

CHIPPEWA CREE TRIBAL COURT OPERATIONS PLAN UPDATED 9/10/2020

The Chippewa Cree Tribal Court operations have adjusted to limit the spread of COVID-19 and implemented an Emergency Response Plan that includes safety plans and procedures to help keep the public and our employees safe during the COVID-19 pandemic. We have entered an unprecedented time and are working hard to understand how best to go forward with court with the growing outbreak and concern of COVID-19 for the Chippewa Cree Tribe. We are closely monitoring recommendations and practices from Chippewa Cree Tribe Incident Command Center, Health Board and the Centers for Disease Control and Prevention to protect the public's health. To minimize the health impacts of COVID-19 to our community, we are implementing a variety of emergency strategies to increase social distancing and slow the spread of this disease. We understand these actions will have a tremendous impact on all members of our community.

The Chippewa Cree Tribe has issued a Resolution # 87-20 a state of emergency within the exterior boundaries of Rocky Boy's Indian Reservation due to COVID-19 by Resolution No. 24-20 a pandemic.

1. The Tribal Court operation work plan shall be in effect for Chippewa Cree Tribal Court on September 10, 2020 and shall remain in effect until further notice. This plan shall apply to all persons who are transacting business with the Chippewa Cree Tribal Court and shall include but is not limited to attorneys, parties, witnesses, and jurors. All visitors will be required to wear a mask and take a temperature before entering the building. Only six (6) visitors will be allowed in the building at one time and must remain 6 feet away from each other at all times.
2. Contact information: The court shall be alerted by the police department after hours or by email and will accept all court filings either via email to enault@cctcourt.org fax 406-395-5184 or via US mail: Chippewa Cree Tribal Court 96 Clinic Road N. Box Elder, MT 59521. Essential court staff will also be available by phone during working hours by calling 406-395-4475. All law and order codes, ordinances, policies, procedures, forms are online at the Chippewa Cree Tribe website address www.cctcourt.org **We are asking for all paperwork filed with the court to be emailed or faxed. If paperwork is dropped off, we will let it set for 3-5 days before processing it, because COVID-19 can be transmitted through paper. If it is an emergency please let the clerks know so safety procedures are followed.**
 - a. Essential Staff will work 40 hour per week at their workstation or telework from their home from 8:00 a.m. to 4:30 p.m. Monday-Friday to answer and respond to telephone calls, process paperwork, hold and attend hearings by telephone and communicate with case parties, law enforcement and detention staff. Workstations will six (6) feet apart and offices without a door will be moved to another location of the building. Staff will take daily temperatures and required to wear masks at all times while at work.
 - b. Non-Essential Staff will telework from home and communicate by telephone, email and GoToMeeting. If non-essential staff visit the court, they will be required to wear a mask at all times while in the building and take a temperature before entering the building.

3. Children's Court: Parents/guardians will be notified and will be called to participate in juvenile preliminary inquiry hearings by telephone. All other hearings will be held by telephone or by appointment. Parents/guardians will be served.
4. Criminal and Children's Court: All criminal court complaints will be emailed to the court using the process listed above. The court will begin to schedule all criminal and juvenile matters, including bench and jury trials.
 - a. The court's bench and jury trials will be scheduled. All jury trials will be held in a larger location to be determined.
 - b. No criminal in custody defendants shall be transported to the Court until further notice.
 - c. Any search warrants or probable cause hearings will continue to be filed with the Judge at any time, which is the normal practice for the Judges and Prosecution by the Police Dept. 24/7.
 - d. Any essential criminal in custody hearings, including first appearances on mandatory arrest charges, shall be conducted telephonically.
 - e. Defendants will be served by telephone and/or email.
 - f. Per Chief Judge Court Rule no cases will be dismissed due to Speedy Trial rule
5. Civil Court: Requests for restraining orders, emergency protection orders, child custody hearing will be scheduled and held until the Chippewa Cree Tribe allows when community members are no longer on self-quarantine and offices begin to open. Civil court hearings scheduled will be held by telephone or GoToMeeting online link. Filing fees will be paid at the Tribal Office.
6. Emergency Orders for Youth, Elders and Family will be emailed/faxed to Clerk's office and then forwarded to the Judges for review and signature. These petitions shall have Orders incorporated in them so they can be signed and emailed/faxed back. Hearings will be held adhering to time limits as needed, excluding Saturday, Sunday and holidays telephonically.
 - a. Civil filing fees will need to pay or submit a fee waiver form. The court will be providing notices of new court dates to parties in these matters and orders of continuances will be issued.
7. Probation and Healing to Wellness Offices will be open to the public and all check-ins will be done by appointment only, in person, and telephonic hearings/counseling will be held. The Probation Officers will continue to reach out to clients telephonically, conducting home visits and have the option to use electronic monitoring devices to track clients once SCRAM bracelets. Healing to Wellness Teams and participants will meet telephonically every week to attend HTW court.
8. Domestic Violence or Sexual Assault Protection Orders-- The court has previously found good cause to continue Domestic Violence and Sexual Assault Restraining Order cases currently set to hearing for a minimum period of thirty (30) days. Temporary Protective orders will remain in place and the court will notify the parties of new court dates. New petitions for emergency Domestic Violence Protective Orders or Sexual Assault Protective Orders may be filed with the court via email or US mail as described above. If parties need legal assistance the parties may contact the court and arrange for telephonic assistance. The court shall continue to review emergency protective order petitions and issue temporary protective orders if appropriate and shall set hearing dates at least fifteen (15) days out.

9. Drug tests: Any individual with a current court-ordered drug test requirement shall continue to be drug tested the probation officer assigned will continue to monitor all clients. SCRAM monitor devices can be ordered to conduct alcohol tests and urine drug tests used to monitor drug intake.
10. Ex parte/Bench warrant quash calendar: Bench warrant hearings will be held telephonically. The \$50 filing fee must be paid prior to telephonic hearing will be scheduled. A filing fee paid does not mean the warrant is quashed, the fee only allows for the defendant to appear for a warrant quash hearing.
11. Bonds: Bonds must be paid at the Police Department. Requests for bond returns will be processed by the clerk of court. Defendant/advocate/ or person who paid the bond must fax 395-5184 or email a request to return a bond to enault@cctcourt.org or jalenesmallcctc@outlook.com The request will date stamped and will be submitted to the Judge and the decision will be solely the judge's decision whether to hold a hearing or return the bond to the person who paid the bond. The check will then be mailed to the address provided in the request to return a bond.
12. Filing fees: Filing fees must be paid at the Tribal Office. The person filing the fee must be specific on what the fee is for, such as: New Civil Filing Fee, Advocate Filing Fee, etc. Please provide a date of birth to include on a receipt.
13. Fine payments: Fines must be paid at the Tribal Office. The person paying must provide defendant name and case number.

The court staff and judges will continue to monitor the court's and the community's needs during this time, adjusting as needed and provide further updated orders. This is a fluid situation and requires all of us to come together to continue to fulfill our duties and obligations while staying within the guidelines issued by the Center for Disease Control and Prevention, the Chippewa Cree Tribe, Incident Command Center and the State and the Federal governments.

Below is a list all Tribal Court employees, contact information and their worksite location:

1. Executive Director/Court Administrator Elinor Nault (essential staff) will telework from home and go into the office as needed but will be on-call 24/7 by email or telephone to address court management issues and fulfill her job as Executive Director/Court Administrator. Elinor can be contacted by telephone 945-3767 or email enault@cctcourt.org
2. Chief Judge Billie Jo Coffee (essential staff) will telework from home but will go into the office as needed and be on call 24/7 to fulfill her job as Chief Judge.
3. Associate Judge Brandon Lamere (non-essential staff) will telework from home and will go into the office as needed and be on call 24/7 to fulfill his job as Associate Judge
4. Associate Judge Rick Gardipee (non-essential staff) will work Monday -Friday from his office at Tribal Court to fulfill his job duties as Associate Judge.
5. Lacey Gardipee – Clerk (Traffic) (non-essential staff) will telework from home Monday - Friday to fulfill her job duties. Lacey can be contacted by email: lgardipee@cctcourt.org
6. Althea Gopher, Clerk of Court – (Civil) (essential staff) will work Monday -Friday from her office at Tribal Court to fulfill her job duties. Althea can be contact by calling 395-4735 ext. 215 or email agopher@cctcourt.org

7. Tina Chief Stick, Rec/Secretary/Admin Assistant (essential staff) will work Monday -Friday from her office at Tribal Court to fulfill her job duties. Tina can be contacted by calling 395-4735 ext. 201 or email tchiefstick@cctcourt.org
8. Paulette Small, Temp Data Technician/Juvenile Clerk: (essential staff) will work Monday - Friday from her office at Tribal Court to fulfill his job duties. Paulette can be contact by calling 395-4735 ext. 205 or by email psmall.cctcourt@gmail.com
9. Jalene Small, Temp Clerk of Court (Criminal): (essential staff) will work Monday -Friday from her office at Tribal Court to fulfill her job duties. Jalene can be reached by calling 395-4735 or emailing jalenesmallcctc@outlook.com
10. Makaveli Sutherland, Temp Security/Bailiff/. (essential staff) will work Monday -Friday to fulfill his job duties.
11. VACANT, Process Server (essential staff) The probation office staff will work Monday - Friday to share these job duties as Process Server until the position is filled.
12. Charles Walking Child Jr. Public Defender (non-essential staff) will telework Tuesday, Thursday and Friday afternoon from his home and work from his office on Monday, Wednesday and Friday morning to fulfill his job duties. Charles can be contacted email cwalkingchild@cctcourt.org
13. Judith Wood, Juvenile Healing to Wellness Coordinator (non-essential staff) will telework Monday -Friday from home to fulfill her job duties. Judith can be reached by emailing judithwood067@gmail.com
14. Deshaun Gopher, Juvenile Probation Officer (non-essential staff) will work Tuesday, Thursday and Friday afternoon from his office and telework from his home Monday & Wednesday and Friday morning to fulfill his job duties. Deshaun can be contacted by calling 395-4735 ext. 226 or emailing jvprobation@cctcourt.org
15. Gage Sutherland, Temp Adult Probation Officer/Adult Healing to Wellness Coordinator. (non-essential staff) will telework Tuesday, Thursday and Friday afternoon from his home and work from his office Monday & Wednesday and Friday morning to fulfill his job duties. Gage can be contacted by calling 395-4735 ext. 232 or emailing gage.sutherland1@gmail.com or calling his cell phone 406-390-2364.
16. Lonna Johnson, Temp Children's Court Family Advocate Counselor (non-essential staff) will telework Monday -Friday from her home to fulfill his job duties. Lonna can be reached by emailing lonna_johnson@yahoo.com