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5                   **MONTANA FIFTH JUDICIAL DISTRICT COURT,**  
6                   **BEAVERHEAD, JEFFERSON, AND MADISON COUNTY**  
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8                   **ADMINISTRATIVE ORDER**  
9                   **Montana 5<sup>th</sup> Judicial District Court**  
10                   \* \* \* \* \*

11                   March 20, 2020

12                   To all attorneys practicing in Beaverhead, Jefferson, and Madison County, all parties, and all  
13                   interested citizens:

14                   On March 13 and 17, 2020, we received guidelines from the Montana Supreme Court  
15                   regarding the COVID-19 virus in Montana. Since these updates, the situation has progressed, and  
16                   confirmed cases are expected to increase significantly. Most District Courts around the state are  
17                   adopting measures to attempt to flatten the curve of the spread of the virus. **The County  
18                   Commissioners in Beaverhead County, Jefferson County, and Madison County have closed the  
19                   courthouses to the public.**

20                   The Court takes all pending matters very seriously and understands the importance of  
21                   hearings to the parties involved. The Court also has a responsibility to address the unprecedented  
22                   pandemic we are currently facing.

23                   Until May 1, 2020, The Fifth Judicial District Court is implementing the following measures:

- 24                   1. All appearances for hearings must be conducted via vision net or telephone. The  
25                   Clerk of Court has available the instructions for downloading the mobile application  
26                   that must be used by all parties unless they have access to a vision net equipped device  
                 television.
- 27                   2. The Judge and Court Reporter will appear remotely from the Beaverhead County  
28                   Courthouse for all hearings. The Court Administrator will be permanently stationed in  
                 Virginia City or working from home at her discretion.
- 29                   3. Pleadings must be filed by mail or email in accordance with Local District Court Rule 3.
- 30                   4. For criminal cases:
  - 31                   a. No scheduled criminal trials may be conducted until May 4, 2020, at the earliest.  
32                   All deadlines in the previous Trial Setting Orders are continued 30 days. Defendants  
33                   and their attorneys are encouraged to waive speedy trial and stipulate to  
                 continuances. If Defendants want an expedited trial, they shall file the request and  
                 that will be accomplished if possible when court resumes. **Trials will not be  
34                   vacated at this time but will be vacated if a resolution is not reached as they  
                 approach.**
  - 35                   b. All necessary hearings and law and motion appearances must be held via vision net.
- 36                   5. For time sensitive DN, DJ, and DI matters: All necessary hearings must be held with all  
                 parties appearing via vision net or phone.

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6. For civil cases:

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a. All trials and hearings scheduled for before May 4, 2020, will be continued, as the  
3 scheduled time approaches, without setting a new date. New dates will be issued  
4 when more information is available.  
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b. For trials and hearings scheduled before May 4, 2020, parties may request rulings  
without appearances in appropriate matters. Parties in uncontested or limited issue  
matters **MAY** contact the Clerk or Court Administrator and request the Court to  
review the matter to determine if a limited vision net appearance for a hearing is  
appropriate.

6 DATED this 20<sup>th</sup> day of March 2020.

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LUKE M. BERGER  
District Court Judge

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