



EASTERN BAND OF CHEROKEE INDIANS

THE CHEROKEE SUPREME COURT

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THE CHEROKEE SUPREME COURT
EASTERN BAND OF CHEROKEE INDIANS
QUALLA BOUNDARY, CHEROKEE, NORTH CAROLINA

ORDER

FILED

2020 MAR 13 P 3:40

EBCI
CHEROKEE SUPREME COURT
CHEROKEE, NC

The World Health Organization has designated the COVID-19 outbreak as a global pandemic, and E.B.C.I. Public Health and Human Services as well as the North Carolina Department of Health and Human Services has urged everyone to take steps to reduce the spread of infection.

The Cherokee Court will remain open and a Magistrate will remain on-call for issuing charges and performing their usual function, however, the Court will order as follows:

I hereby order that all court proceedings scheduled between March 16, 2020 and April 23, 2020 shall be continued to the May 2020 term of Court or as soon thereafter as may be practicable. In the coming weeks the Clerk of Court will notify all parties scheduled of their new May 2020 court date. The following proceedings are exempted from this Order:

1. Proceedings that may be conducted remotely.
2. Proceedings necessary to preserve the right to due process of law (e.g., a first appearance or bond hearing, the appointment of counsel for an indigent defendant, a probation hearing, a probable cause hearing, etc.).
3. Proceedings for the purpose of obtaining emergency relief (e.g., a domestic violence protection order, temporary restraining order, juvenile custody order, judicial consent to juvenile medical treatment order, civil commitment order, etc.).

This Order does not prohibit a judge or other judicial officer, such as a Magistrate or Clerk of Court, from exercising any in-chambers or *ex parte* jurisdiction conferred by law upon that judge or judicial officer, as provided by law.

Furthermore, I encourage the Judges and Clerk to liberally grant additional accommodations to parties, witnesses, attorneys, and others with business before the Court who

are at high risk of serve illness from COVID-19. The court will soon be establishing an electronic repository for documents that may be filed by counsel in PDF format.

I further order that the Clerk of The Cherokee Court post a notice at the entrance of the Justice Center directing that any person who has likely been exposed to COVID-19 should not enter the courthouse. A person who has likely been exposed to COVID-19 who has business before the court shall contact the Clerk's Office by telephone (828) 359-1068 or other remote means, inform the court personnel of the nature of his or her business before the court, and receive further instruction. For the purposes of this order, a person who has likely been exposed to COVID-19 is defined as any person who:

1. Has traveled to China, South Korea, Japan, Italy, or Iran within the previous 14 days;
2. Has been directed to quarantine, isolate, or self-monitor;
3. Has been diagnosed with COVID-19; or
4. Resides with or has been in close contact with any person in the abovementioned categories.

This Order shall take effect immediately and this Order may be extended in whole or in part for an additional period of time if necessary.

SO ORDERED AND ISSUED on the Qualla Boundary this 13th, day of March, 2020.

A handwritten signature in black ink, reading "Kirk G. Saunooke". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

**KIRK G. SAUNOOKE, CHIEF JUSTICE
THE CHEROKEE SUPREME COURT**