

STATE OF MICHIGAN

IN THE 35TH CIRCUIT COURT FOR THE COUNTY OF SHIAWASSEE

35<sup>th</sup> CIRCUIT COURT, LOCAL ADMINISTRATIVE ORDER 2020-1

66<sup>th</sup> DISTRICT COURT, LOCAL ADMINISTRATIVE ORDER 2020-1

SHIAWASSEE CO PROBATE COURT, LOCAL ADMINISTRATIVE ORDER 2020-1

**Shiawassee County Court Closure: COVID-19**

This administrative order is issued in accordance with MCR 8.110(C). The purpose of this order is to temporarily close the 35<sup>th</sup> Circuit Court, 66<sup>th</sup> District Court, and Shiawassee County Probate Court to the public in recognition of the states of emergency declared by the Governor of Michigan, President of the United States and the County of Shiawassee.

**IT IS ORDERED:**

1. To combat the spread of disease, given the severity of the risk posed to the public, court staff and other court agencies, and considering the public health recommendations for the Centers for Disease Control and Prevention (CDC), the business offices of Shiawassee County Courts shall be closed beginning March 18, 2020 through March 30, 2020, with exception to the following essential services:
  - In-custody arraignments;
  - Probable cause conferences and preliminary examinations that are not waived;
  - Review of all requests for the authorization of new criminal charges, including the finding of probable cause for arrest warrants;
  - Review all requests for search warrants;
  - Hearings involving in-custody juveniles.
  - Preliminary/emergency hearings involving child protective proceedings;
  - Hearings for youth to be charged as or with the rights attributed to an adult;

- The initiation of personal protection orders;
  - Hearings on violation of personal protection orders;
  - Emergency mental health hearings; and
  - Emergency motion on any matter including show case or injunctive order requests.
2. With regard to criminal and juvenile delinquency matters, due to the Shiawassee County Courts limited ability to obtain adequate jurors and the effect of the recommendations from the public health organization on the availability of counsel and court staff to be present in the courtroom, the time period of postponements implemented by this LAO will be excluded from speedy trial requirements, as Shiawassee County Courts specifically find that the ends of justice served by ordering the postponements outweigh the best interest of the public and any defendant's/respondent's right to a speedy trial pursuant to MCR 6.004(C)(6) and MCR 3.942(A).
  3. Only essential clerking operations will be processed during the time period covered by this LAO.
  4. **For 35<sup>th</sup> Circuit Court only:** All civil and domestic emergency motions, Petitions for Personal Protection Orders, Motions to Show Cause for Violation of Personal Protection Orders shall be filed by email to [CIRClerkfile@shiawassee.net](mailto:CIRClerkfile@shiawassee.net) or fax at 989-743-2241. Emergent questions can be also be emailed to [CIRClerkfile@shiawassee.net](mailto:CIRClerkfile@shiawassee.net) or [klab@shiawassee.net](mailto:klab@shiawassee.net). Forms for personal protection petitions and orders can be found at <https://www.shiawassee.net/County-Clerk/> . Court forms can be found at <https://courts.michigan.gov/ADministration/SCAO/Forms/Pages.aspx>.
  5. **For 66<sup>th</sup> District Court only:** Emergency motions and proposed emergency orders please call 989-743-2255 to get instructions.
  6. **For Probate Court only:** Emergency filings shall be filed by fax to 989-743-2349. Emergent questions regarding probate matters can call 989-743-2211 and regarding juvenile matters 989-743-2372.
  7. Whenever possible, hearings will be conducted using polycom and or Zoom technology so that parties and counsel can appear without physically entering the courthouse. In the interest of public health only the following individuals shall be permitted to enter Shiawassee County Courthouses (if necessary) during the time period covered in this LAO:
    - Parties, essential case participants, and attorneys to hearings

- Parties, essential case participants, and attorneys to hearings referenced above;
  - Parents of in-custody juveniles for the hearings referenced above;
  - Judges, referees, judicial staff and administrators for Shiawassee County Courts;
  - Essential court staff including Buildings and Grounds staff; and
  - Essential law enforcement.
8. Notice of the court closure and how emergency matters and filings shall be accomplished during the court closure shall be given to the public, the court's funding until and other affected agencies and officials. Notice shall include this LAO being posted to the front door of all courthouse locations and on the courts' websites <https://www.shiawassee.net>.
9. Nothing in this LAO precludes Shiawassee County Courts from making case-by-case exceptions in the interest of justice and at the discretion of the court after consultation with counsel and/or self-represented litigants.
10. This LAO does not affect Shiawassee County Courts consideration of civil, family, probate, or criminal motions that can be resolved without oral argument or handled by telephone or video conference.

Effective Date: Immediately, on approval by the State Court Administrative Office.



Hon. Ward L. Clarkson

Chief Judge

Date: March 17 2020