

TITLE 6 - COURTS

CHAPTER 3 - RULES OF COURT

ARTICLE 13 –LONG FORM COMPLAINTS

History: Administrative Order No. 02-09, “IN RE: Order Establishing Rules of Practice and Procedure Concerning the Long Form Complaint,” was ordered February 11, 2009 and addresses the use of the long form complaint.

Related History: Administrative Order No. 03-09 repealed Administrative Order No. 01-04, which was ordered June 15, 2004 and addressed long form complaints and the application of certain court rules.

NOTE: Pursuant to Article VIII, Section 10(d) of the Constitution of the Tohono O’odham Nation and Section 1106(A) of 6 T.O.C. Chapter 1, Courts and Procedures, the Judicial Court is vested with the power to promulgate rules regulating pleading, practice and procedure in all Judicial Court proceedings. The Judicial Court rules are therefore subject to enactment, amendment, or repeal at any time by administrative order issued by the chief judge. Practitioners are accordingly cautioned to contact the Judicial Court for copies of current court rules.

1 In the Judicial Court of the Tohono O'odham Nation

2 County of Pima, In the State of Arizona


3 IN RE: Order Establishing Rules of) ADMINISTRATIVE ORDER
4 Practice and Procedure Concerning the) No.: 02-09
5 Long Form Complaint)
6 _____)

7 On November 21, 2005 the offense of Driving under the Influence became
8 effective as Section 13.12 of Tohono O'odham Criminal Code with a minimum sentence
9 of ninety (90) days of incarceration. In order to reduce confusion regarding when a long
10 form complaint is required, the following procedures shall govern all cases filed pursuant
11 to the Tohono O'odham Criminal Code. This Order is effective immediately and shall
12 supersede and rescind the long form process set forth in Administrative Orders 01-04 and
13 02-04 and any conflicting procedures or policies now in effect.

14 I. Use of the Long Form Complaint.

- 15 A. In all court cases filed pursuant to the Tohono O'odham Criminal Code,
16 where incarceration in excess of sixty (60) days is a possible punishment,
the case must be initiated by the filing of a long form complaint.
- 17 B. The long form complaint must be signed by a prosecutor of the Tohono
18 O'odham Nation.
- 19 C. The long form complaint does not need to be sworn before a judge.
- 20 D. The short form complaint may be used for cases filed pursuant to the
21 Tohono O'odham Traffic Code, and for cases filed pursuant to the Tohono
22 O'odham Criminal Code where the possible punishment is for less than
sixty (60) days of incarceration.

23 Dated and entered this 11th day of February, 2009.

24 
25 Linda Parley
Interim Chief Judge