

FILED OCT 26 2021

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IN THE TRIBAL COURT AND THE CHILDREN'S COURT
OF THE SHAKOPEE MDEWAKANTON SIOUX COMMUNITY

MELISSA A. HINTZ
CLERK OF COURT

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SMSC RESERVATION

STATE OF MINNESOTA

**General Order No. 01-21
Updated Order Regarding Hearings and Filings During COVID-19
Pandemic**

By General Order dated March 18, 2020 (General Order No. 01-20), the Court directed that all proceedings would be conducted by telephone conference until further notice, and by General Order No. 02-20, the Court expanded that order to clarify that hearings may be conducted by videoconference as well, at the discretion of the presiding judge.

Hearings by Videoconference

The Court intends to continue conducting hearings by videoconference until further notice unless the presiding judge orders otherwise in a particular case. Parties may, however, request that a particular hearing be held in person.

The Court issues the following expectations for remote appearances:

1. Counsel and parties must remember that their appearance in court is a formal court proceeding and that appropriate court decorum must be followed during the hearing regardless of the location from which counsel and parties are appearing. This includes:
 - Understanding and respecting the seriousness of the proceeding, even though participants are not present in-person.
 - Wearing appropriate dress.
 - Not smoking/vaping/eating/or drinking except for water.

- Not moving around during the hearing, including walking, driving, or otherwise moving from place to place, unless so directed by the Clerk or the presiding judge.
 - Not making or taking phone calls or conducting other business (even on “mute”) unless permission to do so is granted by the presiding judge (e.g. in the case of a lawyer confirming a client’s intended presence at the hearing).
2. No recording of the proceeding is permitted except by the Court or the court reporter.
 3. All participants should familiarize themselves with Zoom before the proceeding.
 4. Unless specific permission to participate without a camera is granted, the devices used by counsel and parties to connect with the hearing must have both video and audio capabilities and those capabilities should be tested before the start of the hearing.
 5. Participants should log in a few minutes early to ensure the connection is sound so that the proceedings can start on time.
 6. Counsel and parties must remember, and counsel must advise their clients, that when participants are admitted to the Zoom session from the waiting room, all participants will be able to see and hear all other participants. Therefore, participants must refrain from casual, personal, or confidential conversation that is not appropriate in this setting.
 7. If counsel need a private session with a client during a hearing, the Clerk can set up a Zoom Breakout Room for counsel and the client to have a private conversation.

Filings By Mail

The Court also required in its General Order No.01-20 that all filings be by email until further notice. Because the Clerk of Court is now back in her office and receiving mail, documents may again be filed by email or U.S. Mail as provided in the Court's Rules of Civil Procedure.

Signatures On Filings

The Court will continue to allow filed documents to include either an original or a scan of the individual's handwritten signature, an electronically inserted image intended to substitute for a signature, or a typographical signature, which shall have the same validity and effect as a handwritten signature. Each signatory block must include the typed name, address, telephone number, and designated e-mail address. A typographical signature shall be in the form “/s/ [name of signatory]” and shall be considered the functional equivalent of an original, handwritten signature produced on paper.

Any party who files a document by e-mail that requires one or more signatures is certifying compliance with the signature requirements of this General Order for all signatures on the document, and the signatures on the document shall be considered the functional equivalent of original, handwritten signatures produced on paper.

Dated: October 26, 2021

A handwritten signature in blue ink, consisting of a stylized 'H' followed by several loops and a long horizontal stroke at the end.

Henry M. Buffalo Jr., Chief Judge