

ORDER 30. EMERGENCY PERMANENCY HEARING PROCEDURE

(a) In N.D.Sup.Ct.Admin.O. 25, the Justices of the North Dakota Supreme Court declared a state of emergency statewide for the Judicial Branch due to the COVID-19 pandemic.

(b) Additional federal and state government entities have declared public health emergencies due to the COVID-19 pandemic and recommended limiting contact between individuals. This has resulted in the closure of public facilities, including courthouses.

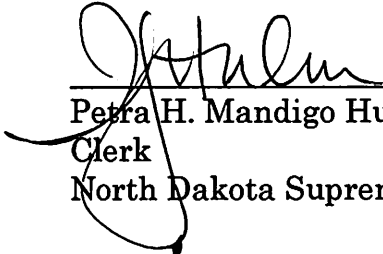
(c) Because public access to court facilities has been limited, it is hereby ORDERED:

(1) A permanency hearing under N.D.C.C. § 27-20-36(2)(b) may be conducted using reliable electronic means under N.D.Sup.Ct.Admin.R. 52. A record of all proceedings must be made as required by N.D.Sup.Ct.Admin.R. 39.

(2) If conducting a permanency hearing by electronic means is not practicable in a specific case involving a request to extend any current foster care or Division of Juvenile Services placement for a child, the court in its discretion may conduct a thorough review of the file and issue a limited duration order of extension for a period of no longer than 90 days. This process may be repeated as necessary.

(d) This order is adopted on an emergency basis, effective immediately.

The Supreme Court of the State of North Dakota convened this 27th day of March, 2020, with the Honorable Jon J. Jensen, Chief Justice, and the Honorable Gerald W. VandeWalle, the Honorable Daniel J. Crothers, the Honorable Lisa Fair McEvers, and the Honorable Jerod E. Tufte, Justices, directing the Clerk of the Supreme Court to enter the above order.


Petra H. Mandigo Hulm

Clerk

North Dakota Supreme Court