



# Council of the Cherokee Nation

Cherokee Nation Tribal  
Council  
17763 S. Muskogee Ave.  
Tahlequah, OK 74464

## Legislation Details (With Text)

**File #:** 17-006      **Version:** 1      **Name:** GUARDIANSHIP AMENDMENT ACT OF 2017  
**Type:** Legislative Act      **Status:** Passed  
**File created:** 1/9/2017      **In control:** TRIBAL COUNCIL  
**On agenda:** 1/26/2017      **Final action:** 2/23/2017  
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**Title:** A LEGISLATIVE ACT AMENDING THE GUARDIANSHIP CODE  
**Sponsors:** Victoria Vazquez  
**Indexes:** Guardianship Code  
**Code sections:** Title 30 - Guardianship and Conservatorship  
**Attachments:** 1. LA-03-17.PDF

Date	Ver.	Action By	Action	Result
2/23/2017	1	OFFICE OF THE CHIEF	Signed	
2/21/2017	1	TRIBAL COUNCIL	Approved	Pass
1/26/2017	1	RULES COMMITTEE	Approved and Forwarded to Council	Pass

### **A LEGISLATIVE ACT AMENDING THE GUARDIANSHIP CODE BE IT ENACTED BY THE CHEROKEE NATION:**

#### **Section 1. Title and Codification**

This act shall be known as the Guardianship Amendment Act of 2017 and codified as Title 30 Section 10(F) of the Cherokee Nation Code Annotated.

#### **Section 2. Purpose**

To amend the Guardianship and Conservatorship Code to eliminate annual reviews for guardianships of minor unless ordered by the Court. This change will allow the District Court to more efficiently review guardianships of minors and save Guardians time while still allowing the Court to have oversight of the cases.

#### **Section 3. Legislative History**

This Act amends Title 30 Section 10(F) of the Guardianship and Conservatorship Code.

#### **Section 4. 30 C.N.C.A. § 10(F)**

The Court shall hold annual review hearings in guardianship cases, unless the Court provides a summary review upon written application of the Guardian, which shall be accompanied by a "Guardianship Review" form approved by the Court. A minute order reflecting summary review and the Guardianship Review form should be filed in each case where there is a summary review. Upon request by the Court, a guardian shall file a progress report with the Court at least thirty (30) days prior to the any required annual review hearing. At any time, any person with an interest in a current

Guardianship may request a review before the Court.

**Section 6. Provisions as cumulative**

The provisions of this act shall be cumulative to existing law.

**Section 7. Severability**

The provisions of this act are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

**Section (code section) 8. Effective Date**

The provisions of this act shall become effective thirty (30) days from and after the date of its passage and approval.

**Section (code section) 9. Self-Help Contributions**

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.