



E-FILED
CNMI SUPREME COURT
E-filed: Apr 01 2020 01:09PM
Clerk Review: Apr 01 2020 01:10PM
Filing ID: 65552017
Case No.: ADM-2020
NoraV Borja

IN THE
SUPREME COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**IN RE COURT OPERATIONS AND PROCEEDINGS
IN RESPONSE TO NOVEL CORONAVIRUS DISEASE**

SUPREME COURT NO. 2020-ADM-0005-MSC

COVID ORDER NO. 2
(Effective April 4, 2020 to June 5, 2020)

¶ 1 On March 17, 2020, this Court entered Administrative Order No. 2020-ADM-0002-MSC concerning the Judiciary's COVID-19 precautionary measures in the interests of protecting the health and safety of court employees and the general public. In that initial March 17 Order, we indicated that the Order may be revised as circumstances warranted. Since then, there have been confirmed cases of persons diagnosed with COVID-19 in the CNMI and numerous cases under investigation and surveillance. In view of the evolving circumstances concerning COVID-19, and under the Supreme Court's inherent and supervisory powers in Article IV, Section 3 of the NMI Constitution and 1 CMC § 3401(a), the Court **ORDERS** the following:

A. General Administrative Provisions

- (1) Justices and Judges are charged with the responsibility of ensuring that core constitutional functions and rights are protected. Additionally, Judiciary staff are charged with ensuring that court functions continue. All members of the Judiciary are urged to limit in-person courtroom contact as much as possible by using available technologies including electronic filing ("e-filing"), teleconference capabilities, and video conference capabilities. All court employees shall receive direction from their supervisor as to work reporting requirements.
- (2) Effective Saturday, April 4, 2020 through Friday, June 5, 2020, unless terminated sooner, the following Judiciary facilities shall be closed to the public subject to the exceptions in this Order:
 - a. Guma' Hustisia, Susupe, Saipan;

- b. Kotten Tinian, San Jose, Tinian;
- c. Centron Hustisia, Sinapalo, Rota;
- d. Judiciary alternate sites:
 - i. Marianas Business Plaza, Susupe, Saipan;
 - ii. Drug Court, Chalan Kanoa, Saipan;
 - iii. Office of Adult Probation Supervision Satellite Office, Susupe, Saipan; and
 - iv. Law Revision Commission, Susupe, Saipan.

B. Supreme Court

- (1) All electronic filing and service deadlines and procedures remain in effect.
- (2) Second quarter oral arguments scheduled between April 20, 2020 and May 1, 2020 will proceed as scheduled. The Clerk of the Supreme Court shall make all necessary arrangements in light of COVID-19 precautionary measures and inform parties scheduled for oral argument as soon as practicable.

C. Superior Court Criminal Actions scheduled between Saturday, April 4, 2020 and Friday, June 5, 2020.

- (1) To the extent reasonably possible, all criminal trials and hearings shall be postponed to a date after Friday, June 5, 2020. The Superior Court shall promptly issue orders re-setting trial dates or telephonic and video status conferences.
- (2) The postponement in C(1) shall not apply to initial appearances, preliminary hearings for in-custody defendants, arraignments, plea hearings, detention hearings, and any proceedings the Presiding Judge deems urgent. These matters shall proceed as scheduled and be conducted by telephonic or video conferencing when possible.

D. Superior Court Traffic Cases scheduled between Saturday, April 4, 2020 and Friday, June 5, 2020.

- (1) All traffic proceedings are postponed unless otherwise ordered by the Superior Court.
- (2) All payment deadlines for citations are extended until the postponed hearing date.

E. Superior Court Civil Actions scheduled between Saturday, April 4, 2020 and Friday, June 5, 2020.

- (1) All civil trials and hearings are postponed to a date after June 5, 2020. The Superior Court shall promptly issue orders re-setting trial dates or telephonic and video status conferences.
- (2) The postponement in E(1) shall not apply to proceedings for petitions for temporary restraining orders, petitions for involuntary civil commitment, and other proceedings the Presiding Judge deems urgent.
- (3) All civil motions and conferences shall be heard telephonically or by video conference, as ordered by the Superior Court.

F. Superior Court Small Claims Cases scheduled between Saturday, April 4, 2020 and Friday, June 5, 2020.

(1) All small claims proceedings shall be postponed pending further order by the Superior Court.

G. Drug Court Cases scheduled between Saturday, April 4, 2020 and Friday, June 5, 2020.

(1) Drug Court case management, proceedings, and meetings shall be conducted electronically, telephonically, or by video conference.

H. Superior Court Filing & Service between Saturday, April 4, 2020 and Friday, June 5, 2020

(1) Unless otherwise ordered, all existing civil and criminal case filing deadlines remain in effect.

(2) Instead of in-person filings, all **criminal case filings** shall be submitted by email to Superior.Court@NMJudiciary.com. If e-filing is impossible, documents may be submitted via U.S. registered mail to:

CNMI Superior Court
c/o Patrick V. Diaz
P.O. Box 500307
Saipan, MP 96950

(3) Instead of in-person filings, all **civil case filings** will be accepted by the following methods:

a. E-filing through E-File & Serve;

b. If e-filing is unavailable, documents may be filed by email to Superior.Court@NMJudiciary.com; or

c. If e-filing is impossible, documents may be submitted by registered mail at the address indicated in H(2).

(4) Any filing that requires payment of a filing fee shall be paid online if available, but if court users cannot do so, filing fees will be deferred until Friday, June 5, 2020.

(5) All service of documents shall be through electronic means or by U.S. registered mail.

¶ 2 Effective immediately, any person who has likely been exposed to COVID-19 shall not enter the facilities. A person who has likely been exposed to COVID-19 who has business before the courts shall contact the Office of the Clerk of the Superior Court by telephone or other remote means, inform court personnel of the nature of his or her business before the court, and receive further instruction. For purposes of this Order, a person who has likely been exposed to COVID-19 is defined as any persons who:

a. Has traveled to a country identified by the Centers for Disease Control and Prevention as having a COVID-19 outbreak including, but not limited to, China, South Korea, Japan, Italy or Iran within the last 14 days;

b. Has been directed to quarantine, isolate, or self-monitor;

c. Has been diagnosed with COVID-19; or

d. Resides with or has been in close contact with any person in the above-mentioned categories.

¶ 3

This Order will be revised as circumstances warrant.

SO ORDERED this 1st day of April, 2020.

/s/
ALEXANDRO C. CASTRO
Chief Justice

/s/
JOHN A. MANGLONA
Associate Justice

/s/
PERRY B. INOS
Associate Justice