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CNMI SUPREME COURT
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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. 2021-ADM-0009-MSC

COVID-19 ORDER NO. 13
(Effective July 3, 2021 to July 30, 2021)

¶ 1 On April 30, 2021, this Court entered Administrative Order No. 2021-ADM-0006-MSC concerning the Judiciary's COVID-19 precautionary measures. The evolving circumstances surrounding COVID-19 and the demand for judicial services continue to warrant resuming particular operations to the public. 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:

I. GENERAL ADMINISTRATIVE MATTERS

A. Courthouses and Facilities Open. The following courthouses and facilities will be open through Friday, July 30, 2021:

- (1) Guma' Hustisia, Susupe, Saipan; the following offices and courtrooms are now operational at Guma Hustisia:
 - a. Clerk of Court, Superior Court;
 - b. Office of Adult Probation;
 - c. Marshall's Office;
 - d. Law Revision Commission;
 - e. Courtrooms 217, 220, and 223 on the second floor; and
 - f. Administrative and Accounting offices.
- (2) Kotten Tinian, San Jose, Tinian; and
- (3) Centron Hustisia, Sinapalo, Rota.

B. Continuity of Operations.

- (1) **Proceedings.** Justices and judges are charged with the responsibility of ensuring that core constitutional functions and rights are protected. In doing so, the Court urges all justices and judges to use technologies readily available, including electronic filing (“e-filing”), teleconferencing, and video conferencing. In-person court proceedings shall be limited as much as possible.
- (2) **Staff.** A number of Judiciary employees continue to work within the courthouses and judicial facilities on a limited basis. Other staff continue to telework at designated sites. To ensure the continuity of judicial services either remotely or within Judiciary facilities, court staff continue to receive direction from their supervisors on tasks and reporting requirements to effectuate court operations.
- (3) **Remote Technology Access.** The courthouses are equipped with remote communication technologies available for both represented and self-represented litigants. Access may be arranged in advance of the hearing.
- (4) **Photographing, Recording, and Broadcasting.** All persons shall conform to the provisions of Rule 53 of the Rules of Practice.

II. SUPREME COURT

- A. Electronic Filing.** All e-filing and service deadlines and procedures remain in effect.

III. SUPERIOR COURT

- A. Superior Court Actions and Matters** scheduled between Saturday, July 3, 2021 and Friday, July 30, 2021.

- (1) **Remote Proceedings.** The Superior Court judge presiding over a matter may schedule telephonic or video conference proceedings where practicable.
- (2) **In-Person Appearances.** The Superior Court judge presiding over a matter may schedule proceedings requiring in-person appearances.
- (3) **Trials.** Bench trials may be heard where practicable. Jury trials may resume at the discretion of the Superior Court judge presiding over the matter.

- B. Filing & Service** between Saturday, July 3, 2021 and Friday, July 30, 2021.

- (1) Unless otherwise ordered, all existing filing deadlines remain in effect.
- (2) Instead of in-person filings, all **criminal, civil, traffic and small claims case filings** will be accepted by the following methods:

- a. E-filing through File & Serve*Xpress*; or
- b. If e-filing is impossible or unavailable, documents may be submitted via email at Superior.Court@NMIJudiciary.com or by U.S. registered mail to:

CNMI Superior Court
Clerk of the Superior Court
P.O. Box 500307
Saipan, MP 96950

- (3) Filing fees shall be paid online. If court users cannot do so, payment may be made at the Judiciary Cashier's Office.
- (4) Service of documents shall conform to the NMI Rules of Practice, NMI Rules of Civil Procedure, and the NMI Rules for Electronic Filing & Service.

IV. OTHER JUDICIARY OPERATIONS

A. Relocation of the Recorder's Office. Due to ongoing HVAC repairs and mold remediation at Guma' Hustisia, the Recorder's Office will be at:

- a. Guma Hustisia, first floor, for record filings; and
- b. Marianas Business Plaza, second floor, to view records at a time and date to be arranged by appointment; see Section IV, subsection D of COVID-19 Order No. 13 for information on scheduling an appointment.

B. Budget & Finance/Cashier's Office. The Cashier's Office will continue with regular business hours as issued in Public Notice No. 21-002 and any subsequent notices.

C. Records. All requests for transcripts (audio or written), document processing, or record certification in the Clerk of the Superior Court, Family Court Division, Office of Adult Probation, Drug Court, and the Commonwealth Recorder's Office will be accepted by the following methods:

- (1) By email to Superior.Court@NMIJudiciary.com; or
- (2) If the electronic submission of documents is impossible, documents may be submitted by U.S. registered mail at:

CNMI Superior Court
P.O. Box 500307
Saipan, MP 96950

D. Reviewing Documents. If electronic or remote submission or review of documents is not practicable, persons may schedule an appointment to conduct in-person submission or review. Persons interested may request an appointment by telephone at (670) 235-4255, (670) 783-8417 or by email at Superior.Court@NMIJudiciary.com.

V. PUBLIC HEALTH MEASURES

- A. The Court remains cognizant of the need to protect the health and safety of court employees and the general public.
- B. Persons with apparent symptoms of COVID-19 such as a fever of over 100.4 degrees Fahrenheit or 38 degrees Celsius, severe cough, or shortness of breath may be prohibited from entering the facilities.
- C. The Court requires all persons while on NMI Judiciary facilities or properties to wear a mask that covers the nose and mouth, stay six feet apart from others who are not in the same household, and to wash hands often.
- D. Persons who have been in close contact with someone who has COVID-19 (excluding people who have had COVID -19 within the past three months or who are fully vaccinated) shall not enter the facilities. A person who has been in close contact with someone who has COVID-19 and who has business before the courts shall contact the Office of the Clerk of the Supreme Court or 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 been in close contact with someone who has COVID-19 is defined by the Center for Disease Control as any person who:
 - (1) Was within six feet of someone who has COVID-19 for a total of 15 minutes or more;
 - (2) Has provided care at home to someone who is sick with COVID-19;
 - (3) Has had direct physical contact with a person with COVID-19; or
 - (4) Had a person with COVID-19 sneeze, cough or whose respiratory droplets landed on him or her.

¶ 2

This Order will be revised as circumstances warrant.

SO ORDERED this 29th day of June, 2021.

/s/
ALEXANDRO C. CASTRO
Chief Justice

/s/
JOHN A. MANGLONA
Associate Justice

/s/
PERRY B. INOS
Associate Justice