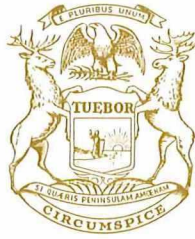


JUDICIAL COUNCIL

HONORABLE MICHAEL L. JACONETTE
Chief Judge: Circuit, Probate & District Courts



KRISTEN L. GETTING
*Circuit/Probate Court Administrator/
Friend of the Court
Judicial Council Administrator*

KATHERINE K. AMBROSE
District Court Administrator

LOCAL JOINT ADMINISTRATIVE ORDER C37-2020-01J; P13-2020-01J; D10-2020-01J

Re: Calhoun County Courts Response to Coronavirus Pandemic and the Closure of Calhoun County Facilities

Pursuant to MCR 8.110(C)(2)(c) and (3)(c), and in response to the States of Emergency related to the COVID-19 pandemic declared by both the President of the United States and the Governor of the State of Michigan, as well as due to the closure of all county buildings as ordered today by the Calhoun County Board Chairman and County Administrator/Controller from March 17th, 2020 through April 12th, 2020, and after consultation with Court Administration, Calhoun County Administration, the Calhoun County Public Health Officer, the Calhoun County Sheriff and other stakeholders, the Court hereby finds that, under MCR 8.116(D), the courts have a specific interest and obligation in protecting the health, safety and welfare of those having cases before all Calhoun County courts, court employees and the general public, which given the highly contagious nature of the illness outweighs the right of access to court events; and further finding that there are no less restrictive means reasonably available to adequately protect the interests of all involved with the Calhoun County Courts, and, with regard to criminal matters, due to the Court's reduced ability to obtain an adequate spectrum of jurors and the effect of the recommendations from the local, state and federal public health organizations on the availability of counsel and court staff to be present in the courtroom, the Court specifically finds that the ends of justice served by ordering the adjournments of pending trials and hearings outweigh the best interests of the public and any defendant's right to a speedy trial;

It is HEREBY ORDERED that the Calhoun County Courts shall be closed except for the limited purpose of addressing the following emergency court operations, which may be conducted by video-conferencing whenever practicable:

Criminal Cases (Circuit and District Courts)

- The Court will conduct arraignments for incarcerated defendants;
- The Court will review all requests for the authorization of new criminal charges, including the finding of probable cause for arrest warrants;
- The Court will review all requests for search warrants;
- The Court may hold Circuit Court status conferences for incarcerated defendants if prosecution and defense counsel are able to appear;

- All probationers, adult and juveniles, shall continue to report as directed by their probation officer – reporting obligations are subject to be changed depending upon the circumstances as determined by the probation officer;
- The Court will adjourn all scheduled sentencings, but may review bond conditions for all incarcerated defendants;
- The Court will adjourn all scheduled preliminary examinations, but may review bond conditions for all incarcerated defendants.

Juvenile Proceedings (Family Division of the Circuit Court/Probate Court)

- The Court will hear emergency proceedings for child protective cases;
- The Court will conduct the initial preliminary hearing pursuant to court rule for any detained juvenile, via video-conferencing; any adjourned preliminary hearing will be scheduled for a court date following re-opening of the Calhoun County Courts;

Domestic Relations Proceedings (Family Division of the Circuit Court)

- The Court will review any request by a party for an emergency hearing. Pleadings will be reviewed on a case-by-case basis to determine if an emergency hearing is warranted and the Court will proceed accordingly;
- The Court will review new requests for personal protection orders (PPOs);
- The Court will conduct arraignments on alleged PPO violations when the defendant is in custody;
- The Court will hear parental waiver cases;
- The Court may sign or prepare emergency orders that may be necessary for the safety and well-being of a litigant or child, at the discretion of the assigned judge.

Civil Cases (Circuit, District and Probate Courts)

- The Court will review requests for emergency show cause and injunctive orders.

Probate Matters (Probate Court/Family Division of the Circuit Court)

- The Court will hear involuntary mental health treatment petitions;
- The Court will review petitions for emergency hearings in adult/minor guardianship and conservatorship matters, determine on a case-by-case basis whether an emergency hearing is warranted, and proceed accordingly;
- The Court will review any other petition for temporary/emergency relief (such as temporary restraining orders, etc.), determine on a case-by-case basis whether an emergency hearing is warranted, and proceed accordingly.

Specialty Courts (Sobriety Treatment Court, Mental Health Treatment Court, Veterans Treatment Court, Mens/Womens Drug Court)

- Group review hearings will not be conducted; individual review hearings will only be held if deemed necessary by the assigned judge;
- Team meetings may be facilitated through teleconferencing if deemed necessary by the assigned judge;

- Monitoring shall be conducted by telephone unless the participant is otherwise notified by the supervising case manager or probation officer;
- Treatment agencies shall direct participants on their own protocols for any required treatment sessions;
- Drug and alcohol testing shall proceed as may be directed by the Court or probation officer.

Miscellaneous Proceedings:

- The Circuit Court will hear all infectious disease cases brought by the local health department;
- All court events not stated above are suspended until Monday, April 13, 2020 and will be re-scheduled on a case-by-case basis. This includes District Court arraignments for those not incarcerated, landlord/tenant cases, pre-trial conferences and small claims cases. All parties scheduled to appear for a suspended court event will receive a new notice to appear.
- No jury panels will be called in until the week of April 13, 2020.
- Please be advised that Clerk operations will be staffed to handle emergency services. Non-emergency services will be processed as staffing levels permit, as determined by court administration.
- Information regarding procedures for emergency filings as outlined in this Local Administrative Order are attached.

DATED: March 16, 2020

Hon. Michael L. Jaconette
 Chief Judge
 Calhoun County Courts

Emergency pleadings/petitions should be filed at the following email addresses:

37th Circuit Court: 37thcircuitcourt@calhouncountymi.gov
 Probate Court: Probate@calhouncountymi.gov
 10th District Court: Civil@calhouncountymi.gov

Filing fees must be paid online.

If in-person filing is necessary, please call the appropriate Clerk's Office at the number listed below.

10 th District court		37 th Circuit Court	
Administration	(269) 969-6666	Administration	(269) 969-6523
Civil	(269) 969-6683 civil@calhouncountymi.gov	Friend of the Court	(269) 969-6650 FOCwebcontact@calhouncountymi.gov
Criminal	(269) 969-6678	County Clerk-Circuit Court	(269) 969-6518 37thcircuitcour@calhouncountymi.gov
Traffic	(269) 969-6692		
Probate Court	(269) 969-6794; probate@calhouncountymi.gov		