

IN THE CONSTITUTIONAL COURT OF THE CHOCTAW NATION OF OKLAHOMA
FILED :
CHOCTAW NATION OF OKLAHOMA
CONSTITUTIONAL COURT CLERK

NO. CC-20-0001

MAR 19 2020

FIRST EMERGENCY ORDER REGARDING COVID-19

COURT CLERK
BY Cara Schumann Deputy

The President of the United States declared a national emergency on March 16, 2020. This order is issued to clarify the procedures to be followed in all Choctaw Nation of Oklahoma district courts, the Court of Appeals and the Constitutional Court and to encourage social distancing and to avoid risks to judges, court clerks, court employees and the public. The Constitutional Court hereby orders the following, effective immediately:

1. The Courts will remain open. All district courts shall immediately cancel all jury terms for the next 30 days and release jurors from service. No jurors shall be summoned for the next 30 days without permission of the judge of the district court. All civil, criminal and juvenile jury trials shall be continued and reset by the judge of the district court.
2. 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 Constitutional Court, the Court of Criminal Appeals, and the Court of Civil Appeals.
3. This court finds that the time period of any continuance entered through April 18, 2020, as a result of this Order shall be excluded under the Speedy Trial Act, 18 U.S.C. Section 3161(h)(7)(A), as the Court finds that the ends of justice served by taking this action outweigh the interest of the parties and the public in a speedy trial.
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 limitations, 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 assigned judge. Judges shall use remote participation to the extent possible by use of telephone conferencing, video conferencing or other means.

6. The use of e-file at <https://www.choctawnationcourt.com>, fax, and U.S. mail 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.
7. The following persons are prohibited from entering any courtroom, court clerk's office, judges' offices, jury room or other facility used by the district courts:
 - 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 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 of these categories (a-d) 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.
8. All courts must 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.
9. This order is subject to extension or modification as necessitated by this emergency.

IT IS SO ORDERED.

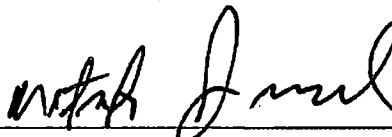
WITNESS OUR HANDS AND SEAL OF THIS COURT AND DONE BY ORDER OF THE CONSTITUTIONAL COURT THIS 19th DAY OF MARCH, 2020.



DAVID BURRAGE, CHIEF JUSTICE



FRED BOBB, JUDGE



MITCH MULLIN, JUDGE