



E-FILED
CNMI SUPREME COURT
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Gretchen Smith

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-0010-MSC

COVID ORDER NO. 3
(Effective May 11, 2020 to July 2, 2020)

¶ 1 On April 1, 2020, this Court entered Administrative Order No. 2020-ADM-0005-MSC concerning the Judiciary's COVID-19 precautionary measures. The evolving circumstances surrounding COVID-19 and the demand for judicial services 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 on Limited Basis. The following court houses and facilities will be open for limited purposes through Thursday, July 2, 2020:

- (1) Guma' Hustisia, Susupe, Saipan;
- (2) Kotten Tinian, San Jose, Tinian;
- (3) Centron Hustisia, Sinapalo, Rota;
- (4) Judiciary alternate sites:
 - a. Marianas Business Plaza, Susupe, Saipan;
 - b. Drug Court, Chalan Kanoa, Saipan;
 - c. Office of Adult Probation Supervision Satellite Office, Susupe, Saipan; and

d. Law Revision Commission, Susupe, Saipan.

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 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 of Practice 53.

II. SUPREME COURT

- A. Electronic Filing.** All electronic filing and service deadlines and procedures remain in effect.
- B. Oral Argument.** Third quarter oral argument scheduled between August 17–28, 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.

III. SUPERIOR COURT

- A. Superior Court Actions and Matters** scheduled between Monday, May 11, 2020 and Thursday, July 2, 2020.
 - (1) **Remote Proceedings.** All matters shall be heard telephonically or by video conference where practicable.
 - (2) **In-Person Appearances.** If remote communications are not practicable or would contravene the protection of constitutional rights, the Superior Court may schedule proceedings requiring in-person appearances in the Guma’ Hustisia Supreme Court courtroom, Kotten Tinian, or Rota

Centron Hustisia. The judge presiding over the matter has discretion to grant in-person appearances.

- (3) **Trials.** Bench trials may be heard where practicable. All jury trials shall be postponed to a date after Thursday, July 2, 2020.

B. Filing & Service between Monday, May 11, 2020 and Thursday, July 2, 2020.

- (1) Unless otherwise ordered, all existing filing deadlines remain in effect.
- (2) Instead of in-person filings, all **criminal, civil and small claims case filings** will be accepted by the following methods:
- a. E-filing through File & Serve*Xpress*;
 - b. If e-filing is unavailable, documents may be filed by email to:
Superior.Court@NMIJudiciary.com;
 - c. If e-filing is impossible, documents may be submitted via 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 available. If court users cannot do so, payment may be arranged through 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. Budget & Finance/Cashier's Office. Business hours will resume on a limited basis with the exception of holidays and austerity days.

B. 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;
- (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

C. 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.

