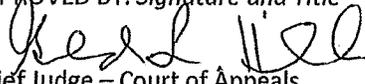
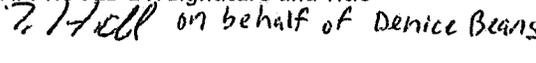
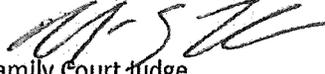
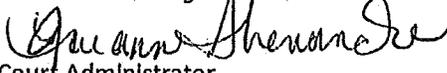
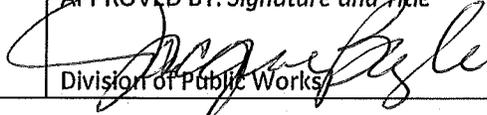


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|  <p><b>ONEIDA</b><br/>ONEIDA JUDICIARY<br/>INTERNAL OPERATING<br/>PROCEDURE</p> | <p>TITLE:<br/><br/>COVID-19 REENTRY POLICY (AMENDED)</p>  | <p>ORIGINATION DATE:<br/>5/18/2020<br/><br/>EFFECTIVE DATE:<br/>7/13/2020</p> |
| <p>Drafted:<br/>5/18/2020</p>  | <p>APPROVED BY: <i>Signature and Title</i><br/><br/>Chief Judge – Court of Appeals</p>                          | <p>DATE:</p>  |
| <p>PAGE 1 OF 6</p>   | <p>APPROVED BY: <i>Signature and Title</i><br/><br/>on behalf of Denise Beans<br/>Chief Judge – Trial Court</p> | <p>DATE:<br/>7/24/20</p>  |
|  | <p>APPROVED BY: <i>Signature and Title</i><br/><br/>Family Court Judge</p>                                       | <p>DATE:<br/>7/29/20</p>  |
|  | <p>APPROVED BY: <i>Signature and Title</i><br/><br/>Court Administrator</p>                                     | <p>DATE:<br/>7/24/20</p>  |
|  | <p>APPROVED BY: <i>Signature and Title</i><br/><br/>Public Health Officer</p>                                  | <p>DATE:<br/>8/7/20</p>   |
|  | <p>APPROVED BY: <i>Signature and Title</i><br/><br/>Division of Public Works</p>                              | <p>DATE:<br/>8/10/20</p>  |

**1 PURPOSE**

- 1.1 To address in-person reengagement at the Judiciary during and after the COVID-19 pandemic by practicing social distancing, good hand hygiene, and other daily habits to reduce risk of exposure to the virus.
- 1.2 To protect the health and safety of Judiciary employees and those that use the court.
- 1.3 To promote communication within the Judiciary to address changing needs and circumstances and to ensure that members of the Oneida Nation and other court users have a safe forum to address legal disputes and to partake in other judicial activities authorized by Tribal law.
- 1.4 To help usher in the “new normal” brought on by the COVID-19 virus and its far-reaching and potentially permanent impacts on both court operations and the community.

**2 AUTHORITY**

- 2.1 The Oneida Judiciary is authorized to establish Internal operating procedures governing the operation of the court in accordance with 8 O.C. 801.9-1 and 8 O.C. 806.9-1.

**3 TIME OF EFFECT**

- 3.1 This internal operating procedure shall be in effect until further notice of the court and may be modified as circumstances dictate or upon recommendation from the Oneida Nation’s health officials.

**4 CONFLICT**

- 4.1 In the event of a conflict between this internal operating procedure and Tribal law, as that term is defined in the Judiciary law, addressing this issue, the provisions of the Tribal law shall control.

**5 SAFETY MEASURES FOR COURT OPERATIONS**

- 5.1 To comply with social distancing requirements between all individuals on the premises and considering the number of workers present to perform essential operations, the following measures shall be implemented:
- 5.1.1 The Judiciary is restricting lobby access to in-person hearings and appointments only for case filings or other court business.
- 5.1.1.1 Members of the general public may freely attend in-person hearings that are open to the public subject to the safety measures and revised courtroom capacity limits.
- 5.1.1.2 For Family Court and other hearings that are closed to the public, family members and other individuals attending in support may remain in the lobby subject to the safety measures and revised lobby capacity limits.
- 5.1.1.3 If the lobby is at capacity, preference will be given to those individuals who are present to testify as a witness. The security officer may remove others from the courthouse if the lobby is at capacity.
- 5.1.2 Court users may still connect with staff to conduct court business in a timely manner, while helping to prevent the spread of the COVID-19 virus.
- 5.1.2.1 First, individuals should go to the Judiciary's website at <https://oneida-nsn.gov/government/judiciary/>.
- 5.1.2.2 If individuals are unable to find what they are looking for, they should call the Judiciary as the clerks may be able to assist them by telephone or email without ever having to access the lobby.
- 5.1.2.3 If individuals have court business that requires lobby access or in-person service, such as filing documents, the clerks will schedule a lobby appointment to meet with them. Contact information for the clerks is as follows:

Trial Court: Marie Summers  
(920) 496-7217  
esummer1@oneidanation.org

Family Court: Pixie DeGrand  
(920) 496-7219  
pdegrand@oneidanation.org

Kris Denny  
(920) 496-7221  
Kdanfor3@oneidanation.org

Court of Appeals: Tami Hill  
(920) 496-7209  
thill@oneidanation.org

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- 5.2 Courtroom and lobby capacity limits shall be revised and lowered to:
    - 5.2.1 Courtroom A = 16 people.
    - 5.2.2 Courtroom B = 17 people.
    - 5.2.3 Lobby = 20 people.
  - 5.3 Social distancing, at a recommended distance of six feet, shall be enforced as follows:
    - 5.3.1 Signage will be posted around the courthouse to remind individuals to maintain proper social distancing.
    - 5.3.2 Floor and pavement markings will indicate where individuals should stand for security screenings and reception service.
    - 5.3.3 Courthouse lobby and courtroom chairs shall be blocked off or otherwise restricted to separate litigants, witnesses, and other individuals and this shall be enforced by the security officer.
  - 5.4 Standards will be increased to address good hand hygiene to limit employee and court user exposure to COVID-19.
    - 5.4.1 Hand sanitizer will be placed in the lobby and at the reception window.
    - 5.4.2 Hand sanitizer will be placed on the judge's bench, clerk's station, and in the courtrooms.
    - 5.4.3 Hand sanitizer will be issued to all Judiciary employees for their workstation.
    - 5.4.4 Hand sanitizer will be available at the Kronos timeclock and employees shall sanitize their hands before and after clocking in and out.
  - 5.5 Court staff shall ensure that surfaces that have been touched during one proceeding are wiped down before the next proceeding.
    - 5.5.1 The clerk or judge shall wipe down surfaces that are likely to have been touched during the proceeding (e.g. judge's bench, clerk's station, and the tables) with a disinfectant.
    - 5.5.2 The security officer, who may wear gloves, shall wipe down surfaces in the lobby and conference rooms after individuals have left with a disinfectant.
  - 5.6 Papers and magazines shall be removed from the lobby area.
  - 5.7 Clean and dirty pen cups shall be cleansed and replaced each day.
  - 5.8 Vendors, including MIS and Custodial, that arrive at the courthouse for servicing are required to wear face masks or face coverings and single-use gloves.
    - 5.8.1 If the vendor does not have personal protective equipment, they will be issued a mask and set of gloves from the security officer.

## **6 SAFETY MEASURES FOR COURT STAFF**

- 6.1 If employees are sick, they shall stay home from work.
  - 6.1.1 All staff shall self-monitor for fever, cough, and difficulty breathing.
  - 6.1.2 Staff who are sick may consult with their supervisor about telecommuting in accordance with the Judiciary's COVID-19 Policy.
- 6.2 Once the proper equipment is available, temperature checks will be performed on all employees at the temperature self-check kiosk.
  - 6.2.1 Once employees arrive at the Judiciary for the day, they shall report to the temperature self-check kiosk for their daily temperature check.
  - 6.2.2 An employee registering a temperature of 100.4 degrees Fahrenheit or greater will be asked to go home for the day, shall follow up with their medical provider, and may only come back to work when they no longer have a fever without the use of fever-reducing medications.

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- 6.2.2.1 Staff who are sent home may consult with their supervisor about telecommuting in accordance with the Judiciary's COVID-19 Policy.
      - 6.2.2.2 If the employee who was sent home tests positive for the COVID-19 virus, they shall follow the requirements of section 6.3.
  - 6.3 If an employee tests positive for the COVID-19 virus, or has direct exposure to someone who has, the following process shall be followed:
    - 6.3.1 Employee shall not report for duty at the courthouse and must inform their supervisor that they will be staying home from work;
    - 6.3.2 The supervisor shall inform the Court Administrator so that Employee Health Nursing and the Oneida Nation's health officials can be consulted for guidance and any possible action to take.
    - 6.3.3 Employees shall be informed via email that possible exposure has occurred in the workplace without disclosing any identifying information about the individual who tested positive.
      - 6.3.3.1 The following notice shall be utilized:

The Oneida Judiciary has learned that an employee at the Judiciary tested positive for the COVID-19 virus. The employee received positive test results on [date]. This email is to notify you that you have potentially been exposed to COVID-19 and the Judiciary has contacted Employee Health Nursing and the Oneida Nation's health officials for guidance and any possible action to take.
    - 6.3.4 Employee shall immediately contact their medical provider for guidance;
    - 6.3.5 Employee shall immediately contact Employee Health Nursing at (920) 405-4492 to conduct a COVID-19 telephone screening;
    - 6.3.6 Employee shall follow the medical provider and Employee Health Nursing guidance and report back to their supervisor; and
    - 6.3.7 Supervisor shall comply with the COVID-19 Notice to Supervisor recommendations from Employee Health Nursing.
  - 6.4 Employees should wash hands often with soap and water for at least 20 seconds especially after handled court files, fee payments, or mail; and after blowing their nose, coughing, or sneezing.
    - 6.4.1 If soap and water are not available, employees should use an alcohol-based hand sanitizer with at least 60% alcohol.
    - 6.4.2 Employees should avoid touching their eyes, nose, and mouth, especially with unwashed hands.
  - 6.5 Employees should cover coughs and sneezes with their sleeve or a disposable tissue, and wash their hands after coughing or sneezing.
    - 6.5.1 Employees shall throw used tissues in the trash.
  - 6.6 Employees should put distance between themselves and others at the recommended distance of six feet.

- 6.6.1 Face masks or face coverings shall be worn during in-person hearings and when employees are in another employee's office or within 6 feet of another employee's workstation.
- 6.6.2 The security officer shall wear a face mask or face covering and may wear gloves when performing safety screenings.
  - 6.6.2.1 The security officer does not have to wear a face mask or face covering when the lobby is empty.
- 6.6.3 Face masks or face coverings shall be worn when employees are meeting with and assisting court users, unless the employee is behind the glass at the reception area.
- 6.6.4 Internal meetings shall be held in a room large enough to maintain adequate social distancing.
- 6.6.5 To the greatest extent possible, Judiciary employees shall adhere to social distancing in the breakroom and will wipe down the table with a disinfectant before and after use.
- 6.7 Employees shall avoid shaking hands with others.
- 6.8 Employees shall wipe down frequently touched surfaces (e.g. doorknobs, tabletops, phones, keyboards) with a disinfectant regularly.
- 6.9 Judiciary employees shall move their trash cans by the door on days that Custodial is scheduled to clean.
  - 6.9.1 Judiciary employees shall offer to leave their office or workstation while Custodial cleans that office or workstation.
  - 6.9.2 Employees who are unable to keep their desktop clean of all items except phones and computers shall clean their own offices.

## **7 SAFETY MEASURES FOR COURT USERS AND VENDORS**

- 7.1 Court users are required to wear their own face mask or face covering while at the courthouse.
  - 7.1.1 Face masks or face coverings shall be worn continuously in the courthouse lobby and in the courtroom during proceedings unless a judge specifically determines on the record that it is necessary for a witness not to wear a face mask or face covering during the witness's testimony in order for the judge to weigh the witness's credibility.
    - 7.1.1.1 This requirement does not apply to children under the age of 2.
  - 7.1.2 Court users that are present for an in-person hearing shall notify court security if they do not have access to a face mask or face covering.
  - 7.2.3 Failure or refusal to wear a face mask or face covering shall result in denial of entry or immediate removal from the courthouse.
- 7.2 Once the proper equipment is available, temperature checks will be performed on all court users and vendors by the security officer at the temperature self-check kiosk.
  - 7.2.1 Court users and vendors registering a temperature of 100.4 degrees Fahrenheit or greater will be asked to leave the building and informed that they should not return until they have been cleared by their medical provider or have been free of fever without the use of fever-reducing medications.
    - 7.2.1.1 If the individual is present for a hearing, the security officer shall notify the assigned judge who will decide what action is necessary given the person's role in the proceeding.

- 7.2.1.2 If the individual is present for other court business, the security officer shall notify them that they may contact a clerk to discuss handling their court business remotely or at another time.
  - 7.2.2 The security officer shall keep all court user and vendor health information confidential.
- 7.3 Court users may obtain court documents by doing the following:
  - 7.3.1 Visiting the Judiciary's website - <https://oneida-nsn.gov/government/judiciary/>;
  - 7.3.2 Speaking with a clerk and having them sent via mail, email, or fax; or
  - 7.3.3 Speaking with a clerk and scheduling a lobby appointment.
- 7.4 Court users may file court documents by:
  - 7.4.1 Mail;
  - 7.4.2 Email or fax; or
  - 7.4.3 In person after schedule an appointment with a clerk.
- 7.5 Filing fees may be paid by mail, over the telephone, or in person after scheduling an appointment with a clerk.

## **8 COURT HEARINGS**

- 8.1 If deemed appropriate by the judge after considering the nature of the hearing, hearings may be conducted remotely.
- 8.2 Hearing notices shall notify litigants of new court policies and inform individuals that if they are sick or experiencing flu-like symptoms such as a cough, fever, or other respiratory problem, they should not come to the courthouse.
- 8.3 If someone has a court hearing scheduled and cannot make it due to illness, they should call to arrange for a telephone or videoconference appearance or request a continuance in writing.

## **9 REFERENCES**

- 9.1 8 O.C. 801.9-1
- 9.2 8 O.C. 806.9-1
- 9.3 Judiciary Emergency Action Plan
- 9.4 COVID-19 Policy (3/13/2020)
- 9.5 Oneida Nation Declaration of Public Health State of Emergency
- 9.6 Oneida Nation Safer at Home Declaration
- 9.7 COVID-19 Core Decision Making Team Declaration: Safe Re-Opening Governmental Offices
- 9.8 Public Health Findings and Order (7/22/2020)