



## BARRY COUNTY TRIAL COURT

Vicky L. Alspaugh  
Circuit Judge  
220 West State Street  
Hastings, MI 49058  
(269) 945-1286

William M. Doherty  
Chief Judge  
206 West Court Street, Ste. 302  
Hastings, MI 49058  
(269) 945-1390

Michael L. Schipper  
District Court Judge  
206 West Court Street, Ste. 202  
Hastings, MI 49058  
(269) 945-1404

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### BARRY COUNTY TRIAL COURT

#### COURT PLAN LIMITING ACCESS TO COURT FACILITY FOR PUBLIC HEALTH EMERGENCY

\*Revised to remove Local Administrative Order

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The Governor has issued a State of Emergency and the Michigan Supreme Court has unanimously entered an Order to authorize Trial Courts "to implement emergency measures to reduce the risk of transmission of the virus and provide the greatest protection possible of those who work and have business in our courts".

This Local Administrative Order (LAO) is issued in accordance with MCR 8.110(C). The purpose of this LAO is to limit public access to the court facility in response to Governor Whitmer having declared a state of emergency in response to the serious health risks posed by COVID-19.

#### IT IS ORDERED:

1. To combat the spread of disease, given the severity of the risk posed by the public, court staff and other court agencies, and considering the public health recommendations of the Centers for Disease Control and Prevention (CDC), **all matters will be adjourned** and the business offices of the Barry County Trial Court, including the Friend of the Court (BCTC and FOC) **shall be limited** from Wednesday, March 18, 2020 through Sunday, April 5, 2020, with exception to the following essential services.

- In-custody arraignments;
- Probable cause conferences and preliminary examinations that are not waived;
- To the extent possible, BCTC will continue to conduct all previously scheduled in-custody hearings.
- Hearings involving in-custody juveniles. These hearings will be scheduled Monday through Friday.

- Preliminary/emergency hearings involving child protective proceedings;
  - Waiver hearings for youth to be charged as or with the rights attributed to an adult;
  - The initiation and violation of personal protection order(s);
  - Emergency mental health hearings; and
  - Emergency motions on any matter including show cause and injunctive order requests.
2. With regard to criminal and juvenile delinquency matters, due to BCTC's reduced ability to obtain an adequate spectrum of jurors and the effect of the recommendations from public health organizations on the availability of counsel and court staff to be present in the courtroom, the time period of the postponements implemented by this LAO will be excluded from speedy trial requirements, as BCTC 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. BCTC and FOC will process pleadings filed via email during the time period covered by this LAO as long as the appropriate filing fee is provided.
  4. All emergency motions and proposed orders identified in paragraph 1 should be emailed to the corresponding court email address:
    - Circuit Court/County Clerk – infoCC@barryco.org
    - District Court – infoDC@barryco.org
    - Family/Probate Court – infoPC@barryco.org
    - Friend of the Court – FOC@barryco.org

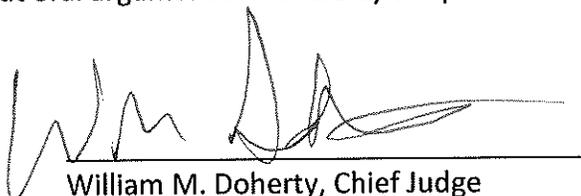
Upon receipt of the documents identified in paragraph 1, a court staff member will contact the parties to schedule an emergency hearing, if necessary.

5. Whenever possible, hearings, appointments, meetings will be conducted using telephone, Zoom or Polycom technology so the party, parties, and/or counsel can appear without physically entering the Courthouse or Courts & Law Building. In the interest of the public health, only the following individuals shall be permitted to enter the BCTC facilities, if necessary, during the time period covered by this LAO:
  - Parties and essential case participants to hearings referenced above;
  - Parents of in-custody juveniles for the hearings referenced above;
  - Parties' counsel for the hearings referenced above;
  - County staff, including facilities cleaning staff; and
  - Essential law enforcement.
6. Problem Solving Court Program review hearings will be cancelled during the time period covered in this LAO. In-person drug testing on participants in a problem solving court program may enter the court facility, but only 4 participants at a time. Staff should utilize this time to meet their face-to-face contacts.

7. In person payments will not be accepted. Payments can be made by phone, online ([www.Barrycounty.org](http://www.Barrycounty.org)), MISDU ([www.misdu.com](http://www.misdu.com)) or through the mail by cashier's check or money order.
8. Notice of this LAO shall be posted on the front door of all court facilities, on the courts' website. Notice of this LAO shall be given to the funding unit and other affected agencies.
9. Nothing in this LAO precludes BCTC and FOC from making case-by-case exception 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 BCTC's and FOC's consideration of civil, family, probate, or criminal motions that can be resolved without oral argument or handle by telephone or video conferencing.

3-17-20

Date:



William M. Doherty, Chief Judge