

## MEMORANDUM

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**TO: MCBA Attorneys**

**FROM: Muskegon County Courts**

**RE: Supreme Court Administrative Order 2020-2**

Pursuant to the Muskegon County Emergency Operations Plan, only essential court services will be performed by the Muskegon County Courts. Access to courtrooms and other spaces will be strictly limited to no more than 10 persons.

Attached please find Supreme Court Administrative Order 2020-2 dated March 18<sup>th</sup>, 2020. This order specifies the courts' essential functions during this state of emergency and supersedes the previous Local Administrative Order issued by the Muskegon County Courts.

In response to this order, the Muskegon County Courts are establishing the following procedures for essential filings and proceedings.

### **A. Circuit Court**

1. Criminal and Civil Matters
  - a. Arraignments – The court will process bench warrant arraignments on Monday, Wednesday and Friday at 1:30pm.
  - b. Motions/Filings – Filings must be made with the County Clerk's office by mailing to: Circuit Court Records 6<sup>th</sup> Floor Hall of Justice 990 Terrace St, Muskegon MI, 49442. Filings will be time stamped upon receipt.

### **B. Family Court**

1. Emergency removal Child Protective Hearings will be held as needed.
2. Juvenile hearings required within 24 hours of apprehension or detention will be held as needed.
3. Personal Protection Orders - Attorneys and self-represented litigants can file PPO Petitions via:
  - Mail- Attention 3rd Floor PPO Clerk, HOJ, 990 Terrace St., Muskegon MI 49442
  - Email- FamilyCourtServices@co.muskegon.mi.us
  - Drop Box- Located at HOJ, 990 Terrace St. , Muskegon MI 49442

4. PPO Petition Forms, available at:
  - SCAO Court Forms-  
<https://courts.michigan.gov/administration/scao/forms/pages/search-for-a-form.aspx>
  - Michigan Legal Self-Help Center of Muskegon County-  
<https://muskegon.michiganlegalhelp.org/>
  - Forms are available in the vestibule of the Hall of Justice
5. Limited Circuit/Family Court Staff will be available daily to process PPO petitions. Judges will be emailed PPO petitions daily. After approved or denied by a Judge, the approved PPO or denial will be sent back to the attorney or self-represented litigant. Please provide your email address when submitting a PPO petition, as it is the ideal mechanism for returning documents to you.
6. PPO Violations- Any alleged violators will be taken to the jail. Those with related new criminal charges will be arraigned by the District Court Judges. Generally, those whose alleged violations do NOT relate to new charges, will be given an interim bond and a hearing date, similar to our traditional practice. In more severe circumstances, the respondent will be lodged and seen by one of the Circuit Court Judges on Monday, Wednesday or Friday at 1:30pm.
7. Ex Parte Relief in Domestic Relation Proceedings- Attorneys and self-represented litigants can file for ex parte relief in domestic proceedings necessary for the safety and well-being of a litigant and/or children via:
  - Mail- Attention 3rd Floor Family Court, HOJ, 990 Terrace St., Muskegon MI 49442
  - Email- FamilyCourtServices@co.muskegon.mi.us
  - Drop Box- Located at HOJ, 990 Terrace Street, Muskegon, MI 49442
8. Limited Circuit/Family Court Staff will be available daily to process domestic relations proceedings for ex parte relief. Judges will be emailed ex parte domestic relations matters daily. After approved or denied by a Judge, the approved ex parte order or denial will be sent back to the attorney or self-represented litigant. Please provide your email address when submitting an ex parte motion and order, as it is the ideal mechanism for returning documents to you.

## **C. District Court**

1. Criminal Matters - Misdemeanors & Felonies

- a. Generally for non-assaultive misdemeanor offenses, the arresting agency will be issuing defendants an appearance ticket that will notify the defendant of the date/time of their arraignment.
- b. The court will follow the weekend / holiday arraignment process during the period of this plan.
- c. In-custody arraignments will occur Monday-Friday after 1:30pm
- d. Emergency Motions – The court will entertain emergency motions on an as needed basis.
- e. Emergency Filings – Filings must be made with the district court clerk’s office by email or by using the court drop box near the court entrance. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time for hearing if necessary. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:

Email: [60Districtcourt@muskegoncounty.net](mailto:60Districtcourt@muskegoncounty.net) Phone: 231-724-6320

- f. As it relates to probable cause hearings, preliminary examination hearings and trials where the defendant is not in custody, these matters will be adjourned as a result of this plan. The court finds good cause as we adopt the mitigation strategies urged by public health organizations and the states of emergency declarations. [MCL 766.7MCR 6.110](#), [MCR 6.004\(C\)\(6\)](#),

## 2. Civil Matters

- a. Emergency Filings/Motions – The court will entertain emergency motions on an as needed basis. Emergency Filings must be made with the district court clerk’s office by email or by using the court drop box near the court entrance. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time of the proceeding, if necessary. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:

Email: [60Districtcourt@muskegoncounty.net](mailto:60Districtcourt@muskegoncounty.net) Phone: 231-724-6474

## 3. Civil Infractions/Appearance Tickets

- Payment due dates will be extended at least 60 days from the current due date.
- Any court appearance scheduled prior to April 6<sup>th</sup> will be re noticed at the address provided to court.

## **D. Probate Court**

1. Emergency Motions/Filings – The court will entertain emergency motions/filings that are emailed or deposited in the court drop box.

Filings must be made with the probate court clerk's office by email or by using the drop box near the court entrance. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time of the proceeding, if necessary. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:

Email: [probatefile@muskegoncounty.net](mailto:probatefile@muskegoncounty.net)

Phone: (231) 724-6241 – Please leave a message in the court's voicemail box.

2. Examples of emergency Probate proceedings include but are not limited to the following:

- Mental health pick-up/transport orders;
- Other mental health petitions, including petitions for hospitalization;
- Petitions for immediate funeral/burial arrangements;
- Guardianships involving life threatening medical emergencies;
- Conservatorships with immediate pending evictions/foreclosures/shut off notices;
- Estates where immediate access to residence is necessary;
- Requests for ex-parte temporary restraining orders;
- Emergency petitions filed by Adult Protective Services and Child Protective Services;

3. GAL Reviews

- a. All supervision of wards or review of filings will be conducted remotely using electronic communication.
- b. Visits to health/residential care facilities are restricted due to [Executive Order 2020-07](#).

## **E. Specialty Courts**

1. Court sessions will be suspended during the term of this plan.
2. Client contacts and supervision will continue using electronic / remote communication.
3. Drug testing will continue as scheduled.