

IN THE SUPREME COURT OF THE CHICKASAW NATION, OKLAHOMA

AND

IN THE DISTRICT COURT OF THE CHICKASAW NATION, OKLAHOMA

SUPREME COURT ADMINISTRATIVE ORDER 2020-1

FIRST EMERGENCY JOINT ORDER REGARDING COVID-19

Governor Anoatubby issued an Executive Department Advisory Order COVID-19 on March 5, 2020. The President of the United States declared a national emergency on March 16, 2020. This Joint order is issued to clarify the procedures to be followed in the Chickasaw Nation District Court, Supreme Court and Peacemaking Court and to encourage social distancing and to avoid risks to Justices, Judges, Peacemaking, Court Clerks, Court employees, citizens and the public. In an effort to help curb the potential spread of the COVID-19, the Supreme Court of the Chickasaw Nation hereby orders, effective immediately the following:

1. The Courts are open and will remain open under all circumstances, subject to the provisions of this Order.
2. Those permitted in court proceedings shall be limited to attorneys, parties, witnesses, security officers, and other necessary persons, as determined by the Judge or Justices. This applies to all dockets and cases that are permitted to proceed. The Judge responsible for each docket is authorized to determine the manner in which in-person court proceedings are to be conducted.
3. The Chickasaw Nation District Court shall immediately cancel all jury terms for the next 30 days and release jurors from service. No additional jurors shall be summoned without the approval of the Chief Justice. All civil, criminal and juvenile jury trials shall be continued to the next available jury term.
4. Subject only to constitutional limitations, all deadlines and procedures whether prescribed by Chickasaw Nation Code, rule or order in any civil, family law matters, juvenile or criminal case, shall be suspended for 30 days from the date of this order, with the exception of forcible entry, detainer matters, civil mental health matters, and emergency temporary restraining order, emergency custody hearing and protective orders, emergency matters related to child protection and proceedings related to emergency child custody and protection orders. This suspension also applies to appellate rules and procedures for the Chickasaw Nation Supreme Court.
5. In any civil case, the statute of limitations shall be extended for 30 days from the date of this order.
6. All cases which were set on the dockets will be reset by the District Judge. You should expect to receive notice of new hearing dates by March 27, 2020.
7. Subject only to constitutional limitations, district judge, special judge, peacemaking, should reschedule all non-jury trial settings, hearing, and pretrial settings. Emergency matters, arraignments, bond hearings, and required proceedings of any kind shall be handled on a case by case basis. Judges shall use remote participation to the extent possible by the use of telephone conferencing, pursuant to the Chickasaw Nation Code. The use of email or fax for acceptance of written materials is encouraged, except that the use of email may not be used for appellate filings at this time. If any party or counsel objects to a continuance of any matter, the judge is encouraged to hold hearings in the same manner as emergency matters.
8. The following persons are prohibited from entering any courtroom, court clerk's office, judge's office, court advocate's office, jury room or other facility used by the Supreme Court, District Court and Peacemaking Court.
 - a. Persons who have been diagnosed with or have direct contact with any diagnosed with COVID-19.
 - b. Persons with symptoms such as fever, severe cough, or shortness of breath.
 - c. Persons who have traveled to any country outside of the United States in the past 14 days and those with whom they live or have had close contact.
 - d. Persons who are quarantined or isolated by any doctor or who voluntarily quarantine.
 - e. If you are in one these categories (a-d) and are scheduled for a court appearance or are seeking emergency relief, contact your attorney, and if you do not have an attorney, call the Supreme Court Clerk's office or the District Court Clerk's office where you are required to appear.
9. All Courts may limit the number of persons who may enter any courtroom, judge's, justice's, court advocate's, or clerk's office, jury room or any other facility used by the Supreme Court, District Court or Peacemaking Court. The Courts are charged with the responsibility of ensuring that core constitutional functions and rights are protected. The Court Clerks are charged with ensuring that the court and court personnel are urged to limit in-person courtroom contact as much as possible. This Order expressly authorizes court proceedings by telephone or other means that do not involve in-person contact as allowed by the Chickasaw Nation Code.
10. This Order is subject to extension or modification as necessitated by this emergency.

IT IS SO ORDERED.

DONE BY ORDER OF THE CHICKASAW NATION SUPREME COURT THIS 17th DAY OF MARCH, 2020.



CHERI BELLEFEUILLE-GORDON, CHIEF JUSTICE

WITNESS MY HAND AND THE SEAL OF THIS COURT THIS 17th DAY OF MARCH, 2020.



BEANNA HARTLEY-KELSO, DISTRICT JUDGE