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MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY

IN RE THE OPERATIONS OF THE)
THIRTEENTH JUDICIAL DISTRICT IN)
RESPONSE TO COVID-19.)
)
)

December 16, 2020

ADMINISTRATIVE ORDER

Upon agreement of the Judges of the Thirteenth Judicial District, the District's Administrative Order of May 1, 2020, **IS HEREBY EXTENDED as follows:**

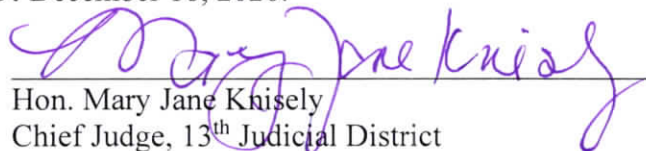
1. **Civil Jury Trials**: All civil jury trials scheduled to begin prior to March 1, 2021, shall be continued. The respective Departments will hold scheduling conferences with the parties to reset civil jury trials.
2. **Criminal Jury Trials**: All criminal jury trials set to begin prior to March 1, 2021, will be reviewed for continuance under the District's standard motion practice. Trial priority will be established by the assigned Judge. The Judges will consider the age of case, type of criminal offense alleged, Defendant's incarceration and bond status, and future witness availability. If the Court continues a case sua sponte, the time between setting will be considered institutional delay. Trial status hearings will continue with the goal of resolving cases and establishing trial date certainty.

1 The Courts continue to work with our justice partners to manage criminal jury trials
2 and hereby offer Judicial Mediation upon party request ~~to prevent backlog.~~

3 **3. Practices to be continued or implemented in accordance with Chief Justice**
4 **McGrath's May 22, 2020, Direction and the October 12, 2020, October 14, 2020,**
5 **and November 9, 2020, Orders of Health Officer for Yellowstone County:**

- 6 a. The number of people in the courthouse and in courtrooms will be limited by
7 using remote-hearing or telephonic hearings. Attorneys and litigants will be
8 allowed to appear remotely if requesting to do so by motion or by making
9 arrangements with the assigned court.
- 10 b. All physical gatherings are limited to no more than 25 people, unless an
11 exemption is granted by the local health department, and must readily allow
12 for appropriate physical distancing.
- 13 c. Individuals **must** comply with the Court's medical screening and safety
14 protocols. Please check posted signage for distancing guidelines. Masks,
15 gloves and sanitizer are available, and courtrooms will be frequently sanitized.
16 **Face coverings are required unless medical documentation of hardship is**
17 **approved by the presiding judge.** The CDC has indicated that masks can
18 assist in stopping the transmission of COVID-19 and may be helpful in
19 slowing the spread of the illness.

20 **IT IS HEREBY ORDERED:** December 16, 2020.

21 
22 Hon. Mary Jane Khisely
23 Chief Judge, 13th Judicial District
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