



MILLE LACS BAND OF OJIBWE INDIANS
Judicial Branch of Tribal Government

IN THE COURT OF CENTRAL JURISDICTION
CHIEF JUSTICE AMENDED COURT ORDER 53
Effective Date: May 15, 2020

IN THE MATTER OF THE OPERATIONS OF THE MILLE LACS BAND COURT
OF CENTRAL JURISDICTION UNDER A BAND WIDE AND STATEWIDE EMERGENCY
TO ADDRESS THE CORONAVIRUS (COVID-19).

Title 5 MLBSA § 114(g) authorizes the Chief Justice of the Court of Central Jurisdiction “To exercise all administrative duties necessary for the continued conduct of competent court operations.” The Court of Central Jurisdiction of the Mille Lacs Band hereby establishes these emergency protocols for the continued operations of the Tribal Court during the Coronavirus outbreak. The Judicial Branch will continue to promote the general welfare, preserve and maintain justice and protect the rights of all persons under the jurisdiction of the Mille Lacs Band. To protect the health and safety of those utilizing the Court, it is necessary to restrict the number of people in the courtroom and court administration area to reduce spreading the virus.

Therefore, IT IS HEREBY ORDERED THAT:

Telephonic Proceedings¹

To avoid persons having to physically appear for hearings, all proceedings will be conducted telephonically. Motions to continue trials will be liberally granted so long as the person who is entitled to have a trial within a certain number of days (for example, 90 days from the filing of the petition in a child protection case) waives the right to have the trial within that time limit.

Prior to each hearing or trial, court staff will provide each party or witness with the telephone number to call.

E-Filing of Documents

The Tribal Court has instituted a temporary TRIBAL COURT E-FILING system, which utilizes a dedicated and confidential email account specifically for filing of court documents. The email address is MLBO.Court@MilleLacsBand.com. E-filing is available 24 hours a day, 7 days per week, however, only filings received Monday through Friday, between ordinary business hours of 8:00 a.m. to 5:00 p.m., will be considered as being filed on that day. Any court document filed after 5:00 p.m. will be stamped as filed on the following business day. The preferred methods for filing are still by U.S. mail or by fax to (320) 523-3153.

¹ Court Order 53 is amended to comply with the Mille Lacs Band Executive Order 2020-05 directing individuals to stay at home or place of residence. Trials will be conducted telephonically, instead of in-person. Medium and low priority cases will be scheduled at the discretion of the Chief Justice or District Court Judge.

Prioritization of Cases

Pending and new cases will be prioritized as high, medium and low. A Mille Lacs Band Judicial Branch Priority List is included at the end of this order. The high priority cases will proceed as normal (except for utilizing phone appearances and e-filing when possible). All cases designated as medium and low priority will be continued to a further date of June or July 2020. At the discretion of the Chief Justice and District Court Judge, medium and low priority cases deemed emergencies will be scheduled earlier. The court clerks will notify each party that his/her case is continued or that a phone appearance will be required.

Court Facilities

Court staff will continue to accept filings in all case types. The Tribal Court discourages the public from making any non-essential visits to court administration offices or the courtroom.

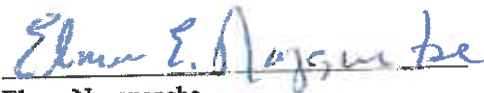
This Order may be updated and revised as necessary.

IT IS SO ORDERED.



Ramona Applegate
Chief Justice, District II

Dated this 15 day of May, 2020



Elmer Nayquonabe
Associate Justice, District I

Dated this 20 day of May, 2020



William Premo
Associate Justice, District III

Dated this 22 day of May, 2020



David S. Christensen
District Court Judge

Dated this 19 day of May, 2020

MILLE LACS BAND JUDICIAL BRANCH CASE PRIORITY LIST

This list may be modified to meet the needs of the Court as determined by the Chief Justice.

PRIORITY LEVEL	CASE TYPE	HEARING TYPE
High	WELFARE-CHIPS	Initial, 30-day, Trial, Review, Motions, Emergencies
High	ORDER FOR PROTECTION	Initial, Trial
High	HARASSMENT RESTRAINING ORDERS	Initial, Trial
High	GUARDIANSHIP-CHILDREN (Guardianship stemming from CHIPS see below)	Initial, Trial, Motions, Emergencies
High	GUARDIANSHIP – ADULT	Initial, Trial, Motions, Emergencies
High	PATERNITY-CHIPS	Trial
High	PATERNITY-CHILD SUPPORT	Trial
High	COURT OF APPEALS-From District Court	Oral Arguments
High	COURT OF APPEALS-ELECTION	Hearing
Low	ELECTRIC	Trial
Medium	GUARDIANSHIP-ADULT	Reviews
Medium	CHILD SUPPORT	Initial Hearing, Trial
Medium	ADOPTIONS	Hearing, Trial
Medium	TRUANCY	Initial, 30-day, Trial, Review
Medium	DIVORCE	Hearing, Trial
Medium	CRIMINAL & NATURAL RESOURCES	Arraignment, Trial
Medium	TRAFFIC	Arraignment, Trial
Low	UNLAWFUL DETAINERS	Initial, Trials
Low	GUARDIANSHIP-CHILDREN (Stemming from a CHIPS)	Initial, Trial, and Review
Low	GENERAL CIVIL	Hearing, Trial
Low	NAME CHANGE	Hearing
Low	PROBATE	Initial, Trial