

IN THE CROW TRIBAL COURT
IN AND FOR THE CROW NATION

In Re:

COURT OPERATIONS UNDER THE
EXIGENT CIRCUMSTANCES CREATED
BY COVID-19 AND RELATED NOVEL
CORONAVIRUS

Standing Order No. 20-002

Chief Judge Dennis M. Bear Don't Walk

This Order is being issued in response to the recent and rapidly progressing worldwide outbreak of the Coronavirus Disease 2019 (COVID-19). COVID-19 was declared by the World Health Organization as a global pandemic. It is currently spreading throughout the United States of America; and, as of today's date, the Centers for Disease Control and Prevention (CDC) are reporting 3,487 confirmed/presumptive cases across the nation; 7 in Montana, and 3 in local counties directly bordering the Crow Reservation.

In response to this new threat, every level of government has been working to assess the situation and implement measures to mitigate the spread and impact of COVID-19 on the citizens we serve. Just last week, COVID-19 was declared to constitute a national, statewide, and reservation-wide emergency by the President of the United States of, Governor of Montana, and Chairman of the Crow Tribe. In his March 14, 2020 Press Release, Chairman Not Afraid announced, in pertinent part, that all tribal employee travel was restricted until further notice, all non-essential Tribal Employees were to work from home, and requested anyone who traveled to any areas affected by COVID-19 to self-quarantine for a period of fourteen days.

Given the above, and the severity of risk posed to the public, and consistent recommendations made by local public health authorities, it is clear that the Judicial Branch must do its part, and implement reasonable measures intended to mitigate the impact COVID-19 may have on the public; especially the vulnerable at-risk population of our community and our venerated tribal elders.

NOW THEREFORE IT IS HEREBY ORDERED that, effective today, Monday, March 16, 2020:

1. All travel on official Judicial Branch business is hereby suspended until further notice.
2. All Judicial Branch staff shall follow CDC recommended personal hygiene routines to help prevent the spread of COVID-19.

3. All Judicial Branch staff shall work from home (if technologically feasible) or remain at home, when not required to be here to process pleadings, court orders, and/or attend court hearings; i.e.-a Judge, a Deputy Clerk, and a Bailiff.
4. The Court Administrator shall send out a 14 day limited work-schedule to staff identifying specific hours for each.
5. For at least the next two weeks, the Crow Tribal Court will remain open, but temporarily limit its operations as follows:
 - a. **Public Access:**
 - i. The Front Desk shall be open to accept filings and payments from 8:30 a.m. to 12:00 p.m. M-F, and closed at all other times.
 - ii. Parties to existing cases are encouraged to agree to utilize electronic filing, pursuant to the Crow Rules of Civil Procedure and Crow Tribal Court Rules of Practice.
 - iii. All members of the public who are experiencing flu like symptoms, are asked to stay away from the Court, until further notice.
 - iv. Litigants and attorneys who arrive at court and report they are feeling unwell shall be asked to reschedule their appearance.
 - b. **Orders of Protection:**
 - i. Emergency Civil Petitions for Temporary Orders of Protection may be filed after the front desk closes (between 1:00 p.m. and 5:00 p.m.), by contacting BIA-Law Enforcement Dispatch at: 406-638-2631. BIA-Law Enforcement shall contact the Court Administrator, who will call the Petitioner and further process the case.
 - ii. Emergency No-Contact Orders and Orders of Protection in Criminal matters shall continue to be processed by Law Enforcement, the Tribal Prosecutor, and the Criminal Court Judge, as identified in Title 8E of the Crow Law and Order Code.
 - c. **Civil Court:** All non-Emergent Civil Matters scheduled for an in-Court appearance through March 30, 2020, including any associated deadlines, shall be CONTINUED pending further order of the court.

- i. This does not affect any hearings on Orders of Protection, Temporary Restraining Orders, or Child Custody matters.
- d. **Criminal Court:** Adult Arraignments shall be conducted via video conference between the Court and the Rocky Mountain Regional Detention Center at the normally scheduled times; unless otherwise scheduled by the Criminal Court Judge.
 - i. Arraignment Orders shall be transmitted by email to the Rocky Mountain Regional Detention Facility for inmate signature; with signed versions emailed back to the Deputy Clerk of Criminal Court and Court Administrator.
 - ii. Attorneys or self-represented litigants scheduled for a jury trial through April 30, 2020 have the option, and are encouraged, to request a continuance or a bench trial by calling the Court. In such cases, the parties shall ensure that the defendant signs and files a waiver of speedy trial.
- e. **Jury Duty:** All jurors defined by the U.S. Centers for Disease Control and Prevention (CDC) as “at-risk” shall be released from reporting for jury duty upon request made by such juror by phone call to the court. This includes anyone over the age of 60, or those who have underlying chronic health conditions. Jurors who report they are feeling ill must also be dismissed.
- f. **Juvenile Court:** All non-Emergency hearings scheduled through March 30, 2020 are CONTINUED.
 - i. This does not apply to:
 - 1. Juvenile Detention Hearings; which shall be conducted via video conference between the Court and the Youth Detention Center in Busby, Montana at the normally scheduled times; unless otherwise scheduled by the Juvenile Court Judge.
 - 2. Emergency Placement Hearings for Babies born on Methamphetamines.
 - 3. Emergency Child Protection Hearings; upon Petition filed by Social Services.

4. Critical Review hearings; which shall be scheduled/heard on a case-by-case basis; as determined necessary by the Juvenile Court Judge.
 - ii. The Juvenile Court shall send notice at a later date of all continued hearings in April, 2020.
6. The Court Administrator shall coordinate with Executive Branch emergency and disaster response representatives and be involved in all planning sessions held with tribal, federal, state, and local government agencies.
7. This order shall be effective until March 31, 2020, unless extended or modified by further order of the Court.
8. The Court Administrator shall transmit a copy of this order to the heads of the Executive and Legislative Branches, and a copy shall be posted on the Tribal Court website under "Public Notices".

DONE and DATED THIS 16th DAY OF March, 2020.

By:



Hon. Dennis M. Bear Don't Walk
Chief Judge, Crow Tribal Court