



**The Oscar Carl Jones Sr.
TULALIP TRIBAL COURT**

6332 31st Ave. NE, Suite B | Tulalip WA 98271
Tel: (360) 716-4773 | Fax: (360) 716-0657



Vision:
Judicial Excellence

**TRIBAL COURT LIMITED OPERATIONS PLAN AND UPDATED ADMINISTRATIVE
STANDING ORDER**

MARCH 16, 2020

Court operations are substantially curtailed to help keep the public and our employee's 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.

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this emergency standing order shall be in effect for Tulalip Tribal Court immediately, and shall remain in effect until rescinded by the Tulalip Tribal Court Chief Judge or Deputy Chief Judge.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 jurors.

1. **Limited hours:** The Tulalip Tribal Court and Probation will close for normal business operations to the public from March 16, 2020 to March 31, 2020. Posting of the closure will begin March 17, 2020 at the Court House and the Tribal Court Website.
 - A. The Judges and Executive Team will be working offsite and will remain on call, and will provide all necessary personnel (Probation, Wellness Court, Prosecutors, UW Public Defenders and Police Dept.) with their fax numbers, cell phone numbers and email. We will have necessary personnel on stand-by if needed at Court, Probation, Wellness, and TOCLA.

2. **Courthouse access:** Only attorneys, parties, witnesses and jurors who have business with the court will be permitted inside the courthouse. The attorneys, parties, witnesses and jurors will be screened at the courthouse entrance for signs/symptoms of the COVID-19 virus. Anyone showing signs of illness or feeling ill shall not enter the Tulalip Tribal Courthouse. Anyone in the high-risk categories for the COVID-19 virus (such as Elders 60 years of age and older and anyone with underlying health conditions such as heart disease, lung disease, or diabetes or those who have weakened immune systems, or who

are pregnant) shall not enter the courthouse and may also seek to avail themselves to the policies set forth in this Emergency Order.

3. Criminal Court: The court has found good cause to continue all criminal matters, including all jury trials, for a minimum of twenty one (21) days which shall be considered to be an excluded time period for purposes of speedy trial. The earliest that a jury trial can be set is in May.
 - A. The court's jury trial line shall be updated to state that all jury trials for the March are continued and jurors called for the month of March are relieved of their jury service. There will be no summons issued for April.
 - B. No criminal in custody defendants shall be transported until further notice or March 30, 2020, whichever comes sooner.
 - C. Any search warrants or probable cause hearings will continue to be sent to the Judge on duty that week, which is the normal practice for the Judges and Prosecution by the Police Dept. 24/7.
 - D. Any essential criminal in custody hearings, including first appearances on mandatory arrest charges, shall be conducted telephonically.
 - E. Any party wishing to continue their currently set criminal matter out longer than 21 days may execute a speedy trial waiver and request new court dates which will be provided to the parties by the court.
4. Emergency Orders pursuant to Title 4, Youth, Elders and Family, if needed, will be emailed/faxed to Clerk's office and then forwarded to the Judges for review and signature. These petitions shall have Orders incorporated in them so they can be signed and emailed/faxed back. Hearings will be held within 72 hours as needed, excluding Saturday, Sunday and holidays telephonically. The Juvenile Court shall create a plan for other types of hearings.
 - a. All non-urgent civil matters currently scheduled for court hearing shall be continued by the court for a minimum time period of thirty (30) days. The court will be providing notices of new court dates to parties in these matters and orders of continuances will be issued.
5. Probation and Wellness Offices will be closed and all check-ins will be done telephonically beginning March 16, 2020 and a plan for telephonic hearings/counseling will be issued by separate order.
6. Domestic Violence or Sexual Assault Protection Orders-- The court has previously found good cause to continue DVPO and SAPO cases currently set to hearing for a minimum period of thirty (30) days. Temporary Protective orders will remain in place and the court will notify the parties of new court dates. New petitions for emergency Domestic Violence Protective Orders or Sexual Assault Protective Orders may be filed with the court via email or US mail as described above. If parties need legal assistance from TOCLA, the parties may contact TOCLA at ikerney@tulaliptribes-nsn.gov, and arrange

for telephonic assistance. The court shall continue to review emergency protective order petitions and issue temporary protective orders if appropriate, and shall set hearing dates at least thirty (30) days out.

- a. The court shall be alerted by email and will accept all court filings either via email at Court Clerk Staff CourtClerkStaff@tulaliptribes-nsn.gov, or via US mail sent to: Tulalip Tribal Court, 6332-31st Ave Ne, Suite B, attn.: Clerk's Office, Tulalip, WA 98271.
7. UA tests: Any individual with a current court-ordered UA requirement shall continue to call in and report to CDAC to UA when required. CDAC is conducting its own screening process and will not permit any symptomatic individual to UA.
 8. Ex parte/Bench warrant quash calendar: For the next two weeks, the court will not conduct an ex parte/bench warrant calendar. Any individual wishing to file documents with the court may file via email or US mail as described above.

The court staff and judges will continue to monitor the court's and the community's needs during this time, making adjustments as needed and provide further updated orders. This is a fluid situation and requires all of us to come together to continue to fulfill our duties and obligations while staying within the guidelines issued by the Center for Disease Control and Prevention, the Tulalip Tribes, the State and the Federal governments.

So issued this 15th day of March, 2020.



Michelle Demmert, Chief Judge



Alicia Horne, Court Director

