

(B) "STATE" MEANS A STATE OF THE UNITED STATES, THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF PUERTO RICO, OR ANY TERRITORY OR INSULAR POSSESSION SUBJECT TO THE JURISDICTION OF THE UNITED STATES.

(C) "TRIBE" MEANS A TRIBE, BAND, OR VILLAGE OF NATIVE AMERICANS WHICH IS RECOGNIZED BY FEDERAL LAW OR FORMALLY ACKNOWLEDGED BY A STATE.

12-602. POWER TO CERTIFY.

THE COURT OF APPEALS OR THE COURT OF SPECIAL APPEALS OF THIS STATE, ON THE MOTION OF A PARTY TO PENDING LITIGATION OR ITS OWN MOTION, MAY CERTIFY A QUESTION OF LAW TO THE HIGHEST COURT OF ANOTHER STATE OR OF A TRIBE IF:

(1) THE PENDING LITIGATION INVOLVES A QUESTION TO BE DECIDED UNDER THE LAW OF THE OTHER JURISDICTION;

(2) THE ANSWER TO THE QUESTION MAY BE DETERMINATIVE OF AN ISSUE IN THE PENDING LITIGATION; AND

(3) THE QUESTION IS ONE FOR WHICH AN ANSWER IS NOT PROVIDED BY A CONTROLLING APPELLATE DECISION, CONSTITUTIONAL PROVISION, OR STATUTE OF THE OTHER JURISDICTION.

12-603. POWER TO ANSWER.

THE COURT OF APPEALS OF THIS STATE MAY ANSWER A QUESTION OF LAW CERTIFIED TO IT BY A COURT OF THE UNITED STATES OR BY AN APPELLATE COURT OF ANOTHER STATE OR OF A TRIBE, IF THE ANSWER MAY BE DETERMINATIVE OF AN ISSUE IN PENDING LITIGATION IN THE CERTIFYING COURT AND THERE IS NO CONTROLLING APPELLATE DECISION, CONSTITUTIONAL PROVISION, OR STATUTE OF THIS STATE.

12-604. POWER TO REFORMULATE QUESTION.

THE COURT OF APPEALS OF THIS STATE MAY REFORMULATE A QUESTION OF LAW CERTIFIED TO IT.

12-605. CERTIFICATION ORDER; RECORD.

(A) THE COURT CERTIFYING A QUESTION OF LAW TO THE COURT OF APPEALS OF THIS STATE SHALL ISSUE A CERTIFICATION ORDER AND FORWARD IT TO THE COURT OF APPEALS OF THIS STATE.

(B) BEFORE RESPONDING TO A CERTIFIED QUESTION, THE COURT OF APPEALS OF THIS STATE MAY REQUIRE THE CERTIFYING COURT TO DELIVER ALL OR PART OF ITS RECORD TO THE COURT OF APPEALS OF THIS STATE.

12-606. CONTENTS OF CERTIFICATION ORDER.

(A) A CERTIFICATION ORDER ~~MUST~~ SHALL CONTAIN:

(1) THE QUESTION OF LAW TO BE ANSWERED;