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**MONTANA FIFTH JUDICIAL DISTRICT COURT,
BEAVERHEAD, JEFFERSON, AND MADISON COUNTY**

**ADMINISTRATIVE ORDER
Montana 5th Judicial District Court**

March 20, 2020

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

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

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

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

- 1. All appearances for hearings must be conducted via vision net or telephone. The Clerk of Court has available the instructions for downloading the mobile application that must be used by all parties unless they have access to a vision net equipped device television.**
- 2. The Judge and Court Reporter will appear remotely from the Beaverhead County Courthouse for all hearings.** The Court Administrator will be permanently stationed in Virginia City or working from home at her discretion.
3. Pleadings must be filed by mail or email in accordance with Local District Court Rule 3.
4. For criminal cases:
 - a. No scheduled criminal trials may be conducted until May 4, 2020, at the earliest. All deadlines in the previous Trial Setting Orders are continued 30 days. Defendants 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 vacated at this time but will be vacated if a resolution is not reached as they approach.**
 - b. All necessary hearings and law and motion appearances must be held via vision net.
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:

- a. All trials and hearings scheduled for before May 4, 2020, will be continued, as the scheduled time approaches, without setting a new date. New dates will be issued when more information is available.
- 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.

DATED this 20th day of March 2020.



LUKE M. BERGER
District Court Judge