

JUDGE MAUREEN H. KINSELLA PROTOCOLS

These protocols will continue in effect until further notice.

During the duration of this order, the Court may conduct limited in-person court proceedings. However, most proceedings will be completed through Zoom.

There shall be no photographs, audio or video recording, broadcasting, or livestreaming of court proceedings without the Court's permission. Virtual court hearings are subject to the same rules as hearings conducted within a courtroom. See MCR 8.115.

Courtroom Proceedings

- The Court shall conduct many proceedings via electronic means, including Zoom video and/or audio conferences, Judge On-Line telephone conferences, and similar means.
- A notice re: Zoom hearing will be e-filed by the Court with a specific date and time for your hearing. It is your responsibility to review this information upon receipt through the e-file system.
- If a need arises for a private conference between attorney and client during a hearing, the Court will allow the conference in a breakout room.
- Trials and evidentiary hearings, including PPO hearings, will be **in-person** and not conducted virtually at the Court's discretion. Parties and attorneys may need to pass a health screening upon entering the Courthouse, wear a face mask, and adhere to social distancing guidelines. Contact the staff attorney with any questions or concerns.

Scheduling/Status Conferences

- The Court will issue scheduling orders as soon as possible, with trials set approximately 90-120 days after the conference date.
- Attorneys will receive an email requesting a stipulated mediator. Attorneys should respond promptly. The Court will issue the scheduling order without the need to appear for the Scheduling/Status Conference.
- The Court retains its mediation requirement, unless excused by motion and order, and supports parties proactively scheduling mediation as soon as possible.

Divorce & Domestic Relations Matters

- The Court will take statutory proofs via Zoom if the Court has been provided with a proposed judgment of divorce, 48 hours prior to the proofs being offered.
- If the parties are requesting a 21-day order for return of judgment, then the Court must be provided with a signed settlement agreement, a mediation audio recording, or notice of a settlement at least 48 hours in advance of the Court

proceeding with the statutory proofs. If a 21-day Return of Judgment of Divorce (ROJOD) is entered, parties shall submit signed final documents by noon the day before or appear at the ROJOD date.

- On the record, the parties and attorneys must waive having the case heard in person in 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 remains in effect as drafted.
- Proposed judgments and ancillary documents must be e-filed at least 48 hours before the hearing.
- Trial binders shall be submitted to the Court in compliance with its scheduling orders.
- If the Plaintiff is seeking a default judgment, they must comply with all aspects of MRC 2.603, including but not limited to, the filing of a separate non-military affidavit.

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 a referee.
- The Court encourages filings or position summations by both the petitioner and respondent in advance of any scheduled hearings.

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.

Non-Emergency Motions on Domestic Cases

- Judge Kinsella accepts praecipes, and praecipes are required for motions to be addressed by the Court.
- If the opposing party is not connected to the e-file system, an email address must be provided in the caption, so the opposing party receives the notice to appear via Zoom from the Court along with the log-in information.

- Motion practice rules still apply. If Judge's copies are emailed, please note they are only saved for two weeks. If a motion is re-noticed beyond that, a new judge's copy should be emailed if it has documents not attached to the original motion filed with the Court or unredacted information. If a response is not received by Monday at noon, the Court will not consider it. If Monday is a court holiday, responses must be submitted to the Court on Friday by 4:30 pm.
- A party may re-precise a motion three (3) times. However, the Court may dismiss the motion without prejudice after a 3rd re-precise.
- The Court may request briefing in lieu of oral arguments.
- While the Court has limited access, parties/attorneys should anticipate contact from the Friend of the Court or the Court with a time and date that the motion will be heard. All motions regarding custody, parenting time, and support will be initially heard by Friend of the Court.
- All cases are now e-file. If parties are not connected to the e-file system, a separate proof of service must be timely filed, or the motion will be dismissed for improper service.
- Motions for Reconsideration/Motions for Summary Disposition filed must be brought to the attention of the staff attorney. All Motions for Summary Disposition must be scheduled with the staff attorney directly. Emergency Motions on Domestic Cases should also be brought to the staff attorney's attention.
- Emergency Motions can be e-filed. Movants seeking emergency or ex parte relief should contact chambers staff before filing to ensure court staff has awareness of the motion being filed.

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

CHAMBERS CONTACT INFORMATION

- Phone: (248) 858-0363
- Chambers email: kinsellachambers@oakgov.com
- Staff Attorney email: schafferk@oakgov.com
- Judicial Secretary email: kliewerm@oakgov.com

Zoom Room 21

- **Zoom ID: 248 858 0363**
- Direct Link: <https://misc-6c.zoom.us/j/maureenkinsella>
- From browser: www.zoom.us - > 248 858 0363
- From telephone: (646) 876-9923 - > 2488580363
- From h.323: 162.255.37.11##2488580363

- From iOS/Android: Download Zoom from App Store

Public Nature of Court

The virtual courtroom is public. People will be admitted as they log in to Zoom and while Court is in session. As a member of the public, please log in with the username listed as PUBLIC, audio muted, and video turned on.

Attorneys are expected to only have one court appearance via Zoom at a time. If an attorney has a conflict that cannot be resolved, the attorney should contact the Court or seek an adjournment in advance of their scheduled hearing.

Parties and attorneys are expected to dress and behave appropriately in virtual Court just as if they were in the Courthouse. Driving, eating, and smoking are all strictly prohibited while in session. Litigants must be alone in a room or private space and free from all distractions to attend Court. Children are not permitted unless expressly requested by the Court.