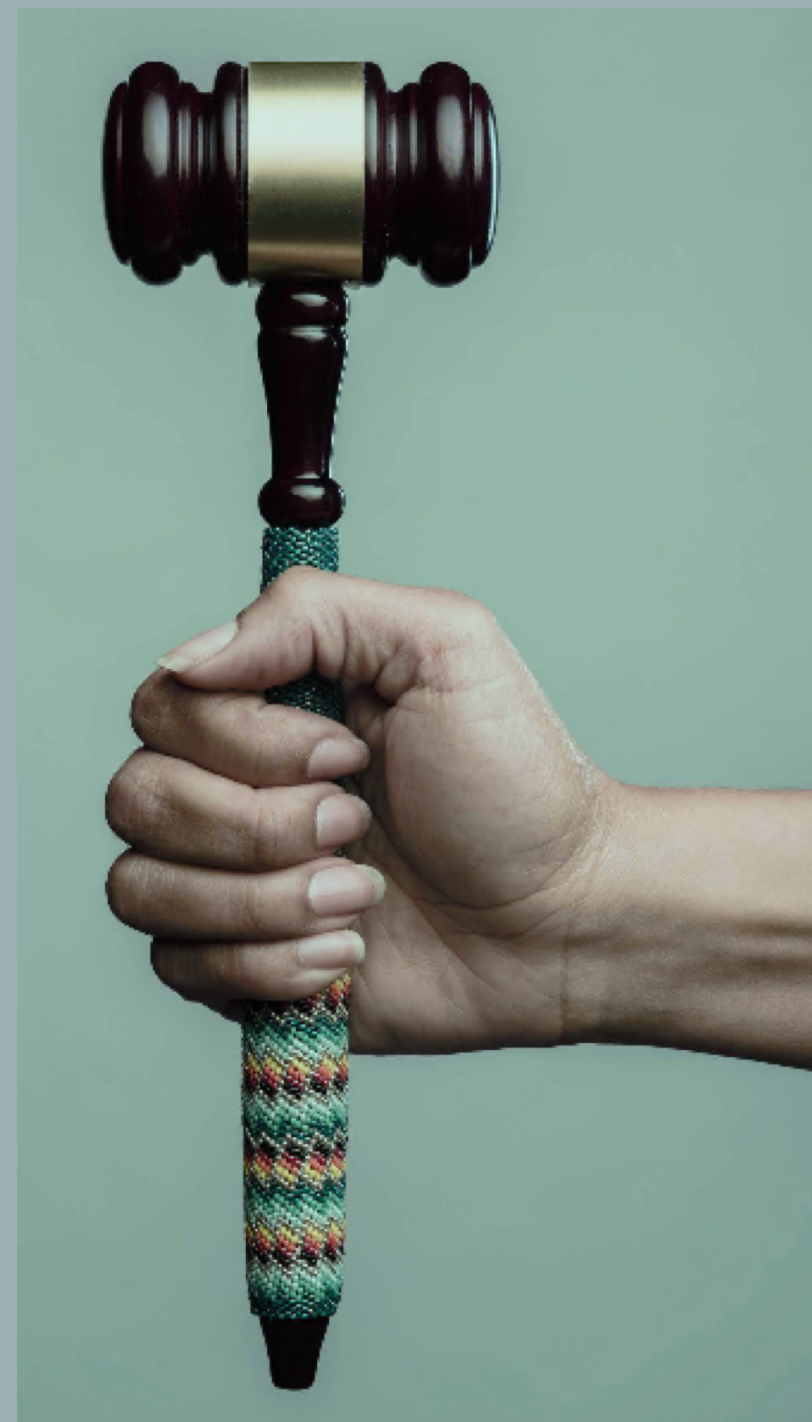


Administering Justice in Tribal Courts During the COVID-19 Pandemic: Rapid Response Webinar Series - Continuation Planning for Tribal Courts

Thursday, April 2, 2020

Noon (PST); 1pm (MST); 2pm (CST); 3pm(EST)



MODERATOR & PRESENTERS:



A. NIKKI
BORCHARDT
CAMPBELL



HON.
GREG BIGLER



HON.
CARRIE E.
GARROW



DANIELLE
MAYBERRY

PRESENTATION ROAD MAP

- Introduction
- Housekeeping
- Tribal Court Process and Operations
- Facilitated Discussion/Q & A



The background is a dark blue gradient with a complex pattern of white and light blue circular elements. On the left side, there is a large, semi-circular scale with tick marks and numbers ranging from 140 to 260. Several concentric circles and arcs are scattered across the frame, some with arrows indicating a clockwise direction. The overall aesthetic is technical and modern.

ADMINISTERING JUSTICE IN TRIBAL COURTS DURING THE COVID-19 PANDEMIC:

HON. CARRIE E. GARROW (MOHAWK), SAINT REGIS MOHAWK TRIBAL
COURT

DANIELLE MAYBERRY (WESTERN SHOSHONE), LAW CLERK, SAINT REGIS
MOHAWK TRIBAL COURT

BEGINNING STEPS



Closed traffic court – largest number of people



Closed county probation visits – limit traffic in court building



Began developing closure process and admin order if staff or party tested positive



Limiting public in court room - telephonic/video hearings or reschedule cases



Requested staff to isolate due to travel

NEXT STEPS



BEGAN TO HEAR TRIBE
WAS CONSIDERING
CLOSURE OF BUILDINGS



TRIBE DECLARES AN
EMERGENCY – ESSENTIAL
STAFF ONLY



FINALIZED
ADMINISTRATIVE ORDER



CLOSED TO PUBLIC



STAFF WORKS REMOTELY



ONE PERSON IN THE
OFFICE AT A TIME

ADMINISTRATIVE ORDER



Why

Unprecedented

Creates a process for cases to continue and creates a record for why civil procedure not followed



Purpose

Provides instructions to parties, public, and court staff

Suspends some civil procedure rules



Notified bar members



Published order using Communications Department



Notified Judicial Oversight Commission

THREE ORDERS



Administrative Order re
Closure to Public



Cease and Desist for
unauthorized land transfers



Administrative Order from
Appellate Court

HANDLING CASES ELECTRONICALLY



No civil cases until April 20th



One staff person at time for deposit, mail, administrative needs, working cases



Everyone else works from home



HWC staff monitor participants over the phone



Accept filings via email



Hearings will be done via phone or video conference.



Traffic – Extended closure date, but are processing pleas and judgements. Judgements done through public notice.

PROBLEMS



Technology

No remote access to court database

No WiFi



**Judicial Code does not allow judge
to declare an emergency**

FUTURE



Traffic Court– video conferencing through tablet in another room



Allowing judges to use video conferencing



Potentially court will not allow the public, but there will be a record they can request



Rules for video or teleconferencing

No recording by parties
If a public case, only parties talk



Designating future court space in case sick individual has been in Court

FUTURE



Public Health and Safety
Ordinance

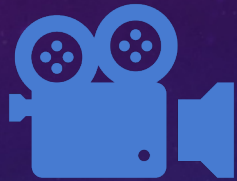


New Court Rules and Procedures
for Pandemics



Pandemic subcommittee in our
Court Security Team

MANAGEMENT STRATEGY



Video meetings



Supervisors check in with staff
to see how they're doing



Being honest and upfront

QUESTIONS



Thank You & Stay Safe!

www.naicja.org

