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CNMI SUPREME COURT
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Judy Aldan

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-0019-MSC

COVID-19 ORDER NO. 16
(Effective November 30, 2021 to January 7, 2022)

¶ 1 On September 28, 2021, this Court entered Administrative Order No. 2021-ADM-0013-MSC concerning the Judiciary's COVID-19 precautionary measures. The evolving nature of COVID-19 and the demand for judicial services continue to warrant maintaining court operations to the public. From October 28, 2021, to November 28, 2021, the number of COVID-19 cases has rapidly risen in the community with 521 confirmed positives.¹ Pursuant to the Supreme Court's inherent and supervisory powers under Article IV, Section 3 of the NMI Constitution and 1 CMC § 3401(a), the Court ORDERS the following:

I. GENERAL ADMINISTRATIVE MATTERS

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 shall limit in-person courtroom contact as much as possible by using available technologies including electronic filing ("e-filing"), teleconferencing capabilities, and video conferencing capabilities. All court employees shall receive direction from their supervisor as to work reporting requirements.
- (2) Effective November 30, 2021, to January 7, 2022, the following Judiciary facilities shall be open to the public for limited purposes:

¹ The data was provided from the Office of the Governor and the Commonwealth Healthcare Center Corporation, Covid -19 Update as of November 30, 2021.

- a. Guma' Hustisia, Susupe, Saipan;
- b. Kotten Tinian, San Jose, Tinian (temporarily closed until Monday, December 6, 2021);
- c. Centron Hustisia, Sinapalo, Rota; and
- d. Commonwealth Recorder's Office at the Marianas Business Plaza, Susupe, Saipan (by appointment only).

II. SUPREME COURT

- A. Electronic Filing.** All e-filing and service deadlines and procedures remain in effect.
- B. Oral Arguments.** First quarter oral arguments scheduled between January 31 – February 11, 2022, will proceed as scheduled.

III. SUPERIOR COURT

- A. Superior Court General Actions and Matters (including criminal, civil, traffic and small claims).** The Superior Court judge presiding over actions and matters scheduled from November 30, 2021, to January 7, 2022, shall limit in-person proceedings by scheduling telephonic or video conferencing, or continue the matter.
- B. Superior Court Filing & Service** from November 30, 2021, to January 7, 2022:
 - (1) Unless otherwise ordered, all existing filing deadlines remain in effect.
 - a. Instead of in-person filings, all **criminal, civil, traffic and small claims case filings** will be accepted by E-filing through *File & ServeXpress*.
 - (2) Filing fees shall be paid online. If court users cannot do so, payments may be made at the Judiciary Cashier's Office.
 - (3) If e-filing is unavailable or impossible, documents may be filed by either of the following means:
 - a. By email to Superior.Court@NMIJudiciary.com; or
 - b. By U.S. registered mail to:

CNMI Superior Court
c/o Patrick V. Diaz, Clerk of the Superior Court
P.O. Box 500307
Saipan, MP 96950
 - (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.
- C. Photographing, Recording, and Broadcasting.** All persons shall conform to the provisions of Rule 53 of the Rules of Practice.

IV. OTHER JUDICIARY OPERATIONS

- A. Commonwealth Recorder's Office.** The Recorder's Office will be at:
- (1) Guma' Hustisia, first floor, for record filings from 8:00 a.m. to 12:00 p.m., and
 - (2) Marianas Business Plaza, second floor, to view records at a time and date to be arranged by appointment. Persons may request an appointment by telephone at (670) 236-9830 or by email at Kelsey.George@NMIJudiciary.com.
- B. Budget & Finance/Cashier's Office.** Temporary business hours for the Cashier's Office will be from 8:00 a.m. to 2:00 p.m.
- C. Records.** All requests for transcripts (audio or written), document processing, or record certification for the Clerk of the Superior Court, Family Court Division, Office of Adult Probation Supervision, Drug Court Division, and the Mental Health Court Docket 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 in person at the Superior Court Clerk's Office at Guma' Hustisia.
- D. Reviewing Documents.** Persons interested in reviewing documents may request an appointment by email at Superior.Court@NMIJudiciary.com or telephone at (670) 236-9766 or (670) 783-8417.

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 their 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 supersedes Covid-19 Order No. 15 and will be revised as circumstances warrant.

SO ORDERED this 30th day of November, 2021.

/s/
ALEXANDRO C. CASTRO
Chief Justice

/s/
JOHN A. MANGLONA
Associate Justice

/s/
PERRY B. INOS
Associate Justice