



# NHBP TRIBAL COURT

NOTTAWASEPPI HURON BAND OF THE POTAWATOMI

2221 1/2 MILE RD. • FULTON, MI 49052

P: 269.704.8404 • F: 269.729.4826 - ORI NO. MID10077J

**ADMINISTRATIVE ORDER  
ON THE ADMINISTRATION OF THE  
NOTTAWASEPPI HURON BAND OF THE POTAWATOMI TRIBAL COURT  
IN RESPONSE TO THE COVID-19**

The Nottawaseppi Huron Band of the Potawatomi (NHBP) is a federally recognized American Indian Tribe. The NHBP Tribal Constitution establishes the Tribal Government, mandating the duties and powers of the branches of government, including the independent Judicial Branch that is comprised of a Trial Court of general jurisdiction with the Domestic Violence Division and the Juvenile Division established by the NHBP Tribal Council, as well as the Supreme Court, the sole appellate body. This judicial system is referred to generally as the NHBP Tribal Court and is located on the Pine Creek Reservation in the Tribal Courts and Police Building at 2221 1/2 Mile Road, Fulton, Michigan 49052.

The NHBP Tribal Court is constitutionally mandated with the sacred duty to protect and advance the sovereignty of this Native Nation, providing essential services to Tribal Citizens, members of the community, visitors to Tribal lands and business enterprises, and the public-at-large.

The NHBP Tribal Court shall remain open with limited staffing onsite, with safety protocols in place to protect Staff and those seeking services, including hands-free sanitizer stations located throughout the building, and other Court Staff working remotely to ensure Court services are provided. With this Nation's specific commitment to care for children, Elders, and vulnerable adults and the critical importance of protecting the due process rights of those with matters in the NHBP Tribal Court, the following matters shall continue to be addressed as provided in Tribal law and the NHBP Tribal Court Rules through April 13, 2020 with this list similar to Calhoun County Circuit Court:

### **Criminal Matters**

- The Court will hold arraignments for incarcerated individuals
- The Court will review of all requests for the authorization of new criminal charges, including the finding of probable cause for arrest warrants
- The Court will review all request for search warrants
- The Court will proceed with Status Conferences for incarcerated defendants if prosecution and defense counsel are able to appear, including by phone

- The Court will facilitate participation in court proceedings by phone of parties and their attorneys, where applicable, to reduce health risks to parties, attorneys, and Court Staff, and conduct health safety protocols for appearance in person
- The Probation Department shall continue supervision of and all services to individuals on bond, probation or otherwise ordered by the Court to receive services through the Probation Department pursuant to the orders of the Court issued with the Probation Department authorized to request reporting by phone if substance testing is not ordered for the safety of the Defendant or Probation Officer
- All individuals on bond, probation or otherwise ordered by the Court to be supervised by or engaged with the Probation Department shall continue to comply with all requirements pursuant to the orders of the Court issued unless otherwise ordered by the Court upon the motion of the Tribal Prosecutor, Defense Attorney, Defendant/Respondent/Other Individual if not represented by counsel, Probation Officer, or the Court
- The Court will adjourn all scheduled sentencing hearings, but may review bond conditions for incarcerated Defendants
- The Court will adjourn all preliminary examinations, but may review bond conditions for incarcerated Defendants

#### **Juvenile Proceedings**

- The Court will hear emergency proceedings for matters filed pursuant to the *NHBP Children's Protection Code*
- The Court will conduct the initial preliminary hearing for any detained Juvenile by phone

#### **Personal Protection Orders**

- The Court will review newly filed petitions for a personal protection order (PPO) with the assistance of the Victim Services Department
- The Court will conduct arraignments on alleged PPO violations when the Defendant is in custody pending arraignment on the alleged violation
- The Court will schedule hearings on civil contempt proceedings for motions to show cause for allegedly violating a civil PPO after April 13, 2020 unless the circumstances or *NHBP Domestic Violence Code* require otherwise
- The Court will schedule hearings on motions to modify or terminate a PPO after April 13, 2020 unless the circumstances or the *NHBP Domestic Violence Code* require otherwise

#### **Mental Health Matters**

- The Court will hear emergency petitions for mental health treatment
- The Court will review petitions for emergency hearings in adult and minor guardianship and conservatorship matters, with the Court determining on a case-by-case basis if an emergency hearing is warranted based on the pleadings, taking the appropriate actions pursuant to the circumstances, Tribal law and/or the NHBP Tribal Court Rules

### **Other Civil Matters**

- The Court shall review any request for an emergency hearing with the Court determining on a case-by-case basis if an emergency hearing is warranted based on the pleadings, taking the appropriate actions pursuant to the circumstances, Tribal law and/or the NHBP Tribal Court Rules
- The Court shall review requests for emergency show cause and injunctive orders with the Court determining on a case-by-case basis if an emergency hearing is warranted based on the pleadings, taking the appropriate actions pursuant to the circumstances, Tribal law and/or the NHBP Tribal Court Rules

### **Appellate Matters**

- The Court shall accept appeals by United States mail, by email, and at the Court Offices due to the timing requirements in the *NHBP Tribal Court Rules*

### **Health and Safety Protocols**

- For Court proceedings that are being held prior to April 13, 2020, the parties and their attorneys, where applicable, are encouraged to participate in the Court proceeding by phone
- For Court proceedings that are being held prior to April 13, 2020, the Court will permit/facilitate participation by phone of an incarcerated Defendant to reduce the health risks to the Defendant, transporting NHBP Police Officers, inmates and staff at the detention facility, the other participants in the hearing, the victim, and Court Staff
- For Court proceedings that are being held prior to April 13, 2020, the Court will take preventative measures to reduce risk to parties, their attorneys, witnesses, NHBP Police Officers, and Court Staff
- Only the parties, their attorneys, witnesses, persons identified by the Court as having a legitimate interest in the Court proceeding, NHBP Police Officers, and Court Staff shall be permitted in the Tribal Courts and Police Building for Court proceedings
- Any proceeding that is adjourned pursuant to this *Administrative Order* will be scheduled for a date after April 13, 2020, if permitted by the applicable law and/or agreed upon by the parties and approved by the Court
- The Court has been scheduling and will continue to schedule non-emergency matters for a date after April 13, 2020

At least one Court Staff will be at the Court Offices from 8:30 AM to 5:00 PM with temporary closings anticipated when the Staff must leave the office to perform Court-related duties or other tasks. When this occurs, a sign will be posted at the Court that includes the time Staff will return. Court Staff working remotely may be reached by phone or via email during these same hours. Please be sure to leave a message if the person you are trying to reach is not available to take your call.

During this COVID-19 situation, the Court will accept electronic filings with many forms available online, at the Court Offices, and/or by contacting Court Staff. Parties must provide an email address or phone number so that the Court may follow up with the individual filing the document.

The NHBP Tribal Court website address is: <https://www.nhbpi.org/tribal-court/>

The Court forms are in a variety of formats and can be found at: <https://www.nhbpi.org/tribal-court/>

Filing fees may be paid by credit card or check via U.S. mail. Indigent parties may request a fee waiver with the form available online. While the Court will be staffed and can accept checks or cash at the Court Offices, the Court encourages parties to contact Court Staff to make other arrangements for the health and safety of both the parties and Court Staff.

Court Staff phone numbers and email addresses are as follows:

Holly Curtis  
Tribal Court Administrator  
269-704-8395  
[holly.curtis@nhbp-nsn.gov](mailto:holly.curtis@nhbp-nsn.gov)

Dawn Mack  
Assistant TCA  
269-704-8394  
[dawn.mack@nhbp-nsn.gov](mailto:dawn.mack@nhbp-nsn.gov)

Lauren Simmons  
Tribal Court Clerk  
269-704-8340  
[lauren.simmons@nhbp-nsn.gov](mailto:lauren.simmons@nhbp-nsn.gov)

Patti McClure  
Victim Advocate  
269-704-8396  
[patricia.mcclure@nhbp-nsn.gov](mailto:patricia.mcclure@nhbp-nsn.gov)

Alyssa Collyer  
Victim Services Assistant  
269-704-7036  
[alyssa.collyer@nhbp-nsn.gov](mailto:alyssa.collyer@nhbp-nsn.gov)

April Taylor  
Probation Officer  
269-704-8397  
[april.taylor@nhbp-nsn.gov](mailto:april.taylor@nhbp-nsn.gov)

The NHBP Tribal Court Staff wish you all good health and safety during this difficult situation.

**IT IS HEREBY ORDERED:**

March 19, 2020  
Date

  
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Hon. Melissa L. Pope, Chief Judge (Bar No. P55328)