

Judge Leo Bowman

COVID-19 Emergency Procedures

Introduction

These emergency procedures will continue in effect unless the Governor, Legislature, or the Michigan Supreme Court issue an order requiring an extension of existing shelter at home requirements. Then, these emergency procedures will continue until the extension terminates.

No judge's copies of motions or responses are required. Please do not email a copy of your motion or response. Court staff has access to the court record and can obtain any filed documents.

Courtroom Proceedings

The Court will not conduct in-court, personal proceedings. Any proceedings must be conducted via electronic means.

Civil Matters

The court will hear civil matters on a case by case basis. Parties will be notified through a notice of a remote hearing or an order that provides the details for participating in the remote hearing if the court decides to hear the matter via video conference.

Criminal Matters

In-Court Arraignments are suspended until further notice of the Court. Please electronically file the Arraignment Form via MI-File (powered by TrueFile). A Pretrial date will be set when the Arraignment has been e-filed.

The court will remotely hear criminal matters for defendants housed at the Oakland County Jail during its Tuesday Criminal Call from 10:30 a.m. until noon. Please note that scheduled cases will be limited to meet this required time slot. The parties will receive a remote notice of hearing or an order including the details for participating in the remote hearing. If confidential matters need to be discussed as these matters occur, the Court will terminate the hearing and allow counsel and defendant to confer in confidence outside of the Zoom platform by setting the matter for another date. Defendants must agree to this procedure, otherwise these matters will be adjourned.

It may become necessary for defendants and the defense attorneys to waive defendant's presence because of circumstances outside of the court's control (e.g., video goes down at jail, hearing runs over our allotted time, defendant in quarantine). If that becomes necessary, it will be requested that defendants agree to waive and the defense attorney signs an order waiving defendant's presence or the matter will need to be adjourned to the next available Tuesday criminal call.

If your client is on bond and would like to resolve your case, please contact chambers for scheduling.

All plea forms, agreements, sentencing memorandums and letters for consideration must be emailed to the Court's staff at loydc@oakgov.com on Fridays by 12:00 p.m.

Zoom Video Conferences

The court will use Zoom Video Conferencing to conduct its remote hearings. Please contact the staff if you have inquiries about how to log on to Zoom.

Motions

Emergency Motions

For in-custody criminal emergency motions, please file the motion with the county clerk by electronically filing it in MI-File (powered by TrueFile) and provide notice to the assigned Assistant Prosecuting Attorney and court staff at loydc@oakgov.com. The court will review the emergency motion and determine if it is appropriate to set for a hearing and request a response from the assigned Assistant Prosecuting Attorney. Responses should be filed and sent to the defense attorney. The court will enter an order setting the matter for a remote hearing or issuing an order pursuant to MCR 2.119(E)(3). Priority is given to in-custody criminal defendants.

A non-custody criminal and civil emergency motion will be decided on a case-by-case basis. The moving party must notify the Judge's Judicial Assistant via email at loydc@oakgov.com when the emergency motion has been filed.

Other

Scheduling of Summary Disposition Motions. All motions for summary disposition will continue to follow the normal protocol. Please send an email to kingv@oakgov.com if your filed motion is not stamped with the date / time for the hearing. The brief scheduling order will be issued after the motion has been accepted for filing.

Scheduling of Appeals. Hearings on general civil and criminal appeals will continue to follow the normal protocol (i.e., to be briefed and heard pursuant to the respective Michigan Rules of Court, unless otherwise stipulated).

Motions to Adjourn. The Court WILL consider reasonable proposed stipulated orders to adjourn.

Motions for Reconsideration. Please send an email to kingv@oakgov.com if you file a motion for reconsideration. It is not necessary to attach a copy of the motion.

Scheduling of Other Motions. Judge Bowman will dispense with oral argument on motions pursuant to MCR 2.119(E)(3) when deemed appropriate. For motions necessitating oral argument, Judge Bowman will hear such via Zoom video when properly requested.

Parties must submit a stipulation and order if they have agreed to waive oral argument.

Although the system may accept a filed e-praecipe, please note that this Court has discontinued the use of praecipes as of June 15, 2020. As such, the moving party must follow the protocol to request a hearing date.

If you wish to have any **previously filed or newly filed motion** heard, you must contact chambers to set it for hearing pursuant to the procedures outlined below:

- The moving party must request a hearing date by sending an email to Chambers containing ALL of the following information AND the motion MUST be filed in the court record or it will be rejected:
 - Email your request to Chambers at: bowmanchambers@oakgov.com
 - Your email request must:
 - copy opposing counsel and any party appearing in pro per
 - contain the case number, case name in the Subject Line
 - contain the Motion Title
 - include the following information to be completed and certified by counsel:
I hereby certify that I have made personal contact with _____ on _____, 2020 requesting concurrence in the relief sought with this Motion and such concurrence was denied. All counsel, parties appearing in pro per (if any) and represented parties (if same are necessary) are available to conduct a hearing ZOOM

OR

I hereby certify that I have made reasonable and diligent attempts by email and by telephone to contact counsel/parties appearing in pro per requesting concurrence in the relief sought with this Motion on _____, 2020 but was unsuccessful. Moving counsel/party(ies) are available on to conduct a hearing using ZOOM

Notice: Your electronic signature below certifies that the above information is correct.

Signature of moving counsel/moving party if proceeding in pro per:

Phone: _____

Email: _____

Moving Party: _____

- Responses to motions are due within **7-days** of receiving confirmation of a hearing date from the Court's staff.
- If appropriate, Chambers will then schedule the hearing after reviewing the motion and response. Hearing dates and times are limited. Chambers will confirm your exact date and time via email.