

**TITLE 3 – COURTS AND RULES OF COURT
PART III – JUDGMENTS
CHAPTER 3-3 – ENFORCEMENT**

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Section 10 Enforcement (3 PYTC § 3-3-10)

No civil judgment shall be enforced sooner than 30 days after judgment is entered in the docket.

Section 20 Supplementary Proceeding (3 PYTC § 3-3-20)

Upon a motion of the party obtaining judgment, the Court shall order the appearance of the party against whom judgment has been entered for oral examination under oath as to his financial status and ability to pay such judgment, and the Court shall make such supplementary orders as may seem just and proper to effectuate the payment of the judgment upon reasonable terms.

Section 30 Judgment; Stay of Execution; Installment Payment (3 PYTC § 3-3-30)

- (A) A party appealing a judgment against him or her, or filing a motion pursuant to PYT Rules of Civil Procedure 21(A), may make a motion requesting that the court delay (stay) enforcement of the judgment until after the motion or appeal has been decided. The party who won the original judgment may oppose the motion for a stay and/or may request that the court require that the party asking for a stay post a bond to protect him or her from further damage, to cover costs, or to guarantee that sufficient assets are within the control of the court to satisfy the judgment if the original winning party wins the motion or the appeal. Stays shall be granted only under the terms of this section and the Rules of Appellate Procedure, and no stays shall be granted automatically.
- (B) When judgment is to be rendered and the party against whom it is to be entered requests it, the Court shall inquire fully into the earnings and financial status of such party and shall have full discretionary power to stay the entry of judgment and to stay execution and to order partial payments in such amounts over such period, and upon such terms, as deemed just under the circumstances and as will assure a definite and steady reduction of judgment until it is finally and completely satisfied. Upon a showing that such party has failed to meet any installment payment without just excuse, the stay of execution shall be vacated. When no stay of execution has been ordered or when such stay of execution has been vacated as provided herein, the party in whose favor the judgment has been entered shall have the right to avail himself of all remedies otherwise available in Tribal Court for the enforcement of such judgment.

Section 40 Payments of Judgments from Individual Indian Moneys (3 PYTC § 3-3-40)

Where the Pascua Yaqui Tribal Court orders payment of money damages to an injured party and the losing party refuses to make such payment within time set for payment by the Court and when the losing party has sufficient funds to his credit at the Agency office to pay any part of such judgment, the Tribal Court may certify to the Assistant Secretary of Indian Affairs or his authorized representative the record of the case and the amount of the damages. If the Assistant Secretary of Indian Affairs or his authorized representative may so direct, the disbursing agent shall pay over to the injured party the amount of the judgment or such lesser amount as may be specified by the Assistant Secretary of Indian Affairs or his authorized representative from the account of the delinquent party. A judgment shall be a lawful debt in all proceedings to distribute a decedent's estate.

DISPOSITION HEARING

Former Section	New Section
NEW	Section 10
Title 20, Section 113	Section 20
Title 20, Section 114	Section 30
Title 20, Section 115	Section 40