

3.50.050 Contest hearing.

If the Election Board conducts a hearing during its review of a contest, the contestant and any respondent may present evidence. For purposes of the hearing, the respondent shall be any person against whom misconduct is alleged, or a candidate who stands to lose his or her election should the election results change due to the contest. The hearing shall ensure minimum standards of due process are met, including:

- (a) Providing notice to the contestant and any respondent;
- (b) Permitting brief opening and closing arguments by the contestant and respondent;
- (c) The presentation of relevant documentary or testimonial evidence by the contestant and respondent;
- (d) The ability of the respondent to confront and cross-examine any adverse witnesses; and
- (e) Any written decisions are based on a preponderance of the evidence; and
- (f) The contestant and respondent are provided a copy of the Board's written decision prior to official certification of election results. [Ord. 56 § 4905, amended, 5/9/2019; Ord. 42 § 4905, adopted, 3/4/2015.]

The Yurok Tribal Code is current through Ordinance 74, passed August 26, 2021.

Disclaimer: The Office of the Tribal Attorney has the official version of the Yurok Tribal Code. Users should contact the Office of the Tribal Attorney for ordinances passed subsequent to the ordinance cited here.

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