

1 **THE JUDICIAL COURT OF THE TOHONO O’ODHAM NATION**

2
3 **In Re:**
4 **PROCEDURES FOR THE FILING**
5 **OF CRIMINAL COMPLAINTS**
6

ADMINISTRATIVE ORDER
No.: 2024-16

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8 The Tohono O'odham Constitution, Sections 1, 2, and 10(d) vests authority in the Judicial
9 Branch to hear cases and establish court procedures. This Administrative Order sets forth and
10 memorializes the current and historical procedures utilized by the Court for the processing of
11 criminal complaints.

12 In order to ensure that the Court can timely process complaints in preparation for initial
13 appearances, these procedures must be followed. The Court reserves the right to reject any
14 improper filing.

15 Criminal complaints must be filed as set forth in the 3 T.O. R. Crim. P. Rule 1(a):

16 **Complaints.**

17 **(a) Long Form Complaint.**

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19 (1) The long form complaint is required in all criminal cases filed under the Tohono
20 O’odham Criminal Code where incarceration over 60 days is a possible
21 punishment.
22 (2) The long form complaint must conform with 2 T.O. R. Civ. Pro. §§ 4.1-4.2, and be
23 signed, in blue or black ink, by a prosecutor of the Tohono O’odham Nation.
24 (3) The long form complaint does not need to be sworn before a judge.
25 (4) The long form complaint must be filed with the signed, original probable cause
statement.

26 Before processing a criminal complaint, the Court requires information from the Tohono
27 O'odham Nation Department of Corrections (Corrections) booking record in order to confirm the
28 person is in custody; verify their identity, date of birth, address, and social security number if

1 available; gather any applicable court records; and prepare the file for the initial appearance.¹ If a
2 booking record is not received from Corrections, the Court will reject the filing of a complaint.
3 Furthermore, a criminal complaint will not be accepted in open court by a judge.

4 In order to allow time for proper processing of all paperwork, the criminal complaint and
5 original probable cause statement must be submitted to the Court no later than **9:30 a.m.** on
6 weekdays and **8:30 a.m.** on weekends, holidays, and any other day the Judicial Center is closed.
7 The booking record must be submitted by **8:00 a.m. each day.**

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10 Dated and entered: 12/20/24



Rene Alcoverde, Jr.
Chief Judge

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¹ Through a cooperative agreement, Corrections supplies the booking record directly to the Court on the morning after someone is booked.