

**TRIBAL COURT
NANTICOKE LENNI-LENAPE TRIBAL NATION**

NOTICE OF LEGAL ACTION

A petition (complaint) has been filed against you. A copy of the petition is attached to this notice. Your response must be received by the Court no later than thirty (30) days of the receipt of this notice. Failure to file a response may result in a summary judgement against you.

GENERAL INFORMATION AND INSTRUCTIONS FOR FILING A RESPONSE TO A PETITION

1. A petition (complaint) can be filed by:
 - a. A citizen or dependent of the Nation, as defined in the laws of the Nation.
 - b. An official or entity of the government or an arm of the Nation, acting in an official capacity*
 - c. A person or organization party to an agreement (contract, compact, covenant, treaty or other instrument) which is subject to the laws of the Nation.

2. A petition (complaint) can be against:
 - a. A citizen or dependent of the Nation, as defined in the laws of the Nation.
 - b. A person or organization which is party to an agreement (contract, compact, covenant, treaty or other instrument) which is subject to the laws of the Nation.

3. Court procedures are intended to allow for all participants to represent themselves. If representative legal counsel is engaged by either the Petitioner (Plaintiff) or Respondent (Defendant) to act on their behalf, such counsel must have the prior approval of the Nation to participate in the court proceedings of the Nation. Counsel must apply to the Court in letter form, which – in addition to citing the name of party they represent - shall include: name; address; telephone number; email address; affiliations; and, credentials of counsel. Approval of counsel is at the sole discretion of the Court, which will provide additional requirements to counsel, if necessary.

4. Enter the Court Case Number in the appropriate space provided. Enter your full name on the line under the word **Respondent**. Enter the Petitioner's full name on the line under the word **Petitioner**. Please enter the corresponding mailing addresses and other contact information, including email addresses and fax numbers (if available). **This information should be on the initial petition filed against you.**

5. Mark the boxes that identify your status. If required, include tribal citizenship identification numbers.

6. State your response to the claim(s) made against you in the petition as clearly as possible. Any issue brought against you to the court must involve a case or controversy arising out of an alleged violation of the Constitution, law, duly adopted policy, procedure, rule, or regulation of the Nation, or breach of an agreement subject to the same. In your response...
 - a. You may indicate that you do not wish to contest the claim against you and will simply accept the ruling of the court; or,

 - b. You may provide any information or evidence that you feel will aid in your defense.

Additional pages and/or attachments or exhibits may be added, but should be clearly marked and explained. While typewritten submissions are preferred, printed submissions are accepted so long as both the original and copies are legible.

a. The following fees for filing a response* must be paid by either certified check or money order and must be made out to **“Nanticoke Lenni-Lenape Government Affairs”**:

- A citizen of the Nation - \$25.00**
- A dependent of the Nation - \$25.00**
- A person or entity that is party to an agreement subject to the laws of the Nation - \$50.00

** This fee is for the filing of the response only, and does not include any potential court costs or fees for approval of counsel.*

***In the event of financial hardship, Respondents can request to have the response filing fee waived or reduced with a letter, included with their petition, explaining their need.*

b. Mail the **original and two copies***** of the response and/or letter seeking approval for legal counsel with any required fee to:

**Tribal Court
Nanticoke Lenni-Lenape Tribal Nation
18 E Commerce Street
Bridgeton, New Jersey 08302**

**** Be sure to keep an additional copy for your own records.*

c. The response will be stamped with the date upon which it is received.

7. You have up to thirty (30) days from the date of service to answer the Petition, unless otherwise indicated by the Court in writing. Service will be deemed the date of receipt by certified mail or verified receipt of delivery. The answer must be sent to the Petitioner and the Tribal Court by certified mail or other verified receipt of delivery. **FAILURE TO RESPOND IN A TIMELY FASHION MAY RESULT IN A SUMMARY JUDGEMENT IN FAVOR OF THE PETITIONER BY THE COURT.**
8. The Tribal Court will review the petition, response, and additional information to determine whether the case will be heard in court, assigned to arbitration/mediation, or dismissed. Both you and the Petitioner will be notified of the Court’s determination by mail or electronic means. If the Court decides to hear the case, the Petitioner and Respondent will be notified of the date, time, manner, and location of the hearing.
9. Please note that you may choose to waive your right to appear before the Court in the manner determined for the hearing (either in person or through electronic means). If you decide to waive this right, you must complete the attached Waiver and submit it with you response. The Court’s decision will then be made on the written information provided. Both you and the Petitioner will be given time to submit any additional evidence. **IF A WAIVER IS NOT COMPLETED YOU WILL BE EXPECTED TO APPEAR FOR THE HEARING WHEN SCHEDULED. FAILURE TO DO SO MAY RESULT IN EITHER A DISMISSAL OR A RULING BASED SOLELY ON THE WRITTEN STATEMENTS.**

***An original and two (2) copies are required**

**THE TRIBAL COURT
OF THE NANTICOKE LENNI-LENAPE TRIBAL NATION**

Office Use Only
Received: _____

RESPONSE TO LEGAL ACTION

Court Case Number: _____

Petitioner	Vs.	Respondent
_____		_____
Name		Name
_____		_____
Street Address / Apt. #		Street Address / Apt. #
_____		_____
City / State / Zip		City / State / Zip
_____		_____
Phone No.		Phone No.
_____		_____
Email		Email

RESPONSE

COMES NOW, _____ (Respondent), who resides/is located at the address indicated above, and files this Response to the claim made against me by _____ (Petitioner), who resides/is located at the address indicated above.

- I am
- a citizen of the Nation (Tribal ID# _____)
 - a dependent of the Nation (Related Tribal Citizen's Name & Tribal ID# _____)
 - a party to an agreement subject to the laws of the Nation
 - Other: _____

Please indicate which type of response you chose to file (you may check only one):

- I choose not to contest the claim made against me and will accept the decision of the court based upon the claims of the petition (*checking this box waives your right to defend against the claims of the petition*)
- I choose to defend myself against the claims of the petition.

IF YOU CHOSE TO DEFEND AGAINST THE CLAIMS OF THE PETITION, STATE YOUR DEFENSE (*You may attach additional statements on a separate sheet of paper, if necessary.*)

Petitioner's Signature

Date

***An original and two (2)
copies are required**

**THE TRIBAL COURT
OF THE NANTICOKE LENNI-LENAPE TRIBAL NATION
WAIVER OF YOUR RIGHT OF PERSONAL APPEARANCE**

Office Use Only
Received: _____

Court Case Number: _____

Respondent Name: _____

Respondent Address: _____

Street

Apt.

City

State

Zip

Telephone Number (with area code): _____

Email Address: _____

I have been advised of my right to appear before the Court. I understand that my personal appearance, or real-time participation through electronic means, would provide me with the opportunity to present written evidence, my testimony, and the testimony of other witnesses. I understand that this opportunity to be heard could be helpful to the Court in making a decision.

Although I understand my right to appear before the Court, I waive this right. I choose to have my case decided on the written evidence. I understand that if I do not appear before the Court, I still have the right to present a written summary of my case or to enter written statements about the facts into the record.

Signature of Respondent

Date