

Lifecycle of a Case

Below is a general overview of the typical steps in a criminal case in Tribal court. For more information about these steps, click the words and you will be taken to an article about the topic.

First, the alleged crime is committed. After a crime is committed here is what could happen next:

- Suspect is identified, arrested, and booked into jail;
- Police report is forwarded to the Tribal prosecutor; and/or
- Suspect is not arrested but may be issued a citation

Next, the Tribal prosecutor decides whether to bring charges. If the Tribal prosecutor does decides to bring charges, the criminal complaint is filed. At this point, the suspect becomes the accused/defendant. What happens next depends on whether the defendant is in custody:

- If the defendant is in custody, they are brought before the judge for an [arraignment and bail hearing](#)
- If the defendant is not in custody, a [summons to appear in court](#) is issued and served to the defendant. The criminal complaint is attached to the summons; or
- A warrant is issued and the defendant is arrested and booked into jail

Next, there is an arraignment. At the arraignment, the defendant can either plead not guilty, guilty, or no contest. If a defendant pleads not guilty, here is what happens next:

- A pre-trial conference is scheduled
- A trial is held. Here are the potential outcomes at trial:
- Defendant is found guilty
 - If found guilty, the defendant will have be sentenced
 - There is a possibility for an appeal
- Defendant is found not guilty

- The defendant is free to go and nothing further will happen with regards to this particular alleged criminal activity
- A jury cannot reach a decision
 - If the jury cannot reach a decision, a new process starts
 - The prosecution may choose to:
 - Retry the case with a new jury,
 - Negotiate a plea deal, or
 - Dismiss the charges altogether
- The defendant is not found innocent or guilty
 - The defendant can be retried.

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