

THE HON. KAMESHIA D. GANT

COURTROOM PROTOCOLS

These protocols will continue in effect until further notice.

In-person hearings may be scheduled at the request of the parties or counsel. Request for an in-person hearing can be made to judgegantchambers@oakgov.com or during a hearing.

Settlement Conferences

- The court will issue scheduling orders with status conference dates about 60 days of the settlement conference. **Parties do not need to appear at the Settlement Conference. The Court will issue the scheduling order without the parties' appearance.** Parties should expect to receive the scheduling order via E-Mail and/or E- Service.
 - Status Conferences will be held via Zoom. The Zoom ID is 248 858 0340.
- The Court retains its mediation requirement, unless excused by motion and order, and supports parties proactively scheduling mediation as soon as possible with an agreed upon mediator.
- The parties shall submit to the Court via stipulated order their selected Mediator should they wish to use a person/agency.

Divorce & Domestic Relations Matters

- The court will take statutory proofs *if parties have the capabilities to appear via video conference through Zoom*. To request a date and time, attorneys may contact the Judicial Clerks at judgegantchambers@oakgov.com .
- 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 Judicial Clerks as soon as possible. Otherwise, existing orders directing return of judgment remain in effect as drafted. The parties may e-file the signed Judgment and any companion orders three (3) days before the scheduled trial/settlement conference date.
- Please do not wait until the Return of Judgment date to inform the other side there is a problem with the judgment language.
- All parties shall appear for a return of judgment if the judgment has not been signed by the Court and submitted back to them via MiFile.

Motion for Summary Disposition

- All motions for summary disposition will continue to follow the normal protocol. Please send an email to the Court's Chambers at judgegantchambers@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.

Motion for Reconsideration

- Please send an email to the Court's Chambers at judgegantchambers@oakgov.com if you file a motion for reconsideration. Please attach the filed stamped motion to the email.

Emergency Motions

- For emergency motions, please file the motion with the county clerk by electronically filing it via Mi-File (powered by TrueFile) and provide notice to the Court's Chambers at judgeganchambers@oakgov.com. The court will review the emergency motion and determine if it is appropriate to set for a hearing. The court will enter an order setting the matter for a remote hearing or issuing an order pursuant to MCR 2.119(E) (3).

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 the following:
 - 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 to be done by video; and ○ Emergency Trials.
- 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>).
- Requests to adjourn must go on the record, unless otherwise advised by the Court.
- If parties have a question regarding a juvenile filing, they may contact the Judicial Assistant, Lisa Denard via email at judgeganchambers@oakgov.com.
- The court may, if appropriate and in its discretion, refer a hearing to a referee.
- Plea forms need to be completed in advance and submitted to judgeganchambers@oakgov.com prior to the hearing.
- Motions regarding juvenile matter shall be filed, along with a praecipe and notice of hearing, to juvenilelegal@oakgov.com.

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>).
- 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 the following:
 - In-custody arraignments on bench warrants for violation of PPOs by video;
 - Contested show cause hearings if Respondent 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.

Motions

- **LCR 2.119 (C) has been amended effective January 1, 2023, and will be enforced. The amended language is: (C) Appearance at the Hearing. If counsel for the moving party on a motion praeciped for hearing does not check in with the court clerk by 9:30 a.m., the court may dismiss the motion praecipe on its own motion or upon request of counsel for the opposing party.**
- **If counsel for the opposing party in a motion praeciped for hearing does not check in with the clerk by 9:30 a.m., upon request of the moving party the clerk shall call the motion for hearing. If appropriate, the court shall grant the requested relief.**
- **PLEASE NOTE THIS RULE WILL BE ENFORCED ONE HOUR FROM THE ASSIGNED TIME OF THE SCHEDULED MOTION**
 - **This will also apply to Settlement Conferences before the Friend of the Court.**
- **Please file an E-Praecipe, Notice of Hearing, and Motion with the Court via E-File or, by First Class Mail. *Please be advised, the Court will inquire as to whether the parties have spoken with each other and made reasonable attempts to resolve their legal issues prior to proceeding with the hearing.***
- The motion must include the following:
 - The case name, case number, and motion title in the subject line of the email;
 - The opposing party must be cc'd (unless the motion is being filed ex-parte);
 - The moving party's certification for a Motion without a 7-Day Notice or with a 7-Day Notice.
- If the moving party fails to include the information outlined above, the motion will not be considered by the court.
- If a motion has been noticed and praeciped no less than three (3) times and the parties have not appeared before the Court on the matter, the motion shall be dismissed without prejudice. The moving party shall refile, notice, and praecipe the motion in accordance with the court rules and shall pay all associated filing fees.
- Please be advised, motions must be set for 8:30a.m. when filing however, the Court's staff will file Zoom instructions via MiFile to provide a specific time slot the motion will be heard. All motions are heard in fifteen-minute increments unless otherwise directed by the Court. Each side has approximately 5 minutes to argue.
- Domestic cases dated 2015 to present with the suffix DM, DC, DS, DP, and DZ, may now utilize the e-filing system. For e-filing details, please see: <https://www.oakgov.com/clerkrod/court-records/Pages/efiling.aspx>
- Please note, pursuant to MCR 1.109(E), electronic signatures are permitted, but only the Judge can affix her own signature.
- You may request that the Judicial Clerk place you in a breakout room before going on the record.
- If the opposing side is unrepresented, you may request the assistance of the Judicial Staff Attorney.
- Please do not allow your clients to speak out on the record. If your client needs to say something, they may raise their hand, and the Court will place the party and counsel in a breakout room to discuss.

- When filing a motion for entry of Default Judgment of Divorce, please indicate the date the complaint was filed; date the defendant was served and method of service; date the default entry was filed; date the default was entered; date the proposed judgment, notice of hearing and motion for entry of default judgment was filed and served on the Defendant.
- When filing responsive pleadings, please include the allegation or statement that you are responding to before your response.
- **Settlement Conferences before the Friend of the Court**
 - All motions regarding custody, parenting time, and support are first screen by the assigned Referee prior to coming before the Court.
 - If the parties are unresolved with the Referee's proposal, the moving party shall reprepare their motion to come before the Court. If your motion is not reprepared and renoticed within 30 days, you may be required to file a new or amended motion.

Orders Following Hearing

- Enter orders following a hearing pursuant to the Michigan Court Rules.
- When filing an order under the 7-day rule, please file the Notice of Presentment, Proposed Order, and Proof of Service as one document. In addition, please file another copy of the proposed order separately so that it can be entered if no objection is filed.
- Objections to orders entered under the 7-day rule must be prepared for hearing.
- Remember the Court Rules when drafting orders:
 - Orders will be rejected by the Judicial Clerk or the clerk's office when they do not comply with the Court Rules
 - MCR 1.109 – Personal Protected Information is a new court rule with an effective date of April 2022.
 - QDROS not signed by both parties will only be entered by motion.
 - All orders must be signed by the person that prepared them.
 - Orders not entered under the 7-day rule or within 24 hours of the hearing must be accompanied by a motion to enter the order.
- Please do not appear at a subsequent hearing in a matter without an entered order from the prior hearing unless it's a motion for an entry of an order or an objection to the entry of the order.

Judgments of Divorce

- Please make sure all the statutory language is in your judgment.
- If the Judgment is entered based on consent, you need the signature of both parties.

Uniform Child Support Order

- Please make sure your client qualifies to opt out of Friend of the Court Services before making the request.
 - Parties that opt out need an opt out order.
 - All opt out cases need a signed advice of rights.
- Please use the appropriate UCSO on SCAO for the facts of your case. For example, if you are opting out of the Friend of the Court Services, please use the FOC10a form.
- All Uniform Child Support Orders must be accompanied by the child support calculation.
- Make sure your prognosticator is configured to the most recent child support formula.
- If the parties are deviating, please provide the deviation addendum with the calculations.
- If you are deviating, please use the deviation factors that is appropriate for the reason.
- Please make sure childcare is appropriate in the calculation. If there is a dispute on if childcare is appropriate, the matter needs a hearing.

MOTION WITHOUT 7-DAY NOTICE

If all parties agree for a Motion to be heard without 7-day notice, it can be heard on any day and at any time available. The moving party shall include the following:

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. The parties agree to proceed with a Zoom hearing on the earliest possible date.

The party(ies) are available on _____ to conduct a hearing.

MOTIONS WITH 7 DAYS NOTICE

If the Motion hearing date and time is not stipulated to the Zoom hearing must be scheduled out 7 days and notice must be given to the other party(ies) via email. The moving party shall include the following:

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.

OR

I hereby certify that I have made reasonable and diligent attempts by email or by telephone to the opposing side requesting concurrence in the relief sought with this Motion on __, 2020 but was unsuccessful.

The party(ies) are available on _____ to conduct a hearing.

Notice: Your electronic signature certifies that the information presented in your email is correct.

Courtroom Proceedings

- The court shall conduct proceedings via electronic means, including Zoom video and/or audio conferences. The Zoom ID is 248 858 0340.
- If, during a hearing, a need arises for a private conference between attorney and client, please ask the court for a moment to confer with the client/attorney and the clerk will move the parties to a breakout room for privacy.
- All virtual proceedings are live and being recorded thus, the normal courtroom decorum rules will still apply. Parties are prohibited from recording the proceedings.

REMEMBER, PRIOR TO APPEARING VIA ZOOM

- Meet with the parties prior to hearings to promote ease of access to the virtual courtroom;
- Submit all documents/exhibits to the court and the parties at least two (2) days prior to the hearing;
- Be sure to know how to operate your technology prior to the hearing; and
- Visit your court website, or contact the court, prior to the hearing with any questions.

JUDGE GANT'S ZOOM INSTRUCTIONS

Desktop PCs and Laptops:

Tablets and Phones:

Install the Zoom App from the App Store or Play Store prior to the call. At the time of the call, launch the Zoom app and join the meeting using Meeting ID

Go to the Zoom Web Site (zoom.us). Click on "Join a Call." Join using Meeting ID

Audio-only via Telephone:

Call (646) 876 9923 and connect using Meeting ID

Connection Issues?

Contact the Judge's staff (see "Chambers Contact Information" below)

PUBLIC ACCESS TO HEARINGS

- All courtroom proceedings will be conducted electronically using Zoom Video Conferences.
- If you wish to observe a court proceeding via Zoom, please check the court calendar at <https://jsos.oakgov.com/OaklandCounty>.
- When viewing as a member of the public, please ensure to name yourself "Public" when joining the Zoom call.
- Participants are reminded that all virtual court appearances are an extension of the courtroom; therefore, parties must adhere to proper conduct and appropriate attire is required.
- Zoom participants must use a private, indoor, and quiet room with appropriate lighting that will be free of interruptions.
- Mobile device participants may not hold their devices during the call but instead must place them at eye level.
- The Court has the right to terminate the call / proceeding if the video or audio experience is not acceptable. The Judge has full power over remote participants as if they were present in the physical court room.
- The Court retains its contempt powers to sanction all individuals participating remotely.
- Please note that you will be placed in a waiting room until your case is ready to be called. This will happen when there is another case being heard or until all parties have joined.
- Please do not leave the Zoom waiting room or breakout room.
- You are permitted, should it become necessary, to privately speak with your attorney during the proceedings.

- If the moving party has not joined the Zoom call at or before the time scheduled for the hearing, the court may pass the case, reschedule the hearing, or dismiss the matter.
- It is the responsibility of the parties and attorneys to ensure they are on time and able to connect to the call. If you need assistance with this, please ask the Judicial Clerk when joining the hearing.
- Viewers are prohibited from recording or otherwise copying court proceedings.
- It is your responsibility to become familiar with the Zoom controls and test your device(s) before the call.
- Should you wish to review a hearing after it has been held, you may contact chambers to make arrangements.

CHAMBERS CONTACT INFORMATION

- Chambers: judgeganchambers@oakgov.com at (248) 858-0340
 - Contact the Judicial Clerk, via email at judgeganchambers@oakgov.com or telephone at (248) 858-0340, for any PPOs, scheduling related matters and/or general questions.
 - Contact the Judicial Assistant, via email at denardl@oakgov.com for any juvenile related matters.
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- Contact the Judicial Staff via email at judgeganchambers@oakgov.com for Emergency Motions, Motions for Summary Dispositions, or Motions for Reconsideration.

FRIEND OF THE COURT RESOURCES:

Handbook:

<https://www.oakgov.com/home/showpublisheddocument/19911/638369302642970000>

SMILE book:

<https://www.oakgov.com/home/showpublisheddocument/13350/638095655051930000>

Instructions for virtual SMILE, which is now offered on the 2nd Monday of each month at 9:30 am, noon and 7 pm: <https://www.oakgov.com/home/showpublisheddocument/13352/638095655056930000>

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