

**IN THE SHOSHONE-PAIUTE TRIBAL COURT  
OF THE DUCK VALLEY INDIAN RESERVATION  
IDAHO AND NEVADA**

<b>In the Matter of:</b>  <b>Response Plan and Protocols to Prevent the Spread of COVID-19.</b>	<b>ADMINISTRATIVE ORDER</b>  <b>Order # 2020-2C</b>
---	---

**RECITALS**

WHEREAS, Coronavirus (COVID-19) is a highly contagious virus which has spread worldwide in 2020.

WHEREAS, though COVID-19 has limited impact upon the health of most individuals, it has in some cases proven lethal to individuals with weak or compromised health (i.e. individuals with chronic health conditions, infants, and seniors).

WHEREAS, the Shoshone-Paiute Tribal Court is a necessary component of the Shoshone-Paiute Tribal Government and cannot entirely suspend its services to the Duck Valley Community.

WHEREAS, the Shoshone-Paiute Tribal Court desires to take steps to reduce COVID-19 related risks to all individuals with cases or business before the Court in a manner consistent with Shoshone-Paiute Tribal policies and current federal guidance.

**NOW THEREFORE**, it is hereby ordered as follows

- **TELEPHONIC SERVICES:** The Court will use the telephone to reduce in person traffic at the courthouse and the Healing to Wellness Building.
  - **CALL FIRST GENERALLY:** All individuals with business at the Court or Healing to Wellness Building must call first to receive instructions before coming in.
  - **PROBATION:** Probationers shall work with their probation officer telephonically (i.e. probationers may check in by phone as directed by their probation officer).
  - **SORNA:** Sex offenders needing to “register” or “report” shall call the SORNA worker for instructions.

- RRI: Participants in this program must call in before coming to the courthouse for instructions. RRI workers shall perform services telephonically.
- NATIVE CONNECTIONS: Participants in this program must call in before coming to the Healing to Wellness Building for instructions. Native Connections workers shall perform services telephonically.
- COURT FILINGS: All filings should be submitted via email. If a person is unable to submit a filing via email, they should call the court clerk for alternative filing instructions.
- LOCKED DOORS: Courthouse and Healing to Wellness Building exterior doors will remain locked at all times. Staff may grant entrance after each individual has been properly screened.
  - Individuals who have no legitimate reason for conducting in person business or who could conduct their business by phone or email will not be permitted to enter.
  - Individuals who have COVID-19 symptoms, who have been exposed to anyone with COVID-19, or who have been diagnosed with COVID-19 shall not be permitted to enter.
- TEMPERATURE TESTS: The Court staff shall ensure that every person entering the Tribal Court Building submits to a body temperature test before being granted access to the building.
  - If this initial test results in a body temperature of less than 100.4 degrees, then they may be granted access and may enter the building.
  - If this initial test results in a body temperature of 100.4 or higher, they shall be tested two additional times.
    - If one of the two additional tests result in a body temperature of less than 100.4, then they may be granted access and may enter the building.
    - If all three tests result in a body temperature of 100.4 degrees or higher, they shall not be granted access and may not enter the building.
- WASHING AND SANITIZING: Court staff will work hard to ensure that the courthouse and the Healing to Wellness Building are sanitized and safe.
  - All individuals must sanitize their hands upon entering or exiting the courthouse and the Healing to Wellness Building.
  - All staff will entirely stop all other duties and wipe down all hard surfaces in the courthouse and the Healing to Wellness Building at 8:00 AM, 10:00 AM, 1:00 PM and 3:00 PM every day.

- **SOCIAL DISTANCING:** All those who enter the courthouse or the Healing to Wellness Building must social distance themselves to the greatest extent possible.
  - All individuals shall remain at minimum six (6) feet apart at all times, where possible. If it is impossible to remain six (6) feet apart, social distancing shall be to the greatest extent possible.
  - No more than three individuals will enter and/or remain in the courthouse conference room or in any office at any given time. When two or more individuals are together, they will locate themselves as far away from one another as possible.
  
- **NOTICE OF HEARING AND SAFE SERVICE PROCEDURES:** When serving individuals with Court documents and notices of hearing pursuant to Rules 11 and 28 of the Shoshone-Paiute Rules of Court (October 1, 2019), Court staff shall attempt to achieve Alternative Service via email, telephone, etc., provided that the individual being served acknowledges receipt of service. Where personal service cannot be accomplished by and through Alternative Service, Court staff may personally serve the individual adhering to and complying with the following Safe Service Procedures:
  - Protective Equipment: The Court staff executing personal service shall wear a face mask which covers both their mouth and nose at all times.
  - 8 Foot Distance Greeting: The Court staff executing personal service shall maintain a distance of 8 feet from the person being served. For example, having placed the document to be served near the door, Court staff shall knock on the door and then retreat 8 feet from the door. Court staff shall confirm the identity of the individual noting on the certificate of service whether and how service was accomplished.
  - Mandatory Minimum Distance: Court staff shall maintain at minimum 8 feet of distance from the person being served at all times.
  
- **VIDEOCONFERENCED/TELEPHONIC HEARINGS:** All hearings shall be handled as “videoconferenced/telephonic hearings”. For purposes of this Administrative Order, the term “videoconferenced/telephonic hearing” means that case parties shall not appear in person. Instead, case parties shall appear via videoconference/telephone as instructed by the Court Clerk.
  
- **POSTPONED HEARINGS:** Non-emergency hearings may be postponed until concerns about COVID019 have subsided. Decisions regarding the postponing of hearings shall be made on a case by case basis.

- **MANDATORY INPERSON HEARINGS:** IF there is a pressing evidentiary hearing that cannot be handled telephonically or postponed, it may be handled in a manner conforming with the following:
  - No more than 10 people will be permitted to be in the courtroom at any given time.
  - All individuals attending the hearing shall be required to social distance themselves to the greatest extent possible;
  - Only case parties and their legal counsel will be permitted to attend hearings, meaning no audiences will be permitted;
  - Witnesses may be required to wait in their vehicles or outside the courthouse until it is time for them to testify;
  - Witnesses may be required to leave the courthouse immediately after testifying;
  - Jury trials may be video recorded to be later watched by the jury;
  - Juries may be convened after the trial to observe recordings, deliberate, and render a verdict. Verdicts may be read to defendant on a later date; and
  - Individuals with at risk chronic health conditions or individuals over the age of 60 shall not be required to serve on juries.
- **NO LOITERING:** Once individuals have completed their business at the Shoshone-Paiute Tribal Court Building, they shall immediately leave the premises and shall not stay or remain in the Tribal Court Building, on Tribal Court grounds or in Tribal Court parking lots.
- **AMENDMENT:** This Administrative Order may be modified, amended, or withdrawn as new information is received.
- **EXPIRATION:** If not already modified, amended, or withdrawn, this Administrative Order shall expire on the 30<sup>th</sup> day of June 2020.

SO ORDERED this 28<sup>th</sup> day of May 2020.



---

Calvin Michael Hatch / Chief Judge  
Shoshone-Paiute Tribal Court