

NOTE: -- A challenge to a candidate is not the same as a challenge of the results. A challenge to a candidate claiming that the candidate is not eligible to run must be filed at least 10 days BEFORE the election.

HOW TO CHALLENGE RESULTS SITKA TRIBE OF ALASKA TRIBAL COUNCIL ELECTION 2020

1. The Tribal Council has appointed Steven Hartford, to assist protestors with completing the documents needed for the protest.
2. A written protest **must** be filed with the Election Supervisor within three (3) days of the Election Committee's official certification of the election.
3. The Election Supervisor shall convene the Election Committee to investigate any challenges. The Election Committee **must** deliver a written decision to the Tribal Council and the protestor within three (3) days of the receipt of the protest by the Election Supervisor.

APPEAL OF THE DECISION OF THE ELECTION COMMITTEE

1. To appeal the decision of the Election Committee, the Plaintiff **must** file a complaint and summons with the Clerk of the Tribal Court and serve the complaint and summons on the Defendant within three (3) days of the Election Supervisor's decision.
2. The Defendant **must** file an answer to the complaint with the Tribal Court and Plaintiff within three (3) days of receiving the complaint and summons.
3. The Tribal Court Clerk shall schedule a pretrial conference to occur no later than seven (7) days after the answer is filed with the Tribal Court.
4. If a trial is necessary, the trial shall occur within five (5) days of the pretrial conference. The Judge shall issue his/her decision within two (2) days of the completion of the trial.

APPEAL OF THE DECISION OF THE TRIBAL COURT JUDGE

1. To appeal the decision of the Tribal Court, a party **must** file a petition for appeal with the Clerk of the Tribal Court within three (3) days of the entry of final judgment by the Tribal Court. The petition shall be accompanied by a supporting brief that explains the issues the party wishes to appeal.
2. Within (2) days of the filing of the petition for appeal, the Tribal Council acting as the Court of Appeals shall convene to consider whether to hear the appeal. This meeting shall be in chambers, and not of record. Because there is no absolute right to appeal, the Court of Appeals may dismiss any petition that is frivolous or without merit. If the Court of Appeals determines that the petition has merit and is within the proper scope of review, the Court of Appeals shall issue an order granting consideration of the appeal.
3. Within three (3) days of granting consideration of the appeal, the Court of Appeals shall schedule any briefing, oral arguments, and hearings it finds appropriate.
4. A proposed decision of the Court of Appeals shall require a majority vote of the Justices in attendance of the particular appeal.
5. No Tribal Council member who served as the Tribal Court Judge on the matter being appealed shall be a Justice of the Appellate Court. No member of the Tribal Council when presiding as a Justice of the Appellate Court shall be in conflict with, or a party to, any case before the court.