

1 ORIGINAL FILED

2 MAR 25 2020

3 KALISPEL TRIBAL COURT
4 CUSICK, WA

5 KALISPEL INDIAN COMMUNITY OF
6 KALISPEL INDIAN RESERVATION
7 KALISPEL TRIBAL COURT

8 IN RE THE MATTER OF:)
9) ADMINISTRATIVE ORDER
10 EMERGENCY RESPONSE TO PUBLIC)
11 HEALTH – CORONAVIRUS/COVID-19) NO. 2020-1
12)
13)

14 **WHEREAS**, the Kalispel Tribe of Indians issued a Public Health Emergency Declaration
15 adopted by Council Resolution dated March 18th, 2020 declaring a state of emergency due to the
16 Coronavirus/COVID-19 in response to the public health emergency that affects its Tribal
17 government and enterprise operations; and

18 **WHEREAS**, by Resolution of the Kalispel Tribal Council, emergency authority has been
19 granted to this Court to adopt, modify, and suspend court rules and orders, and to take further
20 action concerning court operations as warranted to address the current state of emergency and the
21 health and safety of the public.

22 **NOW, THEREFORE, IT IS HEREBY ORDERED:**

23 This emergency standing order shall be in effect for Kalispel Tribal Court immediately,
24 and shall remain in effect until rescinded by the Kalispel Tribal Court Chief Judge. This

25 Administrative Order shall apply to all persons who are transacting business with the Kalispel

KALISPEL TRIBAL COURT
P.O. Box 96,
Usk, Washington 99180
(509) 445-1664
Fax: (509) 445-4039

1 Tribal Court and shall include, but is not limited to, attorneys, spokespersons, parties, witnesses,
2 and jurors.

3 **1. COURTHOUSE ACCESS:**

4 Only the Court Administrator and Court Clerks will be permitted inside the
5 courthouse. All others may seek court services and to avail themselves as set forth
6 below in this Administrative Order.

7 **2. CIVIL MATTERS:**

8 All civil matters, including Youth in Need of Care and Guardianship proceedings,
9 currently scheduled for court hearings shall be continued by the Court for a minimum
10 time period of Thirty (30) days. The Court will be providing notices of new court
11 dates to parties in these matters.

12 **3. CRIMINAL MATTERS:**

13 The Court hereby finds good cause to continue all criminal matters, including all jury
14 trials, for a minimum of Twenty-One (21) days which shall be considered to be an
15 excluded time period for purposes of speedy trial.

16 The Court's jury trial line shall be updated to state that all jury trials for the month of
17 March and April are continued and jurors called for these months are relieved of their
18 jury service.

19 No criminal in custody defendants shall be transported for a minimum period of
20 Twenty-One (21) days.

21 Any essential criminal in custody hearings, including first appearances on mandatory
22 arrest charges, shall be conducted telephonically.

1 Any party wishing to continue their currently set criminal matter out longer than 21
2 days may execute a Speedy Trial Waiver and request new court dates which will be
3 provided to the parties by the Court.

4 **4. FILINGS:**

5 The Court shall accept all court filings either via email at: jbradley@kalispeltribe.com
6 or ckintner@kalispeltribe.com, or via US mail sent to: Kalispel Tribal Court, Post
7 Office Box 96, Usk, WA 99180.

8 **5. DOMESTIC VIOLENCE PROTECTIVE ORDERS and SEXUAL ASSAULT
9 PROTECTION ORDERS:**

10 The Court finds good cause to continue DVPO and SAPO cases currently set for
11 hearing for a minimum of Thirty (30) days. Temporary Protection Orders will remain
12 in place and in full force and effect, and the court will notify the parties of new court
13 dates.

14 New petitions for emergency Domestic Violence Protection Orders or Sexual Assault
15 Protection Orders may be filed with the Court via email or US mail as described
16 above. If parties need legal assistance from Kalispel Tribe Victim Assistance
17 Services, the parties may call KTVAS for telephonic assistance at 1-877-700-7175.

18 The Court shall continue to review emergency protection order petitions and issue
19 temporary protection orders if appropriate and shall set hearing dates at least Thirty
20 (30) days out.

21 **6. PROBATION REQUIREMENTS:**

22 Any individual with a current court-ordered UA requirement shall report directly to
23
24 Absolute Drug Testing at 1710 W Mission Avenue, Spokane, WA 99201 as required.

1 Any individual currently under court-ordered supervised probation shall continue to
2 call in or email Probation Officer Gunnar Watson at gwatson@kalispeltribe.com as
3 required.

4 **7. EX PARTE/BENCH WARRANT QUASH REQUEST:**

5 For a minimum of Thirty (30) days, the court will not conduct any ex parte/bench
6 warrant requests. Any individual wishing to file documents with the Court may file
7 via email or US mail as described above.
8

9
10 The Judge may issue further orders as may be necessary if this state of emergency
11 continues to exist to ensure the safety and health of the public.
12

13 **DATED this 25th day of March, 2020.**
14

15
16 
17 _____
Milton Nomee, Chief Judge
KALISPEL TRIBAL COURT
18
19
20
21
22
23
24