

STATE OF MICHIGAN

IN THE 16th JUDICIAL CIRCUIT FOR THE COUNTY OF MACOMB
IN THE PROBATE COURT FOR THE COUNTY OF MACOMB
IN THE 42nd JUDICIAL DISTRICT COURT FOR THE COUNTY OF MACOMB

In Re: Plan to Return to Full Capacity – Phase Three (Forward)

Circuit Court Joint Local Administrative Order #2021-06J (Rescinds #2021-05J)
Probate Court Joint Local Administrative Order #2021-06J (Rescinds #2021-05J)
42nd Judicial District Court Joint Local Administrative Order #2021-10J (Rescinds #2021-06J)

In accordance with Administrative Order 2020-14, effective May 6, 2020, and upon approval of the State Court Administrative Office (SCAO), the Chief Judge of the 16th Judicial Circuit, Macomb County Probate, and 42nd Judicial District Courts has consulted with the local health department and determined that gating criteria is satisfied as of June 2, 2021. Specifically:

1. There have been no COVID-19 confirmed or suspected cases in the Court facility within a 14-day period; and,
 2. There is 7-day average of 5% or less for positive tests as a percent of total tests; and there is a downward trajectory of documented cases within a 14-day period; and,
 3. State and local orders restricting movement and/or requiring shelter-in-place have been rescinded or limited and the SCAO has determined that existing orders would not prevent the Court from implementing Phase Three requirements; and,
 4. The Chief Judge has consulted with health authorities confirming that regional health care facilities are able to treat all patients without crisis care; and,
 5. The Chief Judge has consulted with health authorities confirming that there is no evidence of COVID-19 rebound within the local community and no need to implement additional social distancing measures based upon a resurgence of infections in the local area.
- A. In order to protect the health and safety of employees and the public, the 16th Judicial Circuit, Macomb County Probate, and 42nd Judicial District Courts have enacted the following protections:
1. Normal staffing will resume at worksites.
 2. Vulnerable employees on temporary leave or working remotely may return to work and practice six-foot physical distancing, wearing masks in a manner consistent with the SCAO [Return to Full Capacity Guide](#). Minimizing exposure to social settings where social distancing is not possible is encouraged.

3. Personal travel should take into account the necessary travel precautions and employees are fully aware of the potential for quarantine requirements upon return.
4. Face coverings for employees will be required in a manner consistent with the SCAO [Return to Full Capacity Guide](#). The 16th Judicial Circuit, Macomb County Probate, and 42nd Judicial District Courts have taken the following steps to ensure proper social distancing and employee safety:
 - a. Placed physical barriers between workspaces that are not at least six feet apart.
 - b. Marked the floor in common spaces to indicate six-foot intervals.
 - c. Required employees to wear masks while in public spaces, and in courtrooms or hearing rooms during formal or informal proceedings.
 - d. In consultation with local public health officials and legal counsel, the Court has developed a face covering policy for employees that is consistent with [MIOSHA Emergency Rules](#)
 - e. The Court has submitted its employee face covering policy to the regional office.
 - f. Implemented staggered shifts of employees to reduce crowd size and the risk of people gathering at start and close times.
5. Employees will practice good hygiene through hand washing, frequent disinfecting of used items and surfaces, sneezing or coughing into a tissue or elbow, and avoiding touching their faces.
6. Employees have been trained regarding COVID-19. The training included good hygiene practices, updated personnel policies, and safety controls at the Court facilities.
7. Court facilities have posted signage emphasizing proper handwashing.
8. Newly exposed areas (e.g. areas recently opened to the public or returning staff) and shared equipment will be cleaned and sanitized before use. Examples of shared equipment include copiers, fax machines, and telephones used by more than one employee during a single shift or in consecutive shifts. This equipment should be wiped down with disinfectant or a disinfectant wipe between uses.
9. The Court is following the CDC guidance on cleaning and disinfecting if the facility is exposed to COVID-19.
10. The Court has developed a contact tracing policy and is prepared to implement contact tracing procedures after receiving notification that the Court facility has had confirmed exposure to COVID-19. These procedures will help the Court

identify individuals who may have been exposed to COVID-19 and will identify exposure locations that need to be cleaned and disinfected pursuant to CDC guidelines.

B. The 16th Judicial Circuit, Macomb County Probate, and 42nd Judicial District Courts are enacting the following measures related to public entry into Court facilities:

1. The public will be screened by Court personnel or security prior to entering the Court building. Screening questions will include, but are not limited to the following:

a. Do you have a cough or worsening cough (excluding chronic cough due to known medical reason)?

b. Do you have shortness of breath?

OR

c. Do you have at least two of the following symptoms:

- Fever
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- Diarrhea
- New loss of taste or smell

d. Have you had any close contact in the last 14 days with someone diagnosed with COVID-19 and you are not fully vaccinated?

Any individual responding “yes” to the screening questions will not be allowed to enter the courthouse until they can pass the screening questions. Screening personnel will notify the Court of any individual that does not make it past screening. The Court will accept documents for filing from the person. If the person was scheduled to appear as a party to a Court proceeding, the Court will reschedule the hearing/trial to either a remote proceeding or to a future date when the person may pass courthouse screening. The Court must provide appropriate personal protective equipment (PPE) to any personnel responsible for in-person screening.

C. In order to facilitate increased activity in the courthouse, the 16th Judicial Circuit, Macomb County Probate, and 42nd Judicial District Courts are enacting the following measures related to Court proceedings:

1. Proceedings will be conducted virtually to the maximum extent possible, consistent with Administrative Order No. 2020-6.

2. In-person Court proceedings will be allowed on a limited basis. The Court will limit the number of people in any space/room consistent with 6-foot social distancing and maximum capacities will be posted outside the rooms. All public proceedings will continue to be live streamed on YouTube.
3. The public is required to wear masks pursuant to the provisions outlined in the Return to Full Capacity Guidance.
4. Large venues and common areas in the courthouse (e.g. waiting areas, sit-down dining, etc.) will be open for use using limited six-foot physical distancing. The Court will limit the number of people in any space/room consistent with 6-foot social distancing and maximum capacities will be posted outside the rooms.
5. Pursuant to MCR 8.110(c), members of the public or staff that refuse or adhere to social distancing requirements or other mitigation procedures may be asked to leave the Court facility.
6. Any member of the public who is asked to leave the Court facility must be offered an opportunity to conduct Court business virtually, attend Court proceedings virtually, file documents in an alternative manner, or confer with Court administration to determine alternate arrangements for accessing the Court.

The 16th Judicial Circuit, Macomb County Probate, and 42nd Judicial District Courts are regularly meeting with local public health officials to monitor local public health conditions related to COVID-19 and are continuously evaluating data to assess their readiness to proceed to Phase Four, which is anticipated when a public health announcement is made that COVID-19 has been suppressed within the United States.

Dated: June 3, 2021



James M. Biernat, Jr. – Chief Judge
16th Judicial Circuit, Macomb County
Probate and 42nd Judicial District Courts