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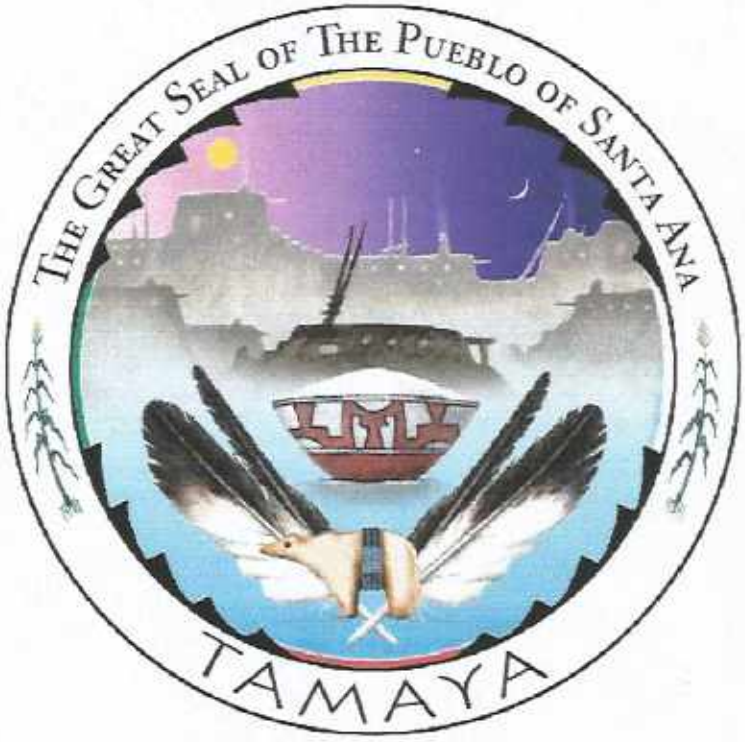
PUEBLO OF SANTA ANA
RULES OF PROCEDURE FOR THE CONTEMPORARY COURT



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Santa Ana Pueblo
Rules of Procedure for the Contemporary Court

The Santa Ana Pueblo judiciary consists of a Traditional Court and a Contemporary Court. These Rules of Procedure apply ONLY to the Contemporary Court. The Contemporary Court shall have original jurisdiction over all matters and parties which lawfully fall within the jurisdiction of the Pueblo of Santa Ana and as limited by these Rules.

GENERAL RULES OF PROCEDURE

Rule 1. JURISDICTION: CASES THAT CAN BE BROUGHT IN THE CONTEMPORARY COURT

(a) The Contemporary Court can hear all criminal matters and civil matters unless the matter is the exclusive jurisdiction of the Traditional Court. Exclusive jurisdiction means that only the Traditional Court can hear and decide the dispute.

(b) The Traditional Court has exclusive jurisdiction over the following disputes:

i. Traditional land assignments;
ii. Traditional adoptions;
iii. Traditional problems for which a criminal complaint is not filed; and
iv. Matters related to traditional activities.

(c) The Contemporary Court cannot hear disputes relating to the matters listed above. A person should go directly to the Traditional Court with traditional disputes.

(d) The Contemporary Court has exclusive jurisdiction over criminal cases. Criminal cases are those defined by criminal statute and contained in a criminal complaint. Traditional Court cannot hear criminal cases.

Rule 2. TRANSFERS TO TRADITIONAL COURT

(a) Transfers With Shared Jurisdiction. Sometimes, a matter involves both Traditional Court issues and Contemporary Court issues. In those cases, the Contemporary Court will send the case to Traditional Court after having decided those issues that may be decided by the Contemporary Court.

(b) Permissive Transfers. A person may have other civil issues that they want to be heard in Traditional Court. Civil disputes may be transferred to Traditional Court if both parties agree to the transfer.

Rule 3. ATTORNEYS, ADVOCATES AND INDIVIDUALS APPEARING BEFORE THE COURT

(a) A person can file or defend a complaint in Contemporary Court by themselves. This is called *pro se*, which means that a person represents themselves.

(b) A person may also be represented by an attorney or an advocate. All advocates and attorneys must be admitted to practice in the Santa Ana Courts before making a court appearance. The mandatory admission form and requirements are available from the Contemporary Court Clerk.

(c) Advocates must provide a certificate of advocate training. Attorneys must provide a certificate of good standing in at least one State Bar.

(d) Advocates and attorneys must be informed of the Pueblo, its laws and traditions and agree to abide by the Rules of the Santa Ana Courts and their Orders.

(e) An annual admission fee shall be set by the Court and must be paid before any appearance is made.

Rule 4. COUNTING TIME

When counting the time that any response, filing or action must be done, the day of the act, event, or default from which the time period begins to run shall not be counted. If the last day of the time period falls on a Saturday, Sunday, federal or Pueblo holiday, the due date shall be the next day the Santa Ana Governmental Offices are open for business. (As an example, start counting the days by which an answer must be filed the day after the summons is served. If the 20th day falls on a Saturday before Labor Day, the answer must be filed with the Court on the Tuesday after Labor Day.)

Rule 5. MOTIONS

(a) A party may request an Order from the Contemporary Court by filing a Motion in writing. A Motion is a written request that must state what the party wants the Contemporary Court to do, why the party believes the Contemporary Court should take the action requested, and any law that supports the request. A Motion may be accompanied by a longer written explanation, or brief, stating the reasons, facts and law supporting the requested action. Motions must contain the form caption as shown in the sample form attached to these rules.

(b) Motions must be provided to (served on) all other persons or parties named in the case by mailing. The party mailing the Motion must certify the day that the Motion was mailed and to what address it was mailed. For an example of a Certificate of Service, you may use the form Motion and Certificate of Service attached to these rules.

Rule 6. ALL DOCUMENTS MUST BE SIGNED

The Complaint, Answer and all Motions or other documents (called "Papers") filed with the Court must be signed by the person submitting the document. The address and phone number of the individual signing must follow the signature. By signing, the person submitting the document is certifying that to the best of the individual's knowledge, information and belief, and after investigating the matter, the complaint or document is not submitted for an improper purpose, is factually accurate, there is evidence to support the alleged facts, and the claims are supported by existing law. If a person is represented by an attorney or advocate, only the attorney or advocate may file papers.

Rule 7. FEES

The Contemporary Court shall set and post the fees for filing, service of process, admission to practice, copies, appeals, and such other costs to be paid by the parties. Fees shall be paid to the Contemporary Court.

Rule 8. DISCRETION OF COURT

The rules set out here do not address every matter that may arise in a proceeding in the Contemporary Court. The Contemporary Court, at its discretion may look to the Federal or State Rules of Civil or Criminal Procedure for guidance in addressing matters not covered by these rules. If the Contemporary Court determines that additional formal rules are necessary to properly adjudicate matters regularly presented to the Contemporary Court, such rules shall be recommended to the Tribal Council for adoption.

Rule 9. FORMS

The Contemporary Court has developed forms which the parties may use when filing petitions, complaints, motions or answers. The latest forms are attached to these rules. The Contemporary Court has the discretion and authority to modify these forms and create new forms to assist parties in court proceedings. The use of these forms is not mandatory as long as the parties comply with the requirements of the Rules of Procedure of the Contemporary Court.

Rule 10. FILINGS, COURT CLERK AND DOCKET

(a) The Contemporary Court Clerk shall open and maintain a docket for every case filed with the Contemporary Court. The docket shall contain the name and addresses of the parties, the name and address of the attorney or advocate, if applicable, and an entry for every pleading, motion, papers, or document filed with the Contemporary Court. It shall contain the dates and outcome of all hearings and trials, evidence submitted, and witnesses called.

(b) All papers and documents to be filed with the Contemporary Court must be filed directly with the Contemporary Court Clerk and shall not be considered filed if they

are left with any other employee of the Pueblo. If filed by mail, they must be addressed as follows: Contemporary Court Clerk, -02 Dove Road, Santa Ana, New Mexico 87004. The party must receive a stamped copy of the filing as evidence the filing was properly made.

(c) The filing party must, at or before the time of filing a paper, send a copy to the other parties in the case. Service on a party represented by an attorney or advocate must be made on the party's attorney or advocate.

(d) Manner and Proof of Service.

i. A party may serve papers through any of the following means:

1) In person, if *pro se*. If the party is represented by an advocate or attorney, by delivery to the attorney or advocate;
2) By U.S. mail;
3) By third-party commercial carrier for delivery within three (3) days; or,
4) By facsimile.

ii. Service by mail or by commercial carrier is complete on mailing or delivery to the carrier. Service by facsimile is complete on successful transmission, unless the party making service is notified that the paper was not received by the party served.

iii. The party serving a paper should certify at the end of the document, how service was made, the address or facsimile number to which it was sent, and the date it was sent.

Rule 11. RECORD

The Record of the Contemporary Court shall consist of all documents and evidence entered into the docket. The court proceedings presently are not recorded. If any party desires to make a recording, the party shall seek leave of the Contemporary Court to make the recording, and make copies of the recording available to the Contemporary Court and every other party involved in the case.

Rule 12. COOPERATION WITH OTHER COURTS AND JURISDICTIONS

(a) The Contemporary Court shall serve as the Santa Ana Trial Court for the purpose of ruling on requests from other jurisdictions for issuance of arrest warrants, extradition, search warrants, writs, orders of repossession or attachment, proceedings and adjudications that arise under the Indian Child Welfare Act, and such other matters that may arise between sovereign judicial systems.

(b) Any warrant, service of process or any other court order from another jurisdiction must be provided to the Contemporary Court for domestication. If the

Contemporary Court determines it is proper and appropriate, the order shall be served but the Pueblo Law Enforcement must accompany the service.

Rule 13. NO WAIVER OF SOVEREIGN IMMUNITY

Nothing in the General, Civil or Criminal Rules of Procedure for the Contemporary Court, is, or shall be deemed to be, a waiver of the Sovereign Immunity of the Pueblo of Santa Ana, its Court, or officials.

Rule 14. ROLE OF CUSTOM AND TRADITION

The Pueblo of Santa Ana existed since time immemorial and before the sovereign government of the United States and as such retains inherent rights of sovereignty powers, including its ability to adjudicate disputes within its territory. Over the centuries, the Pueblo has applied its unwritten customs and traditions to the adjudication of disputes. These written rules are intended to inform the Court and the public of the general processes that will be followed so that there is an orderly adjudication of civil and criminal issues that are placed in the jurisdiction of the Contemporary Court. The historic custom and traditions which inform the adjudication of disputes will continue to be incorporated within these written processes as is appropriate. They provide a historic continuum of the administration of justice that can be recognized and respected by the Pueblo community. Custom and tradition form, in this sense, the Pueblo common law.

Rule 15. APPEALS

Appeals shall be filed in accordance with the Pueblo of Santa Ana Rules of the Tribal Court of Appeals. The fees for filing an appeal shall be set by and published along with all other fees of the Contemporary Court.

Rule 16. ORDERS OF THE CONTEMPORARY COURT MAY NOT BE MODIFIED

Written orders of the Contemporary Court, warrants, and sentencing orders may only be modified, quashed or withdrawn by the Contemporary Court or as may be ordered by the Pueblo of Santa Ana Court of Appeals.

CIVIL RULES OF PROCEDURE FOR THE CONTEMPORARY COURT

Civ. Rule 1. FILING A COMPLAINT OR PETITION

(a) A lawsuit is started when a person files a Complaint or Petition with the Contemporary Court.

(b) In general, a Petition is used for family matters such as a divorce proceeding, guardianship or establishing paternity.

(c) A Complaint is used for most other civil suits.

(d) The Complaint or Petition must have the following information and contain the caption and form set out in the form Complaint or Petition attached to these rules:

i. The name and address of the person(s) filing the complaint - known as the Plaintiff (or for a Petition, Petitioner).
ii. The name and address of the person(s) or entity against whom the complaint is filed - known as the Defendant (or for a Petition, Respondent).
iii. Whether the Plaintiff and Defendants, or Petitioner and Respondent, are members of the Santa Ana Pueblo or any other Tribe, or are a business operating on tribal lands.
iv. When and where the events took place.
v. What law the Defendants or his/her actions violated or what law covers the Complaint or Position.
vi. What remedy the Plaintiff or Petitioner wants in terms of damages (money) or orders of the Contemporary Court.

Civ. Rule 2. SUMMONS AND SERVICE OF COMPLAINT

The Defendant or Respondent must be informed of the filing of the Complaint or Petition so that they can answer and explain their position on the issues raised in the Complaint or Petition. Sending a copy of a document filed in court to the other party is called service.

(a) Court Issued Summons. The Contemporary Court will issue a Summons to the Defendant/Respondent ordering the Defendant/Respondent to answer the Complaint or Petition in twenty (20) calendar days after the Summons is received by the Defendant. If a Defendant/Respondent doesn't answer in that time, the Contemporary Court can rule in favor of the Plaintiff in what is called a Default Judgment.

(b) Service of Summons. The Contemporary Court will send the Summons and a copy of the Complaint or Petition on the Defendant, or Respondent, if the address is on the Pueblo. If the Defendant's, or Respondent's, address is off the Pueblo, the Plaintiff or Petitioner is responsible for serving the Summons and copy of the Complaint or Petition. The Plaintiff or Petitioner must serve the Summons and Complaint or Petition within sixty (60) days of filing the Complaint or Petition. The Plaintiff or Petitioner must provide the Contemporary Court with certification of the date that service was made and how it was made.

(c) How to Serve. Service can be made by delivering the Summons and a copy of the Complaint personally, by leaving a copy at the individual's last known residence with a person at least 16 years old, or by providing it to a person authorized to accept service.

(d) Notice When Personal Service is Unsuccessful. If the person cannot be found at their residence after two visits, a notice that the Summons and Complaint are available at the Contemporary Court can be left posted at the door. Service shall be considered made on the fifth (5^{th}) calendar day after posting the notice. For defendants that are not residents, service must follow the process required by the Tribe or State within which the defendant is located.

Civ. Rule 3. TIME TO ANSWER; DEFENSES

(a) A response to the Complaint or Petition must be filed within twenty (20) days of service of the Summons and Complaint, this is called an Answer.

(b) The Contemporary Court may grant motions for extension of the time to file an Answer.

(c) The response may be in the form of an Answer to the complaint with defenses to the claims set out, or in a Motion which asks the Contemporary Court to dismiss the lawsuit or portions of the claims for specific reasons, supported by law.

Civ. Rule 4. DISCOVERY

A party may request information relevant to the claim or defense of any party to the suit. The party may request such information either in written questions (interrogatories) or through depositions. The party may request that in addition to answering questions, the other party provide documents or other written and recorded information. Information that is subject to a claim of privilege (as that term is understood under Federal Rules of Evidence) need not be disclosed provided that the person asserting a privilege states the privilege and generally describes the nature of the information withheld.

Civ. Rule 5. COURT SUPERVISION OF DISCOVERY

The Contemporary Court may place limits on the scope and amount of discovery if the Court determines the discovery is excessive or burdensome or not likely to lead to relevant information for trial. The Contemporary Court may issues sanctions for substantial discovery abuses or failures.

Civ. Rule 6. TRIALS

The Contemporary Court shall set trials after an appropriate time has elapsed for discovery, and shall attempt to set trials within six (6) months of service of the Complaint. All trials shall be heard and decided by the Contemporary Court Judge. The Contemporary Court may set such pre-trial hearings as it deems necessary to ensure an orderly disposition of the case.

At trial, the Contemporary Court shall hear from witnesses and accept such evidence that the parties provide in support of their claims or defenses.

Civ. Rule 7. EVIDENCE AND SUBPOENAS

The Contemporary Court shall follow relaxed rules of evidence. The Contemporary Court shall issue such rulings on evidence as are appropriate. Subpoenas may be issued by the Contemporary Court at the request of a party. A Subpoena is an order from the court to appear and testify. If a person does not obey a court ordered Subpoena, they may be found in contempt of court. The Contemporary Court may issue fines and/or a warrant to arrest a person who has been found in contempt of court.

Civ. Rule 8. ORDERS

The Contemporary Court shall issue its decisions in the form of an Order that is set out in writing, provided to the parties, and entered on to the docket for the case.

Civ. Rule 9. TEMPORARY RESTRAINING ORDERS

(a) The Contemporary Court may issue a Temporary Restraining Order (TRO) if the person seeking a TRO demonstrates to the court that harm is likely to occur immediately and court protection is necessary to prevent the harm. The Petitioner may demonstrate the likelihood of harm through a signed and sworn Petition and/or testimony provided under oath.

(b) A TRO is not issued automatically, but only after the Contemporary Court can review the Petition and testimony.

(c) The Court may order a TRO without notice to the other party for up to fourteen (14) days and only if the person requesting the TRO demonstrates that the likelihood of harm justifies proceeding without notice.

(d) An initial TRO without notice shall be for no more than fourteen (14) days. Within those fourteen (14) days, the Contemporary Court shall give notice to the person restrained of the Petition, the restrictions contained within the TRO, and the date of hearing on the TRO. A hearing on an initial TRO shall be set and held within fourteen (14) days of the issuance of the TRO.

(e) A TRO may be extended for a period of time up to six (6) months after a hearing has been held with notice to the person restrained.

(f) If the Contemporary Court finds that a Petitioner has been abusing the TRO process by requesting TROs for the purpose of harassment without justification, the Contemporary Court may issue such fines and sanctions as it deems appropriate and are lawful.

RULES OF CRIMINAL PROCEDURE FOR THE CONTEMPORARY COURT

Crim. Rule 1. JURISDICTION

The Contemporary Court shall have jurisdiction over violations of criminal law that occur on the Pueblo of Santa Ana ("Pueblo"). The Contemporary Court's jurisdiction shall extend as permitted by Pueblo and federal law. As of the date of adoption of these Rules of Criminal Procedure, such jurisdiction extends to members of the Pueblo of Santa Ana and members of a federally recognized Tribe. In the event such criminal jurisdiction is expanded by federal law in the future, the criminal jurisdiction of the Contemporary Court shall be automatically expanded as well.

Crim. Rule 2. CRIMINAL COMPLAINT

(a) A criminal prosecution begins with the filing of a Criminal Complaint by Law Enforcement. The Criminal Complaint shall state in writing the essential facts of the criminal offense charged, the name of the offense and, if available, a code section of the offense. The Criminal Complaint must be sworn and made under penalty of perjury. The Criminal Complaint may be accompanied by Affidavits and other evidence supporting the allegations of criminal conduct. The Complaint must establish probable cause.

(b) The Complaint must contain separate allegations to support each of the offenses charged.

Crim. Rule 3. ARREST WARRANT OR SUMMONS ON COMPLAINT

(a) If the Criminal Defendant is not in custody, and the Complaints and any supporting evidence establish probable cause to believe that Defendant committed the criminal offense charged, the Contemporary Court must issue an Arrest Warrant or a Summons. A Summons may be used instead of an Arrest Warrant if the Contemporary Court determines immediate arrest is not necessary. One Summons or warrant may refer to multiple offenses charged.

(b) The Arrest Warrant or Summons must contain:

i. The Defendant's name and tribal affiliation;
ii. The offense(s) charged in the Complaint;
iii. The location of the offense(s);
iv. The order to arrest the Defendant, if an Arrest Warrant; and
v. The date set for arraignment before the Contemporary Court for both an Arrest Warrant and a Summons.

(c) A Law Enforcement Officer shall serve the Arrest Warrant or Summons and make the arrest. A Summons must be served personally on the Defendant.

Crim. Rule 4. ARREST WITHOUT A WARRANT

An Arrest Warrant is required to arrest a person except when:

(a) The offense occurs in the presence of the arresting Law Enforcement Officer; or

(b) The Law Enforcement Officer has probable cause to believe that the person to be arrested has committed an offense and the Law Enforcement Officer has cause to believe that such person may flee the jurisdiction of the Contemporary Court, may destroy evidence of criminal activity, or presents a threat of danger to others or him/herself.

Crim. Rule 5. BAIL AND CONDITIONS OF RELEASE FROM CUSTODY

(a) The Contemporary Court shall post such bail or bond and conditions of release as it deems appropriate, fair and just, and designed to ensure the Defendant will appear for trial, that the public is not exposed to any danger or likelihood of additional criminal activity, and that the Defendant has such liberty as is appropriate, taking into account the nature of the offense(s) charged and the record or criminal history of the Defendant, as may be applicable.

(b) The bail must be set within three (3) days of arrest or the first day the Contemporary Court is open for business, whichever is later.

(c) The form and amount of bail shall be determined by the Contemporary Court. The Contemporary Court may accept cash bail provided by a bondsman on behalf of a criminal defendant.

(d) The Contemporary Court shall take such action as it deems appropriate if the Defendant violates the terms and conditions of release, including issuing Arrest Warrants and imposing penalties.

Crim. Rule 6. SERVICE OF COMPLAINT ON DEFENDANT IF ARRESTED WITHOUT A WARRANT

If a Law Enforcement Officer has made an arrest without an Arrest Warrant, a Criminal Complaint must be completed as soon as possible and presented to the Contemporary Court and served on the Defendant in custody, together with a time and date for arraignment.

Crim. Rule 7. APPEARANCE AND ARRAIGNMENT

(a) The arraignment shall be held at the first session of court following arrest unless the Defendant bonds out. Unless special circumstances exist preventing arraignment, or the Defendant fails to appear, it shall occur no later than ten (10) days after arrest. Any extension of this time for arraignment must be entered into the record by the Contemporary Court. If the Defendant is not in custody, arraignment should occur no later than ten (10) days after service of the Complaint.

(b) At the arraignment, the Contemporary Court shall inform the Defendant of:

i. The offense(s) charged;
ii. The maximum penalty for each offense;
iii. The civil rights provided under the laws of the Pueblo and the Indian Civil Rights Act.

(c) After the Defendant is informed of the offenses charged and rights afforded, and provided an opportunity to ask clarifying questions, the Defendant shall enter a plea of guilty, not guilty or no contest for each of the offenses.

(d) Arraignments may be conducted in court, or through alternative electronic means which allow the Contemporary Court and Defendant to simultaneously hear and communicate with each other. It is recommended that guilty pleas be entered only in person.

(e) A Defendant may waive his/her arraignment and enter a written plea to the offenses charged. The waiver must be filed with the Contemporary Court in time to give notice to interested persons, including victims and charging officials.

(f) If the Contemporary Court determines that the Complaints and any supporting evidence fail to establish probable cause, the Contemporary Court shall order the release of the Defendant from custody, if applicable, and the charges dropped.

(g) The prosecution need not be present at the arraignment.

Crim. Rule 8. WAIVER OF RIGHTS

The Defendant may waive the rights provided under the Indian Civil Rights Act as long as the waiver is made in writing, and voluntarily and knowingly made.

Crim. Rule 9. PROSECUTION

In the absence of a prosecutor, the prosecution may be presented by Santa Ana Law Enforcement.

Crim. Rule 10. PLEA AGREEMENTS

The Defendant may enter into a Plea Agreement on the offense(s) charged. The Plea Agreement must set out the specific conditions for the entry of the plea. The Contemporary Court may accept the plea only after the Contemporary Court determines 1) that the Plea Agreement is voluntarily entered, 2) the Defendant understands the nature of the Plea Agreement and the rights waived in the Plea Agreement, and 3) that the conditions of the Plea Agreement carry out the interests of justice.

Crim. Rule 11. DISCOVERY, SUBPOENAS, EVIDENCE

(a) The Defendant shall be provided with access to or copies of statements and evidence that has been used for the Criminal Complaint and will be used at trial, including evidence favorable to the Defendant. The Defendant shall provide to the prosecutors a list of witnesses and access to any evidence intended to be used at trial.

(b) The Contemporary Court shall follow relaxed rules of evidence. The Contemporary Court shall issue such rulings on evidence as are appropriate.

(c) Subpoenas may be issued by the Contemporary Court at the request of a party. A Subpoena is an order from the court to appear and testify. If a person does not obey a court ordered Subpoena, they may be found in contempt of court. The Contemporary Court may issue fines and/or a warrant to arrest a person who has been found in contempt of court.

(d) The Contemporary Court may place limits on the scope and amount of discovery if the Contemporary Court determines the discovery is excessive or burdensome or not likely to lead to relevant information for trial. The Contemporary Court may issues sanctions for substantial discovery abuses or failures.

Crim. Rule 12. REQUESTS FOR EXTENSION

All requests for extension of time, or any other matter, must be submitted in writing to the Contemporary Court and must be signed.

Crim. Rule 13. TRIALS

(a) The Contemporary Court shall set trials after an appropriate time has elapsed for discovery, and no later than one hundred eighty (180) days after the date of arraignment. In the event Defendant has filed Motions and taken appeals prior to trial that may be dispositive of the case, the Contemporary Court shall extend the trial date as necessary.

(b) Trials shall be heard and decided by the Contemporary Court Judge or a jury of the tribal Sheriffs, which is consistent with the custom and traditions of the Pueblo. The Contemporary Court may set such pre-trial hearings as it deems necessary to ensure an orderly disposition of the case.

(c) At trial, the Contemporary Court shall hear from witnesses and accept such evidence that the parties provide in support of their claims or defenses.

(d) After the prosecution has presented its case, the Defendant may then present his/her defense(s) or elect to have the Contemporary Court make a determination based on the evidence in the prosecution's case alone.

(e) The burden of proof is on the prosecutor.

Crim. Rule 14. JUDGMENTS AND ORDERS

(a) The Contemporary Court shall issue its decisions (judgments of guilt, fines, restitution, sentences, etc.) in writing, which shall be provided to the parties, and entered on to the docket for the case.

(b) Arraignment, judgment and jail commitment may be written on the same form.

Crim. Rule 15. SENTENCING

(a) The Contemporary Court shall exercise its discretion when determining a sentence and abide by applicable federal and tribal law. The Contemporary Court may issue consecutive sentences for separate offenses related to the same incident if it determines that each offense would not violate the double jeopardy clause and is a separate prosecution unit.

(b) Factors the Contemporary Court may consider in sentencing include, but are not limited to, whether victims are involved, the number of victims, the seriousness of the crime and offense(s), past criminal record, recommendation of the prosecutor, statements submitted by or on behalf of the Defendant.

(c) If federal law changes to allow for sentences beyond twelve (12) months or fines in excess of $5,000 for any one offense, the Contemporary Court shall automatically have the authority to sentence and impose fines up to the maximum allowed by federal law.

(d) The Contemporary Court may issue the sentence upon entry of a plea of guilty or no contest, upon entry of a judgment of guilty following trial or upon entry of a plea agreement. The Contemporary Court may, in its discretion, hold a separate sentencing hearing and allow the parties to present statements on recommended sentences.

Crim. Rule 16. STATUS HEARINGS AND PROBATION

The Contemporary Court shall retain jurisdiction of criminal proceedings to hold status hearings and make such orders as may be necessary during incarceration and probation periods and for alternative programs to confinement.

Crim. Rule 17. DIVERSION PROGRAMS

The Contemporary Court may order minor Defendants into diversion programs in cases where a non-violent offense is committed. The Probation Officer or an appropriate agency or traditional process as may be designated, shall oversee/manage the diversion program in cooperation with the minor and his/her parent(s) or guardian(s). Such programs shall be operated in a manner consistent with Pueblo custom and tradition.

Crim. Rule 18. SEARCH WARRANTS

The Contemporary Court may issue Search Warrants upon probable cause supported by oath or affirmation and describing the place to be searched and the person or thing to be seized.

Crim. Rule 19. ORDER TO SHOW CAUSE; CONTEMPT OF COURT

The Contemporary Court has the power and authority to issue Orders to Show Cause and Contempt of Court Orders to compel parties to appear at trial or comply with court orders. The Contemporary Court, at its discretion, may issue fines or bench warrants if an individual fails to comply with an Order to Show Cause or is found in contempt of court.

Crim. Rule 20. WARRANTS FROM OTHER JURISDICTIONS

All warrants and writs from other jurisdictions shall be presented to the Contemporary Court for execution. If the Contemporary Court determines the warrant or writ is proper, the Pueblo Law Enforcement shall accompany the person serving the writ or warrant.