

IN THE CONSTITUTIONAL COURT OF  
THE CHOCTAW NATION OF OKLAHOMA

NO. CC-20-0002

FILED  
CHOCTAW NATION  
CONSTITUTIONAL COURT  
APRIL 17 2020  
CONSTITUTIONAL COURT CLERK  
BY *Car Schum*

**SECOND EMERGENCY ORDER REGARDING COVID-19**

1. The first Emergency Order entered on March 19, 2020 remains in effect except as is modified herein.
2. 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.
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 Constitutional Court, the and the Court of Appeals.
4. This court finds that the time period of any continuance entered through May 15, 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.
5. In any civil case, the statute of limitations shall be extended for an additional 30 days from the date of this order.
6. Subject only to constitutional limitations, assigned judges should either reschedule all non-jury trial settings, hearings, and pretrial settings or work with the parties and counsel to conduct the hearing by telephone or video conference. The decision whether to reschedule or hear a case by alternative method should be made on a case by case basis by the assigned judge. Each judge should consider the safety and technological resources of the parties when determining whether to reschedule a hearing or conduct the hearing by alternative method. 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 to continue to provide justice to the members of the Choctaw Nation and patrons of our court system.

7. The use of e-file at <https://www.choctawnationcourt.com>, on-site locked drop box, 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.
8. 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.
9. 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 to 10 people.
10. 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 \_\_ DAY OF APRIL, 2020.

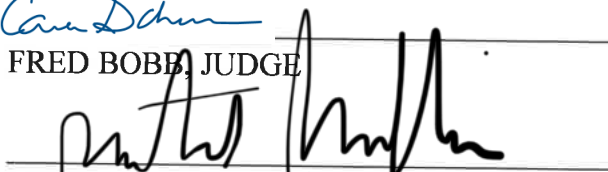


DAVID BURRAGE, CHIEF JUSTICE

Permission to sign given



FRED BOBB, JUDGE



MITCH MULLIN, JUDGE