

IN THE SUPREME COURT OF CHEROKEE NATION

AND

IN THE DISTRICT COURT OF CHEROKEE NATION

2020 MAR 17 AM 10:07  
CHEROKEE NATION  
SUPREME COURT  
KENDALL BIRD, COURT CLERK

FILED

FIRST EMERGENCY JOINT )  
ORDER REGARDING THE COVID-19 )  
STATE OF DISASTER )

SC-AD-20-01

1. Principal Chief Charles Hoskin Jr. declared and signed a state of emergency for the Cherokee Nation on March 16, 2020. This joint order is issued to clarify the procedures to be followed in the Supreme Court and the District Court of the Cherokee Nation, and to avoid risks to court employees, court clerks, judges, and the public.
2. The District Court shall conference with the Chief Justice before issuing juror summons for the April 20, 2020 jury term.
3. Subject only to constitutional limitations, all deadlines and procedures whether prescribed by statute, rule or order in any civil, juvenile or criminal case, shall be suspended for 30 days from the date of this order. This suspension also applies to appellate rules and procedures for the Supreme Court.
4. In any civil case, the statute of limitations shall be extended for 30 days from the date of this order.
5. Subject only to constitutional imitations, assigned judges should reschedule all non-jury trial settings, hearings, and pretrial settings. Emergency matters, arraignments, bond hearings, and required proceedings of any kind shall be handled on a case by case basis by the emergency matters, arraignments, bond hearings, and required proceedings of any kind shall be handled on a case by case basis by the assigned judge. Judges shall use remote participation to the extent possible by use of telephone conferencing, video conferencing, or other means.  
The use of email, fax and drop boxes for acceptance of written materials is encouraged. If any party or counsel objects to a continuance of any matter, assigned judges are encouraged to hold hearings in the same manner as emergency matters.
6. The Following persons are prohibited from entering the courthouse facility, including any courtroom, court clerk's office, judges' offices, jury room or other facility used by the Supreme Court and the District Court.
  - a. Persons who have been diagnosed with or have direct contact with anyone 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 U.S. in the past 30 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. Any persons that aren't a party, counsel, witness, plaintiff, defendant, and or under order or subpoena to appear.
  - f. If you are in one of these categories (a-e) and are scheduled for a court appearance or are seeking emergency relief, contact your attorney, and if you have no attorney, call the court clerk's office.
7. The District court may limit the number of persons who may enter any courtroom, judges' or clerk's office, jury room or any other facility used by the district courts.
  8. The court clerk counters shall be closed effective immediately. All filings shall be submitted via email, facsimile, and or United States Postal Service. Parties and counsel shall look to the District Rules of Cherokee Nation Rules 1, 2, and 3 for guidance.
  9. The Court Administrator shall have the discretion to operate the court and modify staff schedules to reduced staff, rotate staff, excuse immune compromised staff, and or other. All salaries, regular hourly wages, benefits, etc. shall remain in full force and effect during this process.
  10. The regular District Court Friday dockets for March and April are hereby continue as follows:
    - a. March 20, 2020 continued to May 15, 2020 at 1:00 PM,
    - b. March 27, 2020 continued to May 22, 2020 at 1:00 PM,
    - c. April 3, 2020 continued to May 1, 2020 at 1:00 PM,
    - d. April 9, 2020 continued to May 8, 2020 at 1:00 PM,
    - e. April 17, 2020 continued to May 15, 2020 at 1:00 PM, and
    - f. April 24, 2020 continued to May 22, 2020 at 1:00PM.
  11. The regular District Court Child Support docket for April is hereby continued from April 14, 2020 to May 19, 2020.
  12. This order is subject to extension or modification as necessitated by this emergency.

**IT IS SO ORDERED.**

Done By Order Of The Supreme Court In Conference This 17<sup>th</sup> Day Of March, 2020.

  
James G. Wilcoxon, Chief Justice

  
Lee W. Paden, Justice

  
Mark L. Dobbins, Justice

  
**John C. Garrett, Justice**

Witness Our Hands And The Seal Of This Court This 17<sup>th</sup> Day Of March, 2020.

  
**T. Luke Barteaux, District Judge**

  
**Crystal R. Jackson, District Judge**