

**Tule River Tribe
Rules of Court**

Section I. General

Rule 1. Authorization and Scope

These Rules are created by the authority vested in the Tule River Tribal Court (“Court”) by the Constitution of the Tule River Tribe. These rules are not intended to be applied outside of the Court. These Rules do not in any way limit the Tule River Tribe sovereign authority, or waive the Tribe’s sovereign immunity.

Rule 2. Application

These Rules should be liberally construed, in order to secure the just, speedy, and inexpensive determination of every action and proceeding.

Rule 3. Weight of Tribal Law and Other Codes and Ordinances

The court give weigh first to Tribe’s laws, codes and ordinances. In appropriate cases, where needed to fulfill the its judicial role, the Court is permitted to consider the customs and traditions of the Tribe, the common law of other federally-recognized tribes, and the written opinions of other tribal courts. Unless otherwise stated in these rules, or required by federal law, the court is not required to follow California state or federal law, rules of procedure, or rules of evidence. The court may, however, use those rules as persuasive where they do not conflict with the laws of the Tribe.

Rule 4. Use of Tribal Customary Law

The parties of any dispute properly before the court may stipulate to resolve the dispute through tribal customary laws and traditions, provided such laws and traditions promote the fair, efficient and speedy resolution of the dispute.

Rule 5. Location and Hours of the Court

The Tule River Court is located in the Tule River Justice Center at 101-499 BIA Road 234. The court clerk’s office is open Monday through Friday, from 8:30 a.m. to 5:00 p.m. All documents must be filed by 4:30 pm on its due date with the Clerk’s office to be considered timely filed.

Rule 6. Statute of Limitations

All civil actions must be brought within 3 years of the acts underlying the claims raised. Notwithstanding this rule, there is no time limit on actions brought by the Tule River Tribe.

Rule 7. Computation of Time

When used in these Rules, “days” means calendar days, unless specifically stated otherwise. “Court days” means the days that the court is open, Monday through Friday except certain holidays or other days noted on the court’s calendar. If a due date falls on day the court is closed, then the document is due the next court day. There is a presumption that mailing takes 5 days.

Section II. Commencing an Action

Rule 8. The Complaint

- A. All civil actions are initiated by the Petitioner/Plaintiff submitting the Complaint to the Court's Clerk's office and either paying the filing fee or obtaining a waiver for the filing fee.
- B. The Complaint must include:
 - i. the names of all parties;
 - ii. a clear and concise statement as to why the Tule River Court is the proper court to hear the matter;
 - iii. a clear and concise statement of the facts;
 - iv. a clear and concise statement of what Tribal law were broken and why the breach entitles the Petitioner/Plaintiff to relief; and
 - v. a clear and concise statement of what relief the Plaintiff wants the Court to order.

Rule 9. The Summons

- A. Upon the filing the Complaint and either payment of the fee or waiver, the Court Clerk shall issue a summons. The Petitioner/Plaintiff is responsible for serving a copy of the complaint and summons on all parties.
- B. The summons will state the names of the parties; the case name; that each person has been named as a party to the action; that an Answer must be timely filed or a default judgment may be entered against the Respondent/Defendant; and the name and location of the court.

Section III. Service

Rule 10. Procedures for Serving

All documents must be served by a person over 18 who is not a party to the lawsuit. This person must sign the Proof of Service, as detailed in Rule 12. The Complaint must be served personally. All subsequent filings may be served by mail, unless the Court orders otherwise.

Rule 11. Substituted Service

Substituted service allowed only by order of the Court.

Rule 12. Proving Service

The person who served the documents must sign a sworn "Proof of Service" stating the time and place of the service, the name of the person served, and the documents served. The proof of service must be filed with the court at the same time that the documents served are filed.

Rule 13. Time Limit for Serving the Complaint

The Complaint must be served on all parties within sixty (60) days after the Complaint was originally filed. If a proof of service is not filed within this time, the court may dismiss the Complaint with or without prejudice.

Section IV. Pleadings and Motions**Rule 14. Pleadings Permitted.**

Only the following pleadings are permitted:

- A. a Complaint;
- B. an Answer to a Complaint;
- C. an Answer to a Counterclaim;
- C. an Answer to a Crossclaim;
- E. a Third-Party Complaint;
- F. an Answer to a Third-Party Complaint; and
- G. a Reply to an Answer, but only if the court orders one.

Rule 15. Form of Pleadings

All pleadings should be filed on 8 ½ x 11-inch paper. Typewritten is preferred, but handwritten will be accepted, as long as the pleading is not written in pencil. All pleadings have a 20-page limit, not including exhibits. Parties may make a motion to the Court if a longer page limit is necessary, explaining why the longer limit should be granted. Any pleading over 12 pages should include a table of content and a table of cases cited. All pleadings filed should have a caption laying out the name of the case, the court, and the case number. Pleadings should clearly and concisely set out the necessary information in separate numbered paragraphs.

Rule 16. Signature and Sanctions

All pleadings and motions must be signed by the party filing the document. By signing the pleading or motion, the party represents to the court that the pleading is not being filed for any improper purpose, such as to harass another person, to cause unnecessary delay, or to needlessly increase the cost of litigation. The party also represents that they have evidence supporting their factual allegations are true, or reasonably believes they will have such evidence after discovery. If, after notice and a reasonably opportunity to be heard, the Court determines that this rule has been violated, it may impose sanctions.

Rule 17. Responsive Pleadings

- A. All responsive pleadings or motions must be filed within 30 days of receiving the original document.
- B. In responding to a pleading, a party must:
 - i. state in short and plain terms its defenses to each claim asserted against it; and
 - ii. admit or deny the allegations asserted against it by an opposing party. In responding, the party may also state that it lacks sufficient knowledge or information to form a belief about an allegation; and
 - iii. set out any and all claims for relief against the filing party.

Rule 18. Cross Claims and Counter Claims

A. In any responsive pleading, a party may also raise any claims that they have against the other parties.

1. These claims must be raised if the claim arises out of the transaction or occurrence that is the subject matter of the opposing party's claim; and does not require adding another party over whom the Court cannot acquire jurisdiction.

Rule 19. Third Party Practice

A Respondent/Defendant may serve a Summons and Complaint on a nonparty who may be liable for at least part of the claims against them. The Respondent/Defendant may file and serve the third-party Complaint at the same time, or with the Court's permission, more than 14 days after serving its original answer.

The third-party then has 10 days to file a responsive pleading.

Rule 20. Amending Pleadings

Any party may amend their pleadings once, without leave of Court, at any time before receiving a response. In all other situations, a party may only amend their pleading by requesting and receiving a Court order.

Rule 21. Court's Discretion to Strike Pleadings

The court, in its sole discretion, has the ability to strike any pleadings of any irrelevant, false, or improper matter.

Rule 22. Defenses and Motions

- A. Every defense to a claim for relief in any pleading should be asserted in the responsive pleading.
- B. In addition to responding to a pleading, the party may also file a motion for summary judgment, that is, a motion requesting dismissal of the claims on the following bases:
 - i. lack of subject-matter jurisdiction;
 - ii. lack of personal jurisdiction;
 - iii. improper venue;
 - iv. insufficient process;
 - v. insufficient service of process;
 - vi. failure to state a claim upon which relief can be granted.
- C. In addition to responding to a pleading, the party may also a motion for judgment on the pleadings, stating that even if everything in the pleadings is true, the claimant is not entitled to relief, at any time after the pleadings are closed but early enough not to delay trial.

Rule 23. Motion Timing

- A. Before filing any motion under these Rule, the moving party shall call the Clerk of Court and obtain a date and time for the hearing on the motion, which shall be no less than 21 days from when the motion is filed. The moving party shall include on the first page of the motion the date and time the motion will be heard. The moving party shall serve the motion and all supporting papers no less than 14 days before the motion is to be heard.

- B. Any Opposition to the motion must be filed and served at least 5 days before the set hearing date. Any Reply to the Opposition shall be file no less than 3 days before the set hearing date.

- C. The Court retains the discretion to make a decision upon motions without a hearing.

Rule 24. Forms

The Court may, in its discretion, approve forms for parties to use in place of pleadings or motions for the parties' convenience. Any such forms will be available through the clerk's office.

Section V. Judge Disqualification**Rule 25. Motion to Disqualify Judge**

A party may move for the judge to be disqualified on the basis that the judge has a direct interest in the matter, a personal bias, or the judge's impartiality may be reasonably be questioned. The party seeking disqualification shall include a sworn statement as to any facts alleged. The motion will be ruled on by the judge.

Section VI. Hearings**Rule 26. Conference Hearings**

A conference hearing will be set within 45 days of the service of the Petition/Complaint. The purpose of this hearing is to narrow the issues, if possible, and set a general timeline for discovery, hearings dates, and trial or settlement. Further conference hearing dates may be scheduled by a written request or on the Court's own initiative.

To encourage honest discussion, nothing said at a conference hearing shall be admitted into evidence.

Rule 27. Pretrial Hearing

At least 14 days before trial, the parties will appear at a noticed hearing before the Court for the purposes of improving the quality of the trial through more thorough preparation; and facilitating settlement. At this time, if settlement is not possible, then the Court will discuss and schedule pretrial motions, pretrial disclosures, subpoenas, and any other matters appropriate to meet the purposes of the hearing. Attendance is mandatory, and sanctions may be ordered for failure to appear.

Rule 28. Prohibited Ex Parte Communication with the Court

All communication between a party and the judge must be in open court. The only exceptions are if the communication is in the presence of all other parties, is undertaken with the prior written consent of all parties, or is in writing with a copy provided to all parties.

Section VII. Parties

Rule 29. Joinder of Claims

A party asserting a claim may join as many claims as it has against an opposing party, even if not related to the same underlying transaction. However, this is subject to the Court's discretion to later decide to have separate trials for separate matters.

Rule 30. Required Joinder of Parties

- A. As long as the Court has jurisdiction over the person, a person must be joined if, the Court cannot accord complete relief among existing parties in that person's absence. A person who refuses to join as a plaintiff may be made either a defendant or, in a proper case, an involuntary plaintiff. If a joined party objects to venue and the joinder would make venue improper, the Court must dismiss that party.
- B. If a person who is required to be joined if feasible cannot be joined, the Court must determine whether, in equity and good conscience, the action should proceed among the existing parties or should be dismissed.

Rule 31. Permissive Joinder of Parties

- A. Persons may join an action as a Petitioner/Plaintiff if:
 - i. they assert any right to relief jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and
 - ii. any question of law or fact common to all Petitioners/Plaintiffs will arise in the action.
- B. Persons may be joined in one action as Respondents/Defendants if:
 - i. any right to relief is asserted against them jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and
 - ii. any question of law or fact common to all defendants will arise in the action.

Rule 32. Misjoinder

Misjoinder of parties is not a ground for dismissing an action. On motion or on its own initiative, the Court may at any time, on just terms, add or drop a party. The Court may also sever any claim against a party.

Rule 33. Interpleader

- A. Persons with claims that may expose a plaintiff to double or multiple liability may be joined as defendants and required to interplead.

- B. A defendant exposed to similar liability may seek interpleader through a crossclaim or counterclaim.

Rule 34. Intervention

- A. On timely motion, the Court must permit anyone to intervene who:
 - i. is given an unconditional right to intervene by a federal statute; or
 - ii. claims an interest relating to the property or transaction that is the subject of the action, and disposing of the action may as a practical matter impair or impede the person's ability to protect its interest.
- B. On timely motion, the Court may permit anyone to intervene who:
 - i. is given a conditional right to intervene by a federal statute; or
 - ii. has a claim or defense that shares a common question of law or fact with the main action.

Rule 35. Substitution of Parties

A person may be substituted for another party if the claim is not extinguished upon the death, incompetency, transfer of interest from the original party.

Section VIII. Discovery

Rule 36. Discovery

A. DEFINITION OF AND RIGHT TO DISCOVERY

"Discovery" means the obtaining of information by a party to a legal action from another party, other person, or organization. All parties have the right to have information produced by other parties, and witnesses, unless the information is privileged by law. All parties have the duty to reasonably cooperate with other parties in providing discovery. The Tule River Tribal Court shall be guided by, but need not follow, the Federal Rules of Civil Procedure in resolving any discovery dispute.

B. DISCOVERY SCOPE AND LIMITS

Unless limited by court order, the scope of discovery is as follows: Parties may obtain discovery regarding any non-privileged matter that is relevant to any party's claim or defense and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Any information not privileged by law may be subject to discovery including the identity of witnesses, papers and documents, audio, visual, computer generated information, and other similar information. Information within the scope of discovery need not be admissible in evidence to be discoverable.

C. COURT ORDER FOR DISCOVERY

If a party has made reasonable efforts under these Rules to obtain relevant discoverable information, and a party or witness will not cooperate, the party seeking discovery may apply to the Court in writing for an Order requiring discovery. The application shall clearly state the information sought, the reason or reasons why it is relevant to the case and needed, and the efforts that have been made to obtain the information. In exceptional cases where a party reasonably fears the destruction or disappearance of information, that party may apply to the Court for a discovery order without first having tried to obtain it by other means.

Rule 36.1 Duty to Disclose

Except to the extent otherwise stipulated or directed by court order, a party shall, without waiting for a discovery request, provide the other party or parties:

- (1) The name and, if known, the address and telephone number of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings, identifying the subjects of the information;
- (2) A copy of, or a description by category and location of all documents, data compilations, and tangible things in the possession, custody, or control of the party that are relevant to disputed facts alleged with particularity in the pleadings;
- (3) A computation of any category of damages claimed by the disclosing party, made available for inspection and copying the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered; and
- (4) For inspection and copying any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part of all of a judgment which may be entered in an action or to indemnify or reimburse for payments made to satisfy the judgment.

Rule 36.2 Time of Disclosure

Unless otherwise stipulated or directed by the court, these disclosures shall be received by the Court within ten (10) calendar days after the scheduling conference. A party shall make its initial disclosures based on the information then reasonably available to it and is not excused from making its disclosures because it has not fully completed its investigation of the case or because it challenges the sufficiency of another party's disclosures or because another party has not made its disclosures.

Rule 36.3 Authority to Compel

The court shall have authority to compel disclosure or production of discoverable documents, records and other materials, and to compel parties to answer or respond upon the Court's own motion.

Rule 37 Depositions by Oral Examination

(a) WHEN A DEPOSITION MAY BE TAKEN.

(1) A party may, by oral questions, depose any person, including a party, without leave of court, and a deponent's attendance may be compelled by subpoena issued by the court.

(b) NOTICE OF THE DEPOSITION; OTHER FORMAL REQUIREMENTS

(1) *Notice in General.* A party who wants to depose a person by oral questions must give reasonable written notice to every other party. The notice must state the time and place of the deposition, and if known, the deponent's name and address. If the name is unknown, the notice must provide a general description sufficient to identify the person or the particular class or group to which the person belongs.

(2) *Producing Documents.* If a subpoena duces tecum is to be served on the deponent, the material designated for production, as set out in the subpoena, must be listed in the notice or in an attachment.

Rule 38 Interrogatories to Parties

(a) IN GENERAL.

(1) *Number.* Unless otherwise stipulated or ordered by the court, a party may serve on any other party no more than 25 written interrogatories, including all discrete subparts. Leave to serve additional interrogatories may be granted by the court for good cause.

(2) *Scope.* An interrogatory may relate to any matter that may be inquired into under Rule 36(b). An interrogatory is not objectionable merely because it asks for an opinion or contention that relates to fact or application of law to fact, but the court may order that the interrogatory need not be answered until designated discovery is complete, or until a pretrial conference or some other time.

(b) ANSWERS AND OBJECTIONS.

(1) *Responding Party.* The interrogatories must be answered by the party to whom they are directed, or if that party is a public or private corporation, a partnership, an

association, or a governmental agency, by any officer or agent, who must furnish the information available to the party.

(2) *Time to Respond.* The responding party must serve its answers and any objections within 30 days after being served with the interrogatories. A shorter or longer time may be stipulated to or be ordered by the court.

(3) *Answering Each Interrogatory.* Each interrogatory must, to the extent it is not objected to, be answered separately and fully in writing under oath, with the appropriate signature of the answering party.

(4) *Objections.* The grounds for objecting to an interrogatory must be stated with specificity. Any ground not stated in a timely objection is waived unless the court, for good cause, excuses the failure.

(c) USE. An answer to any interrogatory may be used to the extent allowed by the Federal Rules of Evidence.

Rule 39. Producing Documents and Tangible Things, or Entering onto Land, for Inspection and Other Purposes

(a) IN GENERAL. A party may serve on any other party a request with the scope of Rule 36(b):

(1) to produce and permit the requesting party or its representative to inspect, copy, test, or sample the following items in the responding party's possession, custody or control:

(A) any designated document or electronically stored information stored in any medium from which information can be obtained either directly, or if necessary, after translation by the responding party into reasonably usable form; or

(B) any designated tangible things; or

(2) to permit entry onto designated land or other property possessed or controlled by the responding party, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

(b) PROCEDURE.

(1) *Contents of the Request.* The request (A) must describe with reasonable particularity each item or category of items to be inspected; (B) must specify a reasonable time, place, and manner for the inspection and for performing the related acts; and (C) may specify the form or forms in which electronically stored information is to be produced.

(2) *Responses and Objections.*

(A) *Time to Respond.* The party to whom the request is directed must respond in writing within 30 days after being served. A shorter or longer time may be stipulated to or be ordered by the court.

(B) *Responding to Each Item.* For each item or category, the response must either state that inspection and related activities will be permitted as requested or state with specificity the grounds for objecting to the request, including the reasons.

(C) *Objections.* An objection must state whether any responsive material is being withheld on the basis of that objection. An objection to part of the request must specify the part and permit inspection of the rest.

Rule 40. Requests for Admissions

(a) SCOPE AND PROCEDURE

(1) *Scope.* Any party may serve on any other party a written request to admit, for the purposes of the pending action only, the truth of any matters within the scope to Rule 36(b), relating to the facts, the application of law to facts, or opinions about either, and the genuineness of and described document.

(2) *Time to Respond.* A matter is admitted unless, within 30 days after being served, the party to whom the request is directed serves on the requesting party a written answer or objection addressed to the matter and signed by the party of its attorney. A shorter or longer time for responding may be stipulated to or be ordered by the court.

(3) *Answer.* If the matter is not admitted, the answer must specifically deny it or state in detail why the answering party cannot truthfully admit or deny it. A denial must fairly respond to the substance of the matter; and when good faith requires that a party qualify an answer or deny only a part of a matter, the answer must specify the part admitted and qualify or deny the rest. The grounds for any objection to a request must be stated.

(b) EFFECT OF AN ADMISSION. A matter admitted under this rule is conclusively established unless the court permits the admission to be withdrawn or amended.

Section IX. Trial

Rule 41. Trial by the Court

Civil cases shall be tried before the court. There is no right to a jury trial.

Rule 42. Continuances

Continuances of a scheduled trial are disfavored, and will only be granted on a noticed motion show good cause why the trial should be moved.

Rule 43. Failure to Appear; Sanctions

Sanctions for failing to appear at trial are up to the judge's discretion, and may include a ruling in the other party's favor, a fine, community services, limits on access to services or any other fair and reasonable sanctions.

Rule 44. Dismissal of Actions

(a) VOLUNTARY DISMISSAL. The plaintiff may dismiss an action without a court order by (i) filing a notice of dismissal before the opposing party serves an answer; or (ii) a stipulation of dismissal signed by all parties who have appeared.

(b) BY COURT ORDER. An action may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper. Unless the order states otherwise, a dismissal under this paragraph is without prejudice. The court may dismiss the action if the plaintiff fails to prosecute the action for 6 months; or if the plaintiff fails to comply with these rules or court order.

Rule 45. Subpoena

(a) IN GENERAL. The form, contents, requirements, and responses to subpoenas issued by the Tule River shall be governed by Rule 45 of the Federal Rules of Civil Procedure.

Rules 46 through 51 are reserved for later adoption by the court.

Rule 52. Findings and Conclusions by the Court

(a) IN GENERAL. In all actions tried before the court, the judge must find the facts specifically and state its conclusions of law separately. The finding and conclusions maybe stated on the record after the close of the evidence or may appear in an opinion or memorandum of decision filed by the court. Judgment must be entered under Rule 54.

Rule 53. Masters.

(a) IN GENERAL. In exceptional circumstances, the court may appoint a special master, including a tribal elder, to conduct fact investigations and provide the court with findings and recommendations. The appointment of a special master is solely within the court's discretion.

Rule 54. Judgment

(a) DEFINITION "Judgment" as used in these rules includes a decree and any other order from which an appeal lies.

(b) DEMAND FOR JUDGMENT. A default judgment must not differ in kind from, or exceed in amount, what is demanded in the pleadings. Every other final judgment should grant the relief to which each party is entitled, even if the party has not demanded that relief in its pleadings.

(c) COST. Unless a federal statute, these rules, or a court order provides otherwise, cost—other than attorney’s fees—should be allowed to the prevailing party.

Rule 55. Default; Default Judgment

(a) ENTERING A DEFAULT. When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.

(b) ENTERING A DEFAULT JUDGMENT

(1) *By the Clerk.* If the plaintiff’s claim is for a sum certain or a sum that can be made certain by computation, the clerk—on the plaintiff’s request, with an affidavit showing the amount due—must enter judgment for that amount and cost against a defendant who has been defaulted for not appearing and who is neither a minor nor an incompetent person.

(2) *By the Court.* In all other cases, the party must apply to the court for a default judgment. A default judgment may be entered against a minor or incompetent person only if represented by a general guardian, conservator, or other like fiduciary who has appeared. If the party against whom a default judgment is sought has appeared personally or by a representative, that party or its representative must be served with a written notice of the application at least 7 days before the hearing. The court may conduct hearings when, to enter or effectuate judgment, it needs to: (A) conduct an accounting; (B) determine the amount of damages; (C) establish the truth of any allegation by evidence; or (D) investigate any other matter.

(c) SETTING ASIDE A DEFAULT OR A DEFAULT JUDGMENT. The court may set aside an entry of default for good cause, and it may set aside a final default judgement under Rule 60(b).

Rule 56. Summary Judgment

(a) MOTION FOR SUMMARY OR PARTIAL SUMMARY JUDGMENT. A motion for summary judgment and any response thereto filed in the Tule River Tribal Court shall be governed by Rule 56 of the Federal Rules of Civil Procedure.

Rule 57. Declaratory Judgement

(a) The court may enter a declaratory judgment as appropriate in any action pending before the court. The existence of another adequate remedy does not preclude a declaratory judgment that is otherwise appropriate. The court may order a speedy hearing of a declaratory judgment action.

Rule 58. Entering Judgment

(a) SEPARATE DOCUMENT. Every judgment and amended judgment must be set out in a separate document, but a separate document is not required for an order disposing of a motion.

(b) ENTERING JUDGMENT.

(1) *Without the Court’s Direction.* Subject to Rule 54(b) of these rules, and unless the court orders otherwise, the clerk must, without awaiting the court’s direction, promptly prepare, sign, and enter the judgment when the court denies all relief.

(2) *Court's Approval Required.* Subject to Rule 54(b) of these rules, the court must promptly approve the form of the judgment, which the clerk must promptly enter when the court grants other relief not described in this subdivision (b).

Rule 59. New Trial; Altering or Amending a Judgment

(a) IN GENERAL

(1) *Grounds for New Trial.* The court may, on motion, grant a new trial on all or some of the issues—and to any party—when justice so demands. The decision to grant a new trial or amend a judgment shall be within the court's discretion.

(b) TIME TO FILE A MOTION FOR A NEW TRIAL. A motion for a new trial must be filed no later than 30 days after the entry of judgment.

(c) NEW TRIAL ON THE COURT'S INITIATIVE OR FOR REASONS NOT IN THE MOTION. No later than 30 days after the entry of judgment, the court, on its own, may order a new trial for any reason that would justify granting one on a party's motion. After giving the parties notice and an opportunity to be heard, the court may grant a timely motion for a new trial for a reason not stated in the motion. In either event, the court must specify the reasons in its order.

(d) MOTION TO ALTER OR AMEND A JUDGMENT. A motion to alter or amend a judgment must be filed no later than 30 days after the entry of the judgment.

Rule 60. Relief from a Judgment or Order

(a) IN GENERAL. Relief from a judgment or order entered by the Tule River Tribal Court shall be governed by Rule 60 of the Federal Rules of Civil Procedure.

Rules 61 through 64 are reserved for later adoption by the court.

Rule 65. Injunctions and Restraining Orders

(a) IN GENERAL. Injunctions and restraining orders issued by the Tule River Tribal Court shall be governed by Rule 65 of the Federal Rules of Civil Procedure with the exception of subsection (e) of that rule.

Rules 66 and 67 are reserved for future adoption by the court.

Rule 68. Offer of Judgment

(a) IN GENERAL. An offer of judgment by any party to a case pending in the Tule River Tribal Court shall be governed by Rule 68 of the Federal Rules of Civil Procedure.

Section X. Contempt

Rule 69. Contempt

(a) IN GENERAL. Where any party or witness has willfully failed to follow any of these Rules, or an order of the Court, the Court may find that person in contempt. Direct contempt, for actions occurring in court, may be immediately sanctioned. Indirect contempt, for actions occurring outside of court, should be raised by motion or on the court's own initiative, and may be sanctioned after a hearing by the court. Sanctions may include a fine, community services, limits on access to services or any other fair and reasonable sanctions.