

Karuk Tribal Court

Civil cases

"Civil" cases are the cases in which private citizens (or companies) sue each other in court. Civil cases are not about breaking a criminal law.

There are a lot of different kinds of cases in civil court:

- Small claims cases, which are lawsuits between individuals or companies for \$10,000 or less, and where no one is allowed to have a lawyer.
- General civil cases, usually involving suing someone for money in disputes over things like contracts, damage to property, or someone getting hurt.
- Family law cases such as divorce, child support, child custody, and adoptions.
- Landlord/tenant cases, where a landlord is trying to evict a tenant from a rental property or a tenant that has moved out is trying to get some of his or her security deposit back from the landlord.
- Probate cases, which are generally about taking care of people and their personal affairs (like wills) and conservatorships for people who cannot take care of themselves or handle their own finances.
- Juvenile cases, which involve children under the age of 18 and are separated into 2 main categories: juvenile delinquency (for minors who have broken a criminal law) and juvenile dependency (for children who have been removed from the home or care of their parents).
- Other types of cases like name changes, elder abuse, civil harassment, and many others.

Unlike in criminal cases, there is no right to a court-appointed lawyer in most civil cases. This means that, if you cannot afford a lawyer and you cannot get a legal aid or pro bono (volunteer) lawyer, you have to represent yourself.

In the Karuk Tribal Court civil cases are decided by Judges, like family law, small claims, probate, or juvenile cases.

Standard of proof

In most civil cases, the judge has to make a decision about which side wins based on a standard called "**preponderance of the evidence.**" This means that, if you win, your side of the story is more likely than not. It does not mean that one side brought in more evidence than the other side. It means that one side's evidence was more believable than the other's.

In some cases, the standard for reaching a decision is "**clear and convincing evidence.**" This means that, for you to win, you have to prove that your version of the facts is highly probably or reasonably certain, or "substantially more likely than not."

BUT neither of these standards is as strong as the standard in criminal cases, which requires the state to prove that the defendant is guilty of the crime he or she is being charged with **beyond a reasonable doubt.**