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**IN THE TRIBAL COURT OF THE YAVAPAI-APACHE NATION
CAMP VERDE, ARIZONA**

ADMINISTRATIVE ORDER NO. YAAO 2026-001

**IN RE: AMENDMENT TO THE YAVAPAI-APACHE NATION
RULES OF CIVIL PROCEDURE TO AUTHORIZE
SERVICE BY ELECTRONIC MAIL**

Pursuant to the Constitution of the Yavapai-Apache Nation and the inherent authority of the Tribal Court to administer its operations and to promulgate rules of practice and procedure, and consistent with the Yavapai-Apache Nation Code of Civil Procedure, codified at YAAO-12-002 (Rules of Civil Procedure), the Court enters this Administrative Order amending the Rules of Service and Methods of Service to authorize service by electronic mail under the conditions set forth below.

WHEREAS, The Yavapai-Apache Nation Rules of Civil Procedure (YAAO-12-002) govern the practice and procedure of all civil actions filed in the Tribal Court of the Yavapai-Apache Nation, including the Rules of Service and Methods of Service applicable to pleadings, motions, notices, orders, and other papers filed in such actions;

WHEREAS, The Tribal Court possesses inherent authority and a duty to administer the Court efficiently and to ensure that the Rules of Civil Procedure remain consistent with modern means of communication while preserving the due process rights of all parties appearing before the Court;

WHEREAS, Electronic mail is now a reliable, widely available, and well-established means of communication between litigants, counsel, and the Court, and the prudent use of electronic mail for service of subsequent papers will reduce delay, conserve judicial and party resources, and lower the costs of litigation in the Tribal Court;

WHEREAS, Initial service of process must continue to be made in strict accordance with the Rules of Civil Procedure to ensure that a defendant or respondent has actual notice of the commencement of an action against him, her, or it, and the use of electronic mail under this Order is therefore limited to service of papers occurring after such initial service;

WHEREAS, Service by electronic mail is appropriate where (i) the initial service in the matter has been accomplished and the serving party has thereafter given notice that future service will be made by e-mail, (ii) the Court has authorized service by e-mail in a written order or by an order made on the record from the Bench, or (iii) the parties have consented to service by e-mail; and

WHEREAS, A read receipt generated by an electronic mail system and returned to the sender provides contemporaneous and reliable evidence that the recipient received and opened the served document at the designated electronic mail address, and is therefore sufficient to satisfy the affidavit-of-service requirement of the Rules of Civil Procedure when filed in the manner described in this Order;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Amendment to the Rules of Service and Methods of Service. The Yavapai-Apache Nation Rules of Civil Procedure (YAAO-12-002), and in particular the Rules governing service of pleadings and other papers, are hereby amended by the addition of a new Rule, captioned “*Service by Electronic Mail*,” which shall read in its entirety as follows:

Rule 5 COMMENCEMENT OF ACTION. SERVICE OF PROCESS

Section 3. Methods of Service

(g) Service by Electronic Mail.

(1) When Permitted. After service of process in a matter has been accomplished as provided by the Rules of Civil Procedure, service of any subsequent pleading, motion, notice, order, or other document required to be served upon a party may be made by electronic mail to a designated e-mail address, provided that one of the following conditions is satisfied:

(a) Notice Following Initial Service. After the initial service in the matter has been made, the serving party has given written notice to the party to be served that all future service of papers in the matter will be made by electronic mail to a specified e-mail address; or

(b) Court Order. Service by electronic mail has been authorized by a written order of the Court entered in the matter, or by an order announced on the record from the Bench; or

(c) Consent of the Parties. The parties, by themselves or through their counsel of record, have consented in writing to service by electronic mail at specified e-mail addresses.

(2) Designated E-mail Address. Each party and counsel of record permitted to be served by electronic mail under this Rule shall provide and keep current with the Court and all other parties one or more electronic mail addresses to be used for service. Any change of e-mail address shall be promptly filed with the Clerk of the Court and served upon all other parties.

(3) When Service Is Complete. Service by electronic mail is complete upon transmission of the e-mail to the designated address; provided, however, that any e-mail transmitted after 5:00 p.m. local time, or on a Saturday, Sunday, or Tribal Court holiday, shall be deemed served on the next business day for purposes of computing time under the Rules of Civil Procedure.

(4) Affidavit of Service. The person making service by electronic mail shall execute and file with the Court a written Affidavit of Service stating: (i) the name of the party or counsel served and the e-mail address used; (ii) the date and time the e-mail was transmitted; (iii) the title of each document served and any case or filing reference number; (iv) the condition under subsection (a) above on which service by e-mail is based (post-service notice, court order, or consent); and (v) that the documents served were attached to or contained in the e-mail.

(5) Read Receipt as Affidavit of Service. A read receipt generated by an electronic mail system and returned to the sender, confirming that the recipient opened the served e-mail at the designated address, shall be sufficient as the Affidavit of Service required by this Rule. The read receipt shall be filed with the Court accompanied by a brief, signed statement of the sender identifying the documents transmitted, the e-mail address served, and the condition under subsection (a) above on which service by e-mail is based. The read receipt, together with such signed statement, satisfies the affidavit-of-service requirement of the Rules of Civil Procedure for service made under this Rule.

(6) Failure of Delivery. If the serving party receives a bounce-back, non-delivery report, or other indication that the e-mail was not received at the designated address, service by electronic mail is not complete, and the serving party shall promptly effect service by another method authorized by the Rules of Civil Procedure and file an appropriate Affidavit of Service reflecting the alternative method.

(7) Initial Service Excluded. Nothing in this Rule shall authorize service by electronic mail of a Summons and Complaint or of any other process required to be served to obtain personal jurisdiction over a party. Initial service of process shall continue to be governed by the Rules of Civil Procedure as in effect prior to this amendment.

2. Effective Date. This Administrative Order, and the amendment to the Rules of Civil Procedure set forth above, shall take effect on May 1, 2026, and shall apply to all civil matters pending in or filed thereafter in the Tribal Court of the Yavapai-Apache Nation.

3. Distribution. The Clerk of the Tribal Court shall promptly distribute a copy of this Order to all judges of the Tribal Court, to the Office of the Tribal Attorney, to the Office of the Public Defender, and to the membership of the Yavapai-Apache Nation Bar; shall post a copy of this Order in a conspicuous location at the Clerk's office; and shall publish this Order on the Tribal Court's official website.

4. Construction; Continued Force. The amendment ordered herein supplements, and does not supersede, the existing Rules of Service and Methods of Service of the Yavapai-Apache Nation Rules of Civil Procedure. All provisions of those Rules not inconsistent with this Order shall remain in full force and effect.

5. Severability. If any provision of this Order is held invalid or unenforceable by a court of competent jurisdiction, the remainder of the Order shall continue in full force and effect.

IT IS SO ORDERED.

DATED this 15th day of May, 2026.

/s/ Lawrence King
Hon. Lawrence King, Special Chief Judge
Tribal Court of the Yavapai-Apache Nation