation. An agreement was reached and approved by the Presiding Judge.

Program Operations & Ongoing Projects

- Facilitate mediation between disagreeing parties
- Assist with the development of parenting plan between parties
- Complete CDRP Intake Forms/Information
- Provide orientation for program participants
- Assist participants with understanding court procedures
- Reports to the Cherokee Court regarding dispute status
- Maintain case notes on each circumstance
- Works with Family Safety, Tribal Legal Services, Tribal Court, Clerks, and attorneys daily.
- According to Ord. No. 82 (2021), Sec. 50-14 "Mandatory Child Custody Mediation," (e) "Grandparents may participate in child custody mediation if the parties who have this right to legal custody of the child or children consent in writing."

Program Facilitator & Primary Contact

Glenn Weeks – Dispute Resolution Case Worker

(828) 359-6222

glenwee@ebci-nsn.gov



- The role of the program Facilitator is to be a person of high moral and personal character, committed to integrity, honesty, honor, and humility that are displayed by the professional interaction with all parties involved. The Facilitator will serve as an impartial third party who can assist in facilitating communication, ensuring equal and fair representation, and promote voluntary decision-making among the parties involved.
- The Cherokee Dispute Resolution Case Worker is the only position in the Program. There are no staff openings.

Program Projects & Future Goals for FY 2026

- Seek feedback
- Reflect on performance
- Explore new techniques
- Continue revising the Program Standards of Operating Procedures

“It is not enough to do your best; you must know what to do, and then do your best.”

- W. Edwards Deming

THANK YOU











Annual Report

Cherokee Wellness Court

Eastern Band of Cherokee Indians

Fiscal Year 2025

Report

-  **01.** Mission Statement
-  **02.** Introduction
-  **03.** Program Operations
-  **04.** Program Stats
-  **05.** Achievements
-  **06.** What's next – Program Initiatives
-  **07.** Program Staff
-  **08.** Closing

Mission Statement



To restore the individual and the community through culturally appropriate pathways to recovery requiring accountability, while incorporating outpatient and inpatient treatment to result in positive, permanent lifestyle changes that reduce recidivism.

Introduction:

Wellness Court is a court monitored diversion program where the participant enters a guilty plea, and the sentence is suspended until completion of the program. It includes participation and engagement in:

- **Weekly In-person Check-ins & Nightly Curfew Checks**
- **Monthly Wellness Court**
- **Cultural Activities/Classes**
- **Random Drug Screens**
- **Recovery Classes**
- **Individual Therapy**
- **Community Service Hours**
- **Skill Building**
- **Preparation for the Workforce**
- **Building a Better Life**

Successful completion of Wellness Court will result in dismissal of the charge(s). Termination from the Program will result in activation of suspended sentence(s). Wellness Court runs 12-18 months, depending on the Participant.

Program Operations

- Provide care, coordination, and support services for program participants
- Provide orientation for program participants
- Coordinate weekly in-person meetings and nightly curfew checks with each program participant
- Schedule monthly court proceedings
- Maintain and organize case files
- Enter client data into TribaLex database
- Conduct random alcohol and drug testing, welfare checks, and coordinates home visits with the Cherokee Police Department
- Identify and coordinate support services and provides client advocacy
- Provide transportation to appointments, classes, trainings, interviews, court dates, and other events
- Notify clients of upcoming court dates and fees owed
- Coordinate with staff and other health professionals/agencies in the development of a viable therapeutic network to maximize client opportunities
- Develop and maintain a wellness plan for each participant
- Coordinate, identify, and schedule trainings to enhance the participant's skills
- Coordinate participant wellness reviews
- Recommend corrective actions, if necessary
- Assist with organization of court docket and clerical duties to assist Wellness Court Judge

Program Stats for Fiscal Year 2025

- Total Participants for FY25: 12 participants: 6 successful completions, 2 traffic re-offenses, 1 substance use re-offense
- Current Applications Pending: 3
- Active Participants at Year End (September 2025): 4
- Community Service Hours: 417.5 -not including hours from the 2 participants in MTHP.
- Average Length of Participation: 12 months

Coordinator Trainings/Certifications for FY 25

- Overdose Prevention and Naloxone (Narcan) Education-Community certification
- Equipping Systems to Support American Indian and Alaska Native Families Affected by Substance Use training
- Veterans Treatment Courts: Enhancing Support for Military-Connected Survivors of DVSA in the VTC Process certification
- Stress & Healing Arts Wellness Retreat
- Adult First Aid | CPR AED certification
- Screening, Brief Intervention, and Referral to Treatment (SBIRT) 12-hr certification
- Assessment and Treatment certification
- SUD 101 webinar
- Equipping Professions to Tackle Synthetic Drug Challenges in Prevention- training
- Overdose Grief, Loss, and Healing Supports- training
- Effective Sharing of 'Living Experience' While Maintaining Boundaries webinar
- NC Recovery Court 2025 Statewide Conference
- Building Your Leadership Capacity Part 1 & 2 with Sequoyah Fund
- Traditional Treatment Concepts in Working with Native American Clients certification
- Native Veteran Mental Health certification
- Guiding Principles and Recommendations for Trauma-Responsive Treatment Courts certification
- Strengthening Your Tribal Healing to Wellness Court Through Legal Screenings certification
- Community Supervision webinar
- The 7th Annual Noojimo'iwewin: VAWA & ICWA Training
- Financial Literacy Training with Sequoyah Fund

Participant Trainings/Certifications for FY 25

- 1 completed the Stress & Healing Arts Wellness Retreat
- 1 earned their High School Equivalent Diploma
- 3 completed the OSHA-10 Hour Construction Safety Awareness Workshop
- All completed Adult First Aid | CPR AED certifications
- 2 completed the Flagger Training
- 1 completed the Galvgwodiya Advanced Leadership and Education Training
- 4 completed the Financial Literacy Training with Sequoyah Fund-Part 1

Achievements for FY 2025

- Participants volunteered & attended the following events: the Cherokee Indian Fair- Elders & Veterans Day, the RezHope Gadugi Feast, the Stress & Healing Arts Retreat, the 1st Annual Superhero Walk, Resources for Resiliency Wellness Workshop, Cherokee Rally for Recovery, Honoring LongMan From Darkness Into Hope Mental Health & Suicide Awareness, and the RezHope Recovery Gala, monthly MANNA foodbank
- All participants are certified in CPR and First Aid.
- 3 out of the current 4 participants are employed.
- 5 out of the 12 participants obtained their driver's license.

Projects in Progress

Financial Literacy Training

Learning budgeting and finance skills. Completed part 1 of 3. We will incorporate a 6-month check-in after the training, and again 12-months after the training

Drivers License Restoration

Two participants are working on getting fines paid off and attending all court dates to have license reinstated.

FY 2026 Initiatives

All initiatives are free through partnerships and community classes or have been budgeted for.

- Financial literacy training for participants, with follow-up at 6 months, and then again at 12 months.
- Assess the need and start a Veterans Treatment Court.
- Continuation of participant trainings: GED, Microsoft office 365, Resources for Resiliency, First Aid & CPR.
- Implement assistance for participants in obtaining missing identification cards.
- Continued networking with other tribal, county and state organizations to better serve its participants.
- Partner with EBCI Tribal Option to ensure all participants are enrolled in that program or something similar.
- Monthly cultural lunch & learn for participants. .

Team Members

Member	Position	Contact Number
Barbara Parker	Judge – Cherokee Tribal Wellness Court	359-1060
Brianna Lambert	Wellness Court Program Coordinator	359-6223 736-1932
Mac McKnight	Analenisgi Behavioral Health – Adult Outpatient Services Supervisor	497-9163 extension 7589
Tiana Serio	Tribal Justice Center/Analenisgi Behavioral Health – Master’s Level Therapist	359-6636

“

Recovery is not a straight path—it’s a courageous journey of healing, growth, and rediscovery. Every step forward, no matter how small, is a victory. You are not defined by your past, but by the strength it took to rise above it.

You’ve already proven your resilience by choosing recovery. Keep going. You are worthy of peace, joy, and a life filled with purpose. Surround yourself with support, lean into hope, and remember: progress is more important than perfection.”



Annual Report 2025 Tribal Magistrate Program



2025 Annual Report

- Introduction
- Program Operations
- Achievements for FY25
- Program Initiatives for FY26
- Initial Jurisdiction Form
- Procedure for After-Hours Submission of Petitions for Protective Custody Orders
- Program Stats
- Tour of Duty
- Magistrate Staff

Introduction

The Tribal Magistrate Program Annual Report is a brief overview of Magistrate operations, case information, and administrative developments within the past fiscal year. We are dedicated to justice, transparency, and service to our Tribe and Tribal members. Through collaboration with Tribal Leadership, law enforcement, and Court personnel, the Magistrate's Office strives to ensure fair and responsive legal processes that honor the sovereignty of the Eastern Band of Cherokee Indians.

The Magistrates have full authority within the framework of the Judicial Code to perform the following duties:

- Determine Probable Cause in Criminal Complaints
 - Conduct First Appearance Hearings
 - Determine Jurisdiction
 - Advise Defendants of their Rights
 - Set Bonds
- Sign and Approve Civil Involuntary Commitment Orders
 - Perform Marriages
 - Issue 50B Protective Orders
- Accept Cash Bonds after hours and on weekends
- Sign all Criminal Charges and Criminal Traffic Offenses in Tribalex Database
- Enforce the Codes and Laws of The Eastern Band of Cherokee Indians; the Indian Civil Rights Act of 1968; the Indian Child Welfare Act of 1978; and applicable laws of the US Government and the State of North Carolina



Initial Jurisdiction Form



EASTERN BAND OF CHEROKEE INDIANS The Cherokee Court

File No.

Date of Alleged Offense:

Initial Determination of Jurisdiction and Habeas Form

Defendant Name :

Alleged Offense(s):

Alleged Victim(s):

PART A

1) Does the Defendant have any quantum of Indian Blood? If so, what degree

☐ YES ☐ NO

2) Is the Defendant an enrolled member or eligible to be an enrolled member of any Federally recognized Indian Tribe?

☐ YES ☐ NO

NOTE If the answers to questions 1 and 2 are "yes" the Cherokee Court has jurisdiction over the Defendant. If the answers to questions 1 and 2 are "no" proceed to question 3.

3) Is the Defendant a citizen of the United States?

☐ YES ☐ NO

NOTE If the answer to question 3 is "no" the Cherokee Court has jurisdiction over the Defendant regardless of the answers to questions 1 and 2. If the answer to question 3 is "yes" and the answers to questions 1 and 2 are "no" the Cherokee Court does not have jurisdiction unless the Defendant is charged with a Covered Crime as defined in the Indian Civil Rights Act, in which case proceed to Part B.

PART B

1) Is the Defendant charged with a **Covered Crime** as defined in the Indian Civil Rights Act?

☐ YES ☐ NO

2) Is the victim an Indian?

☐ YES ☐ NO

NOTE: If the answer to **both** questions 1 and 2 in Part B is "yes" the Cherokee Court has jurisdiction. If the answer to question 1 in Part B is "no", the Cherokee Court does not have jurisdiction. If the answer to question 1 is "yes" but the answer to question 2 is "no", proceed to Part C.

PART C

1) Is the Defendant charged with one of the following Covered Crimes as defined in the Indian Civil Rights Act:
Obstruction of Justice or Assault of Tribal Justice Personnel?

☐ YES ☐ NO

NOTE If the answer to question 1 in Part C is "yes" the Cherokee Court has jurisdiction. If the answer to question 1 in Part C is "no" then the Cherokee Court does not have jurisdiction.

Does Defendant wish to have an attorney appointed to them?

☐ YES ☐ NO

Notice to the Defendant: If you are not a U.S. citizen, you have the right to contact your nearest home-country Consulate or Embassy. Further, if you are convicted of a criminal offense, such conviction may carry collateral immigration consequences which could include deportation, removal, and/or exclusion from the U.S.

CR Number Offense Sec Offense Desc

Jurisdiction

Signature of Judicial Official

Judge/Magistrate

Date

Achievements for FY 2025

- Timely Case Resolution – Consistently issuing processes within established time limits.
- Tribalex Efficiency – Eliminating duplicate entries in the database.
- Successful Implementation of Technology – Transitioning to digital systems that eliminate paperwork.
- Magistrate seminar with NC State Magistrates on April 25, 2025
- Tribal Magistrate meeting scheduled for October 31, 2025

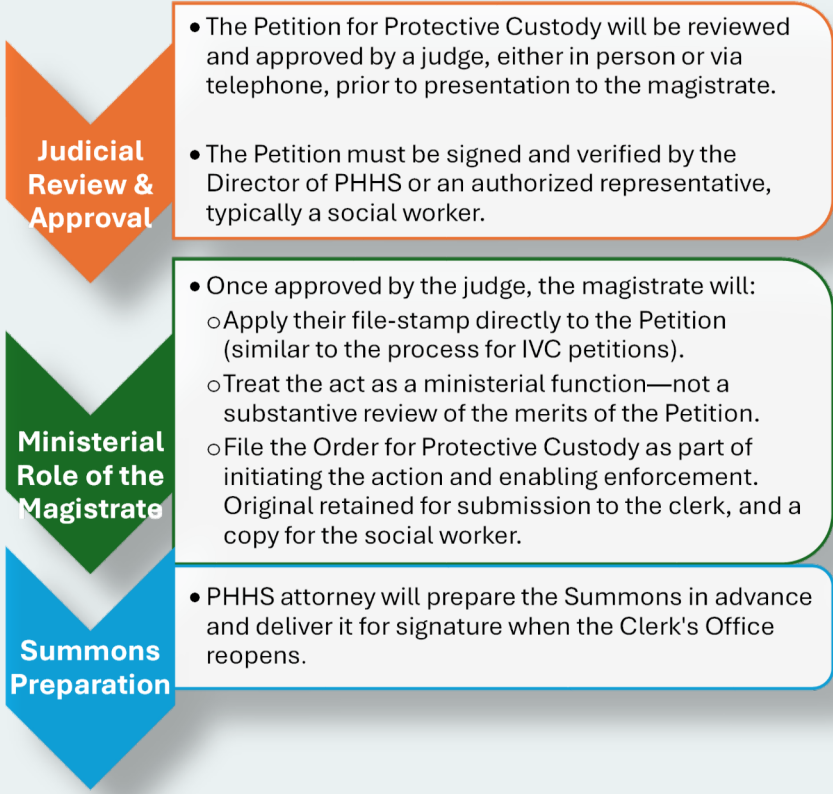


Program Initiatives for FY 2026

- Improve Court Efficiency – Streamlining case-handling processes and reducing processing times.
- Training & Development – Ongoing education for Magistrates to stay current with legal updates and Tribalex updates.
- Accept Safety Petitions for filing when Court is closed.

Procedure for After-Hours Submission of Petitions for Protective Custody Orders

Purpose: To establish a uniform procedure for magistrates and clerks to process after-hours Petitions for Protective Custody Orders, ensuring compliance with statutory requirements and consistency with existing practices while at the same time recognizing the delineated roles involved in these matters.



N.B. This process is distinct from IVC petitions where the magistrate evaluates the petition's substance. In Protective Custody matters, the magistrate's role is limited to facilitating the initial steps post-judicial approval.

Program Stats

In the past 12 months, Magistrates have processed 2,140 charges and verified jurisdiction for 1,131 defendants.

This averages 208 charges per month, and 105 defendants per month.

This information was obtained from Tribalex for September 2024 through August 2025.

Month	Number of Defendants	Number of Charges
September 2024	65	103
October 2024	54	91
November 2024	91	124
December 2024	85	160
January 2025	122	200
February 2025	79	175
March 2025	104	200
April 2025	79	185
May 2025	100	262
June 2025	94	209
July 2025	109	213
August 2025	149	218
TOTAL	1,131	2,140
AVERAGE	105	208

Tour of Duty

- Magistrates will be on a regular tour of duty, as well as on-call schedule for evenings, weekends, nighttime hours, holidays, and when Administrative Leave has been granted. They must have a phone and be accessible to other Court staff and the Cherokee Police Department when on-call.

Magistrates are expected to answer calls within half-an-hour, take complaints, and complete all necessary paperwork on all court matters while on-call in an expedient manner, unless other arrangements have been made.

Magistrate Staff

- Trista Welch
- twelch@ebci-nsn.gov
- Elizabeth McNeill
- elizjack@ebci-nsn.gov
- Dwayne Wiggins
- dwaywigg@ebci-nsn.gov
- John "Dick" Crowe
- dickcrowe@ebci-nsn.gov
- Stephanie Wiggins – Part-time
- stepwigg@ebci-nsn.gov

Contact Information

To contact a Magistrate, please call (828) 497-4131 and ask for the Magistrate on Duty for assistance.

