

**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. 22-001

Chief Judge Myra Left Hand

This Order is 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. To date, COVID-19 continues to spread with two major variants, Delta and Omicron. Omicron is highly transmissible and eludes the immune response to the prior Delta variant.

In response to Omicron variant spreading at a fast rate within the Crow Reservation, and after thoroughly considering important factors, including the increasing number of positive COVID-19 cases in the Crow community and surrounding areas, and the need to keep the staff safe to operate,

IT IS HEREBY ORDERED that effective Wednesday, January 19, 2022, the Crow Tribal Court shall shut its doors to the public. Judicial Branch staff shall continue working regular hours and as follows:

1. All travel on official Judicial Branch business without prior authorization of the Chief Judge is hereby suspended until further notice.
2. All Judicial Branch staff shall follow CDC-recommended safety guidelines to help prevent the spread of COVID-19 among the Judicial Branch workplace.

3. If any staff member develops symptoms that fall within the CDC protocols, such staff member shall stay home and shall not return to the workplace without a negative COVID-19 test.
4. Electronic service and signature:
 - a. All parties are encouraged to provide written consent to electronic service of process.
 - b. Parties to existing cases are encouraged to utilize electronic filing, pursuant to the Crow Rules of Civil Procedure and Crow Tribal Court Rules of Practice.
 - c. Electronic signatures remain authorized in lieu of handwritten signatures, including signatures required to be on Affidavits or Written Declarations, provided that:
 - i. All documents signed electronically must contain the following declaration:
“I declare under penalty of perjury and the laws of the Crow Tribe that the forgoing is true and correct.”
 - ii. The format for electronic signatures used shall be: *“/s/ First Name Last Name.”*
 - iii. WARNING: A deliberate falsification in any declaration made pursuant to this section constitutes the offense of Perjury as provided in CLOC § 8B-7-201 and is punishable as the offense of false swearing as provided in CLOC § 8B-7-202. A declaration under penalty of perjury executed in accordance with any provision of this code is not limited to the official proceedings referenced in § 8B-7-201.
5. This order shall be effective until modified by subsequent order of the Chief Judge.

6. The Court Administrator shall transmit a copy of this order to the heads of the Executive and Legislative Branches, the Crow Tribal Prosecutor's Office, the Bureau of Indian Affairs (BIA) Crow Agency Superintendent, the BIA-OJS Crow Agency Police Department, BIA-OJS RMRDF, and shall post copy on the Tribal Court website under "Public Notices."
7. Since the Crow Tribal Courts will remain open, it will be limited to its operations:
 - a. Emergency Civil Petitions for Temporary Orders of Protection.
 - b. 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.
8. All non-emergent civil matters scheduled for an in-court appearance, including any associated deadlines, will be pending until further notice.
9. This does not affect any hearings on Orders of Protection, Temporary Restraining Orders, or Child Custody matters.
10. 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.
 - a. 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.
 - b. Attorneys or self-represented litigants scheduled for a jury trial 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.

11. Jury Duty: All jurors who qualify as “at-risk,” as defined by the CDC, 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 certain underlying chronic health conditions. Jurors who report they are feeling ill must also be dismissed.

12. Juvenile Court: All non-emergent hearings scheduled through are CONTINUED.

a. This does not apply to:

- i. 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.
- ii. Emergency Child Protection hearings, upon petition filed by the Crow Tribe on behalf of Social Services.
- iii. Critical Review hearings which shall be scheduled and heard on a case-by-case basis, as determined necessary by the Juvenile Court Judge.
- iv. The Juvenile Court shall send notices at a later date of all continued hearings.

13. 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.

14. This order shall be effective until further notice unless extended or modified by further order of the Court.

DONE and DATED this 19th day of January 2022.

By: 
HONORABLE MYRA LEFT HAND
Chief Judge, Crow Tribe Judicial Branch