

SIXTH JUDICIAL CIRCUIT COURT
COVID-19 State of Emergency Procedures

This Order of the Sixth Judicial Circuit Court amends and extends the court's previously issued order dated May 8, 2020. This Order is issued in response to the COVID-19 (Coronavirus) outbreak and the resulting states of emergency declarations issued by President Donald J. Trump and Governor Gretchen Whitmer, Executive Order 2020-100 issued by Governor Whitmer which extended the State of Emergency through June 12, 2020 and as authorized by Michigan Supreme Court Administrative Orders, Nos. 2020-1, 2020-2, 2020-6, 2020-9, 2020-10 and 2020-12 which extended those previous orders until further notice of the court.

This Order is amended to continue emergency procedures and to establish procedures for hearing non-emergency matters to reduce the risk of transmission of COVID-19, and to protect the health and safety of the public and all who conduct business in the Circuit Court. This order hereby rescinds the previous Administrative Order of this Court dated May 8, 2020. This Order shall take immediate effect and continue through June 12, 2020 or until further notice by the court.

The Sixth Judicial Circuit Court will remain open to handle emergency and non-emergency matters as follows:

EMERGENCY AND ESSENTIAL MATTERS

Criminal Cases

- Arraignments on the information will be done by mail through June 12, 2020;
- Emergency bond motions;
- Arraignments on bench warrants and warrants for violations of probation;
- All non-custodial jury trials are hereby adjourned until August 21, 2020 without an order. New dates will be scheduled after the resumption of full courtroom operations. Attorneys are directed to contact the assigned courtroom staff by email or phone upon resumption of full courtroom operations;
- All custodial jury trials are adjourned until June 22, 2020 in compliance with Michigan Supreme Court Administrative Order 2020-10. New dates will be scheduled after the resumption of full courtroom operations. Attorneys are directed to contact the assigned courtroom staff by email or phone upon resumption of full courtroom operations;
- Sentencing hearings for in-custody defendants will be held by video unless objected to by the defense, and in which case the matter may be adjourned; and
- All in-person criminal calls will be adjourned until further notice. Criminal matters will be heard remotely. Contact the chambers of the assigned judge for instructions on how to get a criminal matter scheduled.

Juvenile Cases

- Preliminary hearings for all delinquency and child protective proceedings;
- Issuance of and arraignments on all OTTICs;
- Violation of probation hearings when detention is requested;
- Emergency removal hearings for child protective proceedings;
- In-custody designated and adult court waiver arraignments;
- Safe delivery of newborn hearings;

- Reimbursement department bench warrant dismissal hearings;
- Parental by-pass hearings;
- Hearings for in-custody juveniles will be done by video;
- All in-custody delinquency jury trials are adjourned until June 22, 2020 in compliance with Michigan Supreme Court Administrative Order 2020-10. New dates will be scheduled after the resumption of full courtroom operations. Attorneys are directed to contact the assigned courtroom staff by email or phone upon resumption of full courtroom operations; and
- All non-custodial delinquency jury trials are adjourned through August 21, 2020 or until further notice by the court. New dates will be scheduled after the resumption of full courtroom operations. Attorneys are directed to contact the assigned courtroom staff by email or phone upon resumption of full courtroom operations;

Domestic Relations Cases

- Divorce, custody and parenting time matters alleging an immediate threat of harm to the children or a party; and
- All family division motion calls will be adjourned through June 12, 2020. Emergency motions may be heard by telephone or Zoom when possible.

Friend of the Court Matters

- Early intervention conferences shall be conducted using Zoom;
- The SMILE Program shall be offered electronically only;
- The FOC remains open to accept payments of support and documents;
- FOC child support reviews will continue;
- Custody and parenting time investigations and parenting time disputes will be addressed using telephone, Zoom and Skype interviews only;
- FOC arraignments on bench warrants will continue daily Monday through Friday for in-custody respondents and on a walk-in basis for all others;
- Enforcement of support and parenting will be done by Zoom whenever possible; and
- Referee hearings will be conducted by telephone or Zoom whenever possible.

Personal Protection Orders

- In-custody arraignments on bench warrants for violation of PPOs by video;
- Contested show cause hearings if defendant remains in custody after arraignment;
- Personal Protection Order petitions of an emergency nature alleging an immediate threat of harm;
- Hearings on a request for entry or termination/modification of a PPO on a case-by-case basis; and
- Bail hearings for PPO respondents will continue per current practice.

Civil Cases

- Requests for emergency show cause and injunctive orders will be reviewed by the assigned judge or the judge on call;
- Business Court emergencies will be reviewed by the assigned judge or the judge on call;
- All jury trials are hereby adjourned until August 21, 2020 without an order. New dates will be scheduled after the resumption of full courtroom operations. Attorneys are directed to contact the assigned courtroom staff by email or phone upon resumption of full courtroom operations;
- All civil bench trials will be adjourned through June 12, 2020 or until further notice by the court; and
- No in-person civil motion calls will be conducted through June 12, 2020. Motions may be filed and heard, via telephone or Zoom, at the discretion of the court; and

- Case evaluation hearings scheduled to be heard beginning June 1, 2020 shall be conducted by Zoom until further notice of the court. All dates related to scheduling orders issued prior to June 1, 2020 were extended 60 days as a result of prior emergency orders. All scheduling orders issued on or after June 1, 2020 shall remain as scheduled unless otherwise directed by the court.

The Chief Judge will hear all infectious disease petitions brought by the Oakland County Health Department or the Oakland County Department of Corporation Counsel on behalf of Oakland County.

NON-EMERGENCY MATTERS

Non-emergency matters may be heard by audio or video conferencing at the discretion of each judge. Please contact the assigned judge's chambers to receive information on how to proceed with a non-emergency matter. Instructions will be provided on the chamber's voicemail message and/or the judge's protocol page.

Remote hearings will be made available for public viewing. Public requests to view past video records must be submitted to circuitcourt@oakgov.com and be approved by the assigned judge, until further notice of the court.

All proceedings of the Adult Treatment, Veterans Treatment, and Juvenile Drug Courts will be conducted through the use of remote video technology until further notice of this court.

All matters not referenced above will be suspended or adjourned through June 12, 2020 or as otherwise stated in this Order, until further notice by the Court.

All matters referenced above that will continue per current practice will be handled by video or audio conferencing, if practicable.

The assigned judge on any matter referenced above may deviate from the provisions of this Order for good cause and upon approval by the Chief Judge.

Questions about the status of specific cases must be directed to the assigned judge's chambers.

If you need immediate assistance, please contact the following telephone numbers for further direction:

- For emergency custody or parenting time matters call 248-466-4863.
- For emergency Friend of the Court matters call 248-466-2728.
- For emergency Personal Protection Order matters call 248-464-2907.
- For emergency Juvenile matters call 248-766-7533.
- For emergency Civil/Criminal matters call 248-466-4260.

IT IS SO ORDERED.



Shalina D. Kumar
Chief Circuit Judge

5/29/2020

Date