

HON. MARTHA D. ANDERSON

COVID-19 PROTOCOL

This COVID-19 Protocol has been established based upon Executive Order 2020-110 (lifting the “Stay At Home” Order), and Michigan Supreme Court Administrative Orders 2020-14 and 2020-19. This COVID-19 Protocol supersedes the Court’s Business Court Case Management Protocol while Executive Order 2020-110 (or any amendments thereto) and MSC Administrative Orders 2020-14 and 2020-19 (or any amendments thereto) remain in effect.

Courtroom Proceedings. All courtroom proceedings shall be conducted electronically via *Zoom* video and/or audio conferences as provided herein, with limited exceptions relative to criminal proceedings.

Case Management Conferences. At this time, Case Management Conferences are not being held by the Court. However, the parties are still required to file their Joint Case Management Plans as provided in the “Notice to Appear” Order issued by the Court. Once filed, the Court shall review the Joint Case Management Plan and issue a Scheduling Order accordingly.

Case Evaluations. Beginning June 1, 2020, all Case Evaluations shall be conducted as scheduled via *Zoom* video conferences. The Case Management Office shall provide parties with instructions on how to join the *Zoom* Case Evaluation. If you have any questions relative thereto, please contact the Case Management Office.

Civil Pretrial Conferences. All civil Pretrial Conferences shall be conducted electronically via *Zoom* video conference. In the event of a settlement, the parties shall file their proposed Final Order of Dismissal prior to the date and time of the Pretrial Conference or appear for the scheduled Pretrial Conference via *Zoom* video conference.

Settlement Conferences and Trials. All Settlement Conferences and Jury Trials have been adjourned (or will be adjourned) by the Court until further Order of the Michigan Supreme Court. With respect to Bench Trials, the Court shall discuss with the parties at the Pretrial Conference the option of proceeding with the scheduled Bench Trial via *Zoom* video conference, or alternatively, adjourning the Bench Trial, at the sole discretion of the Court.

Civil Scheduling Orders. All current Scheduling Orders remain in effect. The Court will consider a Stipulated Order to extend all dates for a period up to 60 days for any case with a Scheduling Order in effect pre-dating June 1, 2020. For all other cases, a Motion to Extend the Scheduling Order is required.

Criminal Call. The Court will conduct pretrial hearings and sentencing hearings as follows: counsel will participate via *Zoom* video conference; in-custody defendants will participate via video conference from the jail; and bond defendants will participate via *Zoom* video conference. In the event of a Bench Conference, the Court will remove the defendant from the *Zoom* meeting room to a *Zoom* waiting room until the Bench Conference is concluded. In the event confidential matters arise requiring a private discussion between the defendant and his or her respective counsel, the Court will initiate a “break-out room” for a private meeting between the defendant and his or her counsel. This room is not recorded and exclusive to “break-out room” members. In

the event the defendant does not consent to this outlined procedure, the matter shall be adjourned by the Court.

Motion Call. The Court shall continue its practice of reviewing motion call, waiving oral argument under MCR 2.119(E)(3), and issuing Orders, in its discretion. However, in the event the Court determines oral argument is necessary on any given motion (dispositive or otherwise), the Court will issue an Order setting forth the date and time for hearing via *Zoom* video and/or audio conferences. If a motion is set for a Zoom video and/or audio conference, the motion may be withdrawn by the movant, but the motion may not be adjourned without the Court's permission to do so.

Summary Disposition Motions. All dispositive motions continue to be scheduled by the Court upon receipt of a Judge's Copy in the Judge's Chambers. Once a dispositive motion has been accepted for filing by the Clerk, the party shall mail a Judge's Copy to the Judge's Chambers. Upon receipt of same, a Scheduling Order shall be issued by the Court providing the date and time for hearing and setting forth the briefing deadlines to be adhered to by the parties.

Emergency Motions. If you have filed an emergency motion, please notify the Court of its filing by emailing the Judge's Clerk at schererj@oakgov.com (for civil cases) and the Judge's Secretary at fergusoni@oakgov.com (for criminal cases). The Court will review the motion, and in its discretion, determine whether it constitutes an emergency, and if so, issue an Order relative thereto.

All Other Motions. The Oakland County Circuit Court is accepting praecipes for Judge Anderson to set motions for hearing before the Court on motion call day (i.e., Wednesdays at 8:30 a.m.). Any praecipe filed must comply with Local Rule 2.119(B), or it shall be dismissed by the Court.

MCR 2.119 continues to govern all motions filed with the Court, including the filing deadlines and notice requirements set forth in MCR 2.119(C), unless otherwise ordered by the Court.