

TRIBAL COURT LIMITED OPERATIONS PLAN AND ADMINISTRATIVE STANDING ORDER  
SUPPLEMENTAL ORDER RE: PROBATION DEPARTMENT during closure

MARCH 19, 2020

Pursuant to the Emergency Closure of the Tulalip Tribal Court, these procedures will govern the continued court review of Probation cases during the closure.

Court operations are substantially curtailed to help keep the public and our employees' safe during the COVID-19 pandemic. We have entered an unprecedented time and are working hard to understand how best to go forward with court with the growing outbreak of COVID-19 for the Tulalip Tribes and the Tribal Court. We are closely monitoring recommendations and practices from the Centers for Disease Control and Prevention to protect the public's health. To minimize the health impacts of COVID-19 to our community, we are implementing a variety of emergency strategies to increase social distancing and slow the spread of this disease. We understand these actions will have a tremendous impact on all members of our community.

1. COMMUNITY SUPERVISION OFFICE CASES

All Probation Review hearings, under the TRIBAL COURT LIMITED OPERATIONS PLAN AND UPDATED ADMINISTRATIVE STANDING ORDER, will be continued past April 6, 2020 and may be continued further if the closure is extended by the Tulalip Board of Directors. The Court will be closed to all probation matters, with the exception of emergency motions brought before the Court by either Prosecution, Probation Officers, Tulalip Police Department or the Judges.

Probation clients serving probation sanctions and have a release date of March 17 – April 1, 2020 shall be released from Snohomish County Jail immediately.

Probation clients that are released during the closure, and are required to check in following their release, should do so by calling the Community Supervision department staff-Jessica Marker (360) 631-4736 and Angel Sotomayer (360) 722-6307.

There will be no in person check-ins with Probation clients and their Probation Officer until further order of this Court. Probation clients are to continue to check in using RecoveryTrek and by calling their Probation Officer and follow all directions.

If a client is placed on Probation during the closure they are to contact Community Supervision staff, Jessica Marker at (360) 631-4736 and follow all directions.

The Probation clients will continue to provide urinary analysis (UAs) when directed to by their Probation Officer and/or RecoveryTrek. The Central Drug and Alcohol Collection (CDAC) will be collecting samples from 8:00 am – 12:00pm, until further notice. No late UAs will be permitted during the closure for any reason.

The Community Supervision Department has created processes for holding remote emergency hearings, and for signing electronically and filing remotely.

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Warrants may still be issued by the Tulalip Tribal Court upon request of the Probation Officer by submitting a motion with a factual basis for the warrant request and a compliance report to the Court Administrator, Stephanie Ancheta at [courtclerkstaff@tulaliptribes-nsn.gov](mailto:courtclerkstaff@tulaliptribes-nsn.gov) using the subject line "Warrant Request - For Judges Review". If it is deemed by the Court that the probation client is substantially out of compliance with their probation and they pose a substantial danger to themselves and/or the Tulalip community a warrant will be issued, and processed by the Court Clerk on call using the same procedures the Court used while open.

All Probation Officers may file their compliance reports, and any other filings by email, fax or mail until further notice. If e-filing please use the following email: [courtclerkstaff@tulaliptribes-nsn.gov](mailto:courtclerkstaff@tulaliptribes-nsn.gov). The filer should use the subject line of "For E-Filing-Probation". There are no judges copies required at this time. If you are filing for review use the subject line of "For Judges Review".


If there is a need for an emergency probation review hearing Probation Department will follow their usual policies and procedures, and contact Judge Janine B. Van Dusen, and Court Administrator Stephanie Ancheta. The clerk's office will submit to the Judge the filings for review. If an emergency hearing is required the hearing will be held remotely.

If a person believes there is a concern about the health, safety and welfare of a probation client the following services are available: Tulalip Tribes Family Services will be available at the Tulalip Health Clinic from 8:00am - 12:00pm for crisis intervention. The National Suicide Prevention Lifeline is 1-800-273-8255 and is available for free and confidential support, 7 days a week, 24 hours per day. If an emergency exists call 911. The Tulalip Tribes "Lois Luella Jones Law" protects anyone who sees an overdose and calls 911 from arrest for possession of illicit substances or paraphernalia charges; underage drinking charges; contributing to a minor. You will not be arrested for non-violent misdemeanor warrants; cannot be the sole reason to modify or revoke probation; immunity includes all present who cooperate with medical staff. This law only applies in overdose situation or other life-threatening emergencies.

Therefore, the court hereby affirms and declares:

**HEALTH EMERGENCY**- Recognizing the state of emergency declared by the Tulalip Tribes due to the COVID-19 virus, this supplement to the emergency standing order shall be in effect for Tulalip Tribal Court immediately, and shall remain in effect until rescinded by the Tulalip Tribal Court Chief Judge or Deputy Chief Judge. This order shall apply to all persons who are transacting business with Tulalip Tribal Court and shall include but is not limited to attorneys, parties, witnesses, and the general public.

So issued this 19<sup>th</sup> day of March, 2020.

  
Janine B. Van Dusen, Associate Judge

Michelle Demmert, Chief Judge  
Remy Leonard, Deputy Chief Judge  
Leona Colegrove, Associate Judge  
Josh Heath, Associate Judge  
Ron Whitener, Associate Judge  
Alicia Horne, Court Director