

HOW TO FILE AN APPEAL

APPEAL A QUINAULT TRIBAL COURT DECISION

Appeals of decisions made in the Quinault tribal Court are heard by a Court of Appeals. You have limited time to file your appeal. Your appeal must be filed in writing and be served on the proper parties. The following instructions are based on the Quinault tribal Code at QTC 30.20.010 and QTC Title 31.

1. When to file your appeal

The safe approach here is to file your appeal within 10 days of the entry of the order or judgment you wish to appeal. This is the time period set in QTC 31.09.010. A different code provision, QTC 30.20.010, allows 20 days. No court decision has resolved this conflict. Again, safest to file your appeal within 10 days. See Case # AP 14-001 Order in the reported decisions section for more information on this issue ([hyper link](#)).

2. Where to file your appeal.

Your appeal must be filed with the Clerk of the Quinault Tribal Court.

3. What to include in your appeal.

Your appeal should be in writing. It should have a heading that indicates that the case is in the Quinault Tribal Court and provide the trial court case number. The heading should also include the words, "Notice of Appeal". Your appeal should state a) who are the parties to the appeal, b) which decision(s) of the Court you are appealing and c) a short statement of the reason or grounds for the appeal. You should sign the document.

4. Who to notify.

You must file a copy of your appeal with the Clerk of the Quinault Tribal Court. You also need to "serve" a copy of your appeal on all parties. Service may be accomplished as set forth in QTC 30B.05.020. One way to serve papers on appeal is by first class mail properly addressed with postage prepaid to the parties or, if represented, their attorney. You should proof of service of the Notice of Appeal with the Clerk.

APPEAL A QUINAULT AGENCY DECISION

Decisions by Quinault Tribal Agencies or their officers are sometimes appealable to the Quinault Tribal Court. Examples are appeals of a dangerous dog decision by the

Director of Community Services or an appeal of a license suspension by the Ocean Fisheries Committee. The rules for these appeals vary and you should check the regulations or QTC provisions that apply to your situation. The appeal time periods vary from 5 to 60 days and who you must notify also varies. But all such appeals are filed with the Quinault Tribal Court Clerk and the format in section 3 above is a good guide.