

COVID-19 PROTOCOLS

These protocols are intended to assist parties and litigants navigating the court process for cases assigned to Judge Mary Ellen Brennan during the COVID-19 Public Health Crisis and will continue in effect until further order.

During the duration of the state of emergency and 6th Circuit Court Order (updated June 12, 2020), the court will not conduct in-person proceedings. Parties and attorneys are encouraged to check the official register of actions for most updated appearance dates.

Courtroom Proceedings

- The court shall conduct proceedings via electronic means, including Zoom video and/or audio conferences, Judge On-Line telephone conferences, and similar means.
- If, during a hearing, a need arises for a private conference between attorney and client, the court will terminate the hearing and allow the necessary individuals to confer in confidence outside of the electronic system by either passing the case, providing an electronic 'conference room' or setting the matter for another date.

Scheduling/Status/Settlement Conference/Pretrial/Trial

- Cases without scheduling orders can expect a new date on which to appear for a settlement conference for a scheduling order to issue or may contact chambers to complete one prior to scheduled date.
 - The court retains its mediation requirement and supports parties proactively scheduling mediation as soon as possible. To the extent parties have agreed upon a mediator, they should contact chambers indicating they have agreed to a mediator so a scheduling order can issue without having to appear in court.
- Cases scheduled for trial will be adjourned and notice of new date e-filed unless parties contact chambers to inform that case is settled and a pro confesso date is requested.
- Cases scheduled for a return of judgment should refer to the register of actions for a new judgment due date or contact chambers to apprise of the status of the judgment. As of Monday, April 13, 2020, all domestic cases will be able to e-file all documents, including judgments, through the court's OnBase E-filing System.

Divorce & Domestic Relations Matters

- Pending cases and cases with court dates that have been adjourned during the COVID-19 emergency may contact chambers to schedule a pro confesso/statutory proofs hearing via Zoom provided:
 - At least one of parties are represented by an attorney who appears electronically at the hearing, and
 - A judgment and record of divorce is filed 3 days prior to zoom hearing date.
 - The parties and/or attorneys agree to waive having the case heard in open court.
- If a return of judgment date falls during the duration of this order **and** the matter is contested, the attorneys or unrepresented parties shall notify the court's staff attorney as soon as possible. Otherwise, existing orders directing return of judgment remain in effect as reflected in the register of actions. As of April 13, 2020, DM, DO, DC, and DS cases will have access to e-filing.

Juvenile Matters

- Subject to the Sixth Judicial Circuit Court COVID-19 State of Emergency Procedures, and these protocols regarding emergency and non-emergency proceedings, the court will continue to hear matters as scheduled or review matters and issue orders, if appropriate.
- Parties seeking relief for juvenile matters shall follow the appropriate procedures on the Oakland County Circuit Court COVID-19 Court Information website (<https://www.oakgov.co/courts/circuit/resources/Pages/COVID-19-Court-Info.aspx>).
- The court may, if appropriate and in its discretion, refer a hearing to referee.

Personal Protection Orders and Emergency Motions:

- Parties seeking emergency relief shall follow the appropriate procedures on the Oakland County Circuit Court COVID-19 Court Information website (<https://www.oakgov.co/courts/circuit/resources/Pages/COVID-19-Court-Info.aspx>).
- The court will follow the directives of the Sixth Judicial Circuit Court COVID-19 State of Emergency Procedures.

Motions

- Judge Brennan is accepting praecipes during this time and are required.
- All non-emergency motions must include the email address of opposing counsel, or email addresses for unrepresented litigants, or they will not be accepted.
- The motion, praecipe, notice of hearing and a response must be filed properly before the Court will address hearing the motion.

NON-EMERGENCY MOTIONS, EMERGENCY MOTIONS AND PPOs

Non-Emergency Motions

- Judge Brennan is accepting praecipes and are required during this time.
- All non-emergency motions must include the email address of opposing counsel, or email addresses for unrepresented litigants, or they will not be accepted.
- The motion, praecipe, notice of hearing and a response must be filed properly before the Court will address hearing the motion.

Emergency Motions on Domestic Cases

Domestic cases dated 2015 to present with the suffix DM, DC, DS, DP, and DZ, should utilize the e-filing system. If the case is prior to 2015 contact the Clerk's office to request that case be made e-file.

Please see <https://www.oakgov.com/clerkrod/court-records/Pages/efiling.aspx> for e-filing details.

Emergency motions may be submitted through the e-filing system.

Personal Protections Orders

Petitions for personal protection orders are to be emailed to PPO@oakgov.com.

Please see <https://www.oakgov.com/courts/circuit/family/ppo/Pages/default.aspx> for details.