

**IN THE COURT OF THE GILA RIVER INDIAN COMMUNITY  
STATE OF ARIZONA**

*Arraignment: the law requires that any person charged with a criminal offense must appear before a Community Judge and be informed of the following: your legal rights, the charge(s) against you and the possible maximum penalties; and be given an opportunity to enter a plea to each charge.*

**DEFENDANT'S RIGHTS**

These are your rights if you are charged with a criminal offense.

- The Right to remain silent.
- The Right to have the assistance of legal counsel. That means, you may retain legal counsel at your own expense or have the Court appoint legal counsel at no cost to you if eligible. If you request the Court to appoint legal counsel, an attorney from Defense Services Office will be appointed to represent you.
- The Right to be informed of the charges filed against you.
- The Right to plead not guilty.
- The Right to a speedy and public trial.
- The Rights to demand a jury trial. That means, if you are charged with offenses that are punishable by imprisonment, **upon request**, you have the right to a jury trial before six (6) persons.
- At trial, you have the Right to call witnesses to testify on your behalf, and the Court will provide notice to your witnesses compelling them to appear at your trial.
- At trial, you have the Right to cross-examine or question any witness who gives testimony against you.
- At trial, you may testify if you want, but you cannot be compelled to testify because you have the Right against self-incrimination.
- The Right to file a Notice of Appeal within thirty (30) days after judgment or conviction is entered.
- The Right to file a Writ of Habeas Corpus in this Court or the United States Federal District Court if you believe that you are being unlawfully detained.
- The Right to be considered for release pending trial; you may be released on your own recognizance (O.R.) or released with condition which may include execution of a bond or released into the custody of a person and any other restriction or condition which the Court deems reasonably necessary unless you have been charged with a criminal offense that requires you to be held without bond.

These are your Rights. If you do not fully understand any of these Rights, you will be given an opportunity to ask questions about them during arraignment.

## **LEGAL REPRESENTATION**

The following resources are available to provide legal advice or representation to anyone charged with a crime. The Gila River Indian Community Court makes no guarantee as to the effectiveness of an attorney or advocate. Individuals seeking advice or representation are encouraged to meet with an attorney or advocate prior to court.

- 1. FOUR RIVERS INDIAN LEGAL SERVICES (520) 562-3369**  
A free legal service office that provides advice and representation in criminal matters. Four Rivers provides attorneys and advocates who are generally able to represent all criminal defendants (Community members and non-Community members). Please call for an appointment to conduct an intake session.
  
- 2. DEFENSE SERVICES OFFICE (DSO) (520) 562-5700**  
This office serves as the public defender for Community members charged with a crime. The office is staffed by attorneys licensed by the Arizona State Bar. DSO provides free legal representation and can also refer individuals to private contract attorneys licensed by the Arizona State Bar. Please call for an appointment to conduct an intake session.
  
- 3. PRIVATE ADVOCATES**  
The court has a listing of advocates authorized to practice. Advocates have different levels of experience and education. Some advocates charge a fee to represent an individual in a criminal case. An advocate is NOT an attorney licensed by the Arizona State Bar. Please consult the advocate listing available from the court to determine which advocate may be best for you.
  
- 4. PRIVATE ATTORNEYS**  
The court has a listing of attorneys authorized to practice. Attorneys have different levels of experience and education. Some attorneys charge a fee to represent an individual in a criminal case. An attorney IS licensed by the Arizona State Bar. Please consult the attorney listing available from the court to determine which attorney may be best for you.

## **LEGAL RESOURCES**

If you would like further information on the different types of crimes, penalties, rules of criminal procedure, rules of evidence or other information, please see Rules of Criminal Procedure and Title 5, Criminal Code of the Gila River Indian Community. The Code and Rules are available online under the Government/Judicial Branch tab at [www.gilariver.org](http://www.gilariver.org). The Code is also available at the district service centers, the Ira Hayes Library and the Office of the Community Council Secretary.