

## **MASHPEE WAMPANOAG TRIBAL COURT EMERGENCY STANDING ORDER**

Recognizing the state of emergency declared by the Mashpee Wampanoag Indian Tribe due to the COVID-19 virus, this emergency standing order shall be in effect for Mashpee Wampanoag Tribal Court immediately, and shall remain in effect until rescinded by the Mashpee Wampanoag Tribal Court Chief Judge. This Order shall apply to all persons transacting business with Mashpee Wampanoag Tribal Court and shall include but is not limited to attorneys, parties, witnesses, and jurors.

### **1. Courthouse Access**

a. Only parties, attorneys, and witnesses who have business with the court will be permitted inside the secured area known as the Tribal Court courtroom. Those individuals will be screened before entering for symptoms/signs of the COVID-19 virus. Anyone showing signs of illness or feeling ill shall not enter the Mashpee Wampanoag Tribal Government Center or the secured area known as the Tribal Court courtroom, including kitchen and restroom facilities. Access will be granted for emergency situations only as determined by the joint decision of the Tribal Court Administrator and Chief Judge. In the sole discretion of the Chief Judge, all matters may be heard via teleconferencing.

### **2. Civil Matters**

a. All civil matters currently scheduled for court hearings shall be continued by the court for a minimum time period of twenty-one (21) days. The court will provide notices of new court dates to parties in these matters.

b. No new hearings shall be set, unless necessary to address emergency petitions or motions.

c. Emergency hearings shall be held telephonically; all parties shall appear telephonically and the court will provide the parties with call-in information ahead of the hearing.

### **3. Criminal Matters**

a. The court finds good cause to continue all criminal matters for a minimum of forty-five (45) days which shall be considered and exclude time period for purposes of speedy trial.

b. All essential criminal in-custody hearings, if any, including first appearances on mandatory arrest charges, shall be conducted telephonically.

c. Any party wishing to continue their currently set criminal matter out longer than forty-five (45) days may execute a speedy trial waiver and request new court dates which will be provided to the parties by the court.

4. Filings

a. The court shall accept all court filings, including emergency petitions and motions, either via email at [Vivian.Bussiere@mwtribe-nsn.gov](mailto:Vivian.Bussiere@mwtribe-nsn.gov) and [robertmillsf@gmail.com](mailto:robertmillsf@gmail.com) or via U.S. Mail sent to: Mashpee Wampanoag Tribal Court, Attn: Clerk's Office, 483 Great Neck Road South, Mashpee, MA 02649.

b. The court shall also accept emergency petitions or motions filed via email in compliance with the public health restrictions in place at the Mashpee Wampanoag Tribal Government Center. Emergency petitions or motions include, but are not limited to, requests for protection from abuse orders, harassment protection orders, child custody orders, emergency removal petitions, transfer of child custody proceedings to Tribal Court, and applications for temporary restraining orders or preliminary injunctions.

c. Hearings shall be held by teleconference where practicable.

d. Upon request, the court shall distribute court orders and other documents to parties and attorneys electronically.

Dated this 23<sup>rd</sup> day of March, 2020.



Robert F. Mills, Chief Judge

Mashpee Wampanoag Supreme Court