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

News



For Immediate Release

Media Contact: Julie Bovenschen 586-469-5164

Date: March 17, 2020

STATE OF MICHIGAN

SIXTEENTH JUDICIAL CIRCUIT COURT, MACOMB COUNTY PROBATE COURT, and FORTY-SECOND JUDICIAL DISTRICT COURTS

ORDER REGARDING COVID-19 STATE OF EMERGENCY

The Chief Judge, acting pursuant to the Governor's State of Emergency, Supreme Court Administrative Order 2020-1, MCR 8.110(C)(2)(c), and MCR 8.110(C)(3)(c), hereby ORDERS that the 16th Judicial Circuit Court, Macomb County Probate Court, and 42nd Judicial District Courts are hereby open only to address the following essential functions:

16th Judicial Circuit Court

Criminal Matters:

Arraignments on the information for in-custody defendants will be conducted by the Chief Judge and one designee remotely.

Given the impossibility of seating a jury under the circumstances of the present emergency, all trials schedule between today and April 3, 2020 are adjourned.

For in-custody defendants only, probation violation arraignments, bench warrant arraignments, and sentencing will be conducted. If not in-custody, these will be adjourned.

Criminal proceedings will be temporarily closed to anyone except interested parties.

All other criminal matters, including all matters where the defendant is not in custody, are adjourned.

Civil and Business Court Matters:

All civil and business court hearings and trials scheduled between today and April 3, 2020 must be conducted remotely (i.e., by phone or video) or adjourned.

Domestic Proceedings:

All domestic hearings other than PPOs scheduled between today and April 3, 2020 must be conducted remotely (i.e., by phone or video) or adjourned.

Personal Protection Order Proceedings:

Hearings on denied PPOs, arraignments on PPO violations, and hearings for PPO respondents who are not able to make bail following an arraignment will be conducted.

All other PPO matters scheduled between now and April 3, 2020 shall be adjourned.

Friend of the Court Proceedings:

All Friend of the Court hearings scheduled between today and April 3, 2020 must be conducted remotely (i.e., by phone or video) or adjourned.

Juvenile Cases:

Preliminary hearings for all delinquency and child protective proceedings will be conducted.

Emergency removal hearings for child protective proceedings will be conducted.

Hearings to request release from detention will be conducted.

All other juvenile proceedings scheduled between today and April 3, 2020 are adjourned.

Macomb County Probate Court

The Probate Court will only conduct emergency hearings until April 3, 2020. All other currently scheduled hearings will be adjourned, except for the mental health dockets on Tuesdays and Thursdays.

The emergency filings that will be accepted after Wednesday, March 18, 2020 include the following:

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

42nd Judicial District Courts**Civil Matters:**

All civil, landlord tenant, and small claims matters scheduled between today and April 3, 2020 are adjourned.

Traffic Matters:

All civil infractions scheduled between today and April 3, 2020 are adjourned. No bench warrants will be issued for individuals failing to appear during the State of Emergency.

Criminal Matters:

Arraignments will continue.

All in-custody criminal cases will be conducted remotely except for probable cause hearings.

Given the impossibility of seating a jury under the circumstances of the present emergency, all trials schedule between today and April 3, 2020 are adjourned.

Probation:

All probationers must report by phone or email until further notice.

Weddings:

Contact the specific Court regarding weddings.

Macomb County Clerk

The Macomb Clerk will be accepting filings via U.S. mail, via e-filing, via e-mail, or via fax filing. Convenience fees are waived until April 3, 2020.

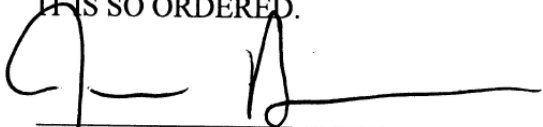
The Clerk’s Office will only accept filings in person by appointment until April 3, 2020. It will be closed to the public without an appointment.

General Considerations

The public is encouraged not to attend court proceedings unless necessary. The Macomb County Sheriff’s Department is authorized to remove anyone exhibiting symptoms of COVID-19 from the Courthouse. The Macomb County Sheriff’s Department is also authorized to refuse entry to anyone not conducting business in accordance with this order.

This ORDER is effective Wednesday, March 18, 2020.

IT IS SO ORDERED.



James M. Biernat, Jr.
Chief Judge

3/17/20

Date

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