

District Court Judges

Donald Hager
Presiding Judge

Lolita G. Hartl Romanick
District Judge

John A. Thelen
District Judge

Jason McCarthy
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Jay Knudson
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Director of Juvenile Court
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Date: September 16, 2022

RE: COVID-19 courthouse protocol --- NECJD Procedural Order

To all counsel and courthouse personnel:

The Centers for Disease Control (CDC) released revised COVID guidelines on August 11, 2022. The North Dakota Supreme Court also released its revised protocol on September 15, 2022 in response to the CDC's latest directive. As stated by the Supreme Court, these "new guidelines are uniform for both vaccinated and unvaccinated individuals and call for a shorter period of quarantining or isolating if an individual tests positive or has been exposed to COVID while still relying on masking and testing to prevent the spread of the disease."

The Northeast Central Judicial District will continue to accommodate courtroom participants with Zoom appearances in pretrial juvenile hearings, guardianship reviews and other hearings (when requested in the latter), and in civil pre-trial appearances when requested prior to the hearing.

The Northeast Central Judicial District continues to be vigilant and flexible in ensuring public safety and responding to the dangers of community spread which may affect the judicial operations and service to our participants. We will continue to hold Zoom appearances for those individuals detained at the Grand Forks County Correctional Center (GFCCC), Ramsey County Correctional Center (RCCC), and other detention facilities, absent any objection raised by the defendant or his/her counsel, and further subject to restrictions if the individual is COVID-positive.

All specialty courts --- juvenile and adult drug courts, and domestic violence court --- shall be conducted in person, unless the assigned judge determines otherwise, considering the safety of the participants and court personnel.

The following courthouse protocol continues to apply to the Northeast Central Judicial District [NECJD] to ensure the continued safety of all court personnel, attorneys, parties, witnesses, and the general public.

1. Mask wear is discretionary in the courthouse for those individuals who are not positive and have not been in close contact to a COVID-infected person. Individuals who have tested positive are not allowed in the courthouse, and must self-isolate for five days or until the symptoms resolve and there is a negative test, whichever is longer. An individual must be free of fever (100 degrees F) for at least 24 hours without the use of fever-reducing or symptom-altering medicines.

Thereafter, an individual must use a mask through day 10 of the infection. Any person in close contact with a COVID-infected individual must use a mask in shared spaces through day 10 of the exposure. Any person exposed is to test at day 5 after the last exposure, and if positive then self-isolation is required as stated above. If the test is negative, they shall continue to mask in shared spaces through day 10 from the last exposure.

2. We will continue to have criminal and civil jury and bench trials. Any participant, including potential jurors, shall not be allowed in the courthouse if that person is positive. If the person has been in close contact, then masking is required in shared spaces, and the court retains discretion to excuse any potential juror prior to or during voir dire. The court will continue to maintain spacing to the extent it is available, and encourage positive or close-contact witnesses to testify by Zoom or the matter will be continued absent agreement of the parties and counsel.

A handwritten signature in black ink, appearing to read "D. Hager", with a long, sweeping horizontal stroke extending to the right.

Don Hager
Presiding Judge
Northeast Central Judicial District