

IN THE SAC & FOX TRIBE OF THE MISSISSIPPI IN IOWA TRIBAL COURT
Meskwaki Settlement
307 Meskwaki Road
Tama, Iowa 52339-9629

FILED
JAN 28 2014

TRIBAL COURT
SAC & FOX TRIBE OF THE
MISSISSIPPI IN IOWA

IN THE MATTER OF
INCLEMENT WEATHER POLICY

AO-2014-001
ORDER

WHEREAS, during inclement weather, serving the public is a priority for the Judiciary, as is the safety and consideration of its employees and jurors;

WHEREAS, when there is inclement weather, the Court will to the extent possible remain open and accessible to the public during normal business hours;

WHEREAS, the Chief Judge shall be mindful of the heavy burden of the cases and disruption that closing would cause to litigants, witnesses, victims, and other interested parties;

WHEREAS, the Chief Judge shall be guided by the closure or delay of the Sac and Fox Tribal Offices, which takes into consideration the latest road conditions and weather forecasts;

WHEREAS, it is important that the Court have an "Inclement Weather Policy" and define the duties of its staff; and,

NOW THEREFORE, pursuant to the authority given in the Sac and Fox Tribe of the Mississippi in Iowa Rules of Civil Procedure, the Court hereby adopts the following policy regarding inclement weather:

INCLEMENT WEATHER POLICY

1. Due to inclement weather causing hazardous road and travel conditions, the Meskwaki Tribal Court work schedule may be delayed or closed.
2. When making the determination of whether the Meskwaki Tribal Court work schedule should be delayed or closed, the Chief Judge shall be guided by the delay or closure of the main Sac and Fox Tribal Offices, which takes into consideration the latest road conditions and weather forecasts.
3. In the event that the Chief Judge determines that there is an essential function of the Court which must be held, only designated essential personnel shall be required to report

for work. Generally, this shall be one clerk of court staff and one Judge designated to perform essential functions for that day.

4. Essential personnel provide services that relate directly to the health, safety, and welfare of the Tribe to ensure continuity of key operations and also to maintain and protect Tribal citizens and tribal property.
5. When requiring essential personnel to report to work, the essential employee and the Judge must decide whether it is possible to report to work without creating an unreasonable risk of harm by traveling during inclement weather. If the essential employee or the Judge determines they are unable to report to work, a diligent effort to make alternative arrangements such as allowing a telephonic hearing or re-scheduling the hearing shall be made.
6. Any essential personnel required to report to work shall be granted flex time on an hour for hour basis. This flex time must be used during the week it was incurred.
7. Those employees not required to report to work shall be granted administrative leave during the delay or closure.
8. Every effort will be made to notify the public or litigants of the Court's delay or closure.
9. Any hearings scheduled during the delay or closure will be rescheduled by the Clerk of Court's office upon re-opening. Parties may contact the Clerk of Court at 641-484-9300 for further information.

So ORDERED this 28th day of January, 2014.



Jessica R. Bear, Chief Judge
Sac and Fox Tribe of the Mississippi in Iowa
Tribal Court