

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 DISTRICT COURT FOR THE COUNTY OF MACOMB

In Re: Plan to Return to Full Capacity Phase Two (Return)

Circuit Court Joint Local Administrative Order #2021-03J (Rescinds #2021-01J)
Probate Court Joint Local Administrative Order #2021-03J (Rescinds #2021-01J)
42nd District Court Joint Local Administrative Order #2021-04J (Rescinds #2021-02J)

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 District Courts have consulted with the local health department and determined that the reverse gating criteria is satisfied as of March 16, 2021. Specifically:

The SCAO has determined that existing case numbers would prevent the Court from continuing its current Return to Full Capacity Phase Three requirements. There is an upward trajectory of documented cases for a 14-day period and an upward trajectory of positive tests as a percent of total tests for a 14-day period.

- A. In order to protect the health and safety of employees and the public, the 16th Judicial Circuit, Macomb County Probate, and 42nd District Courts have enacted the following protections:
1. Employees will self-screen for COVID-19 symptoms. Employees who feel sick or have any COVID-19 symptoms will not report to work. Employees who feel sick or display symptoms at work will be sent home.¹
 2. Court employees have been surveyed and those employees who have self-identified as a vulnerable employee and unable to return to work have been offered appropriate accommodations, including the ability to work remotely if their job lends itself to remote work.
 3. Employees will be encouraged to work remotely where feasible to facilitate social distancing among on-site staff.
 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

¹ Guidance on COVID-19 symptoms is evolving rapidly. The most up-to-date information about symptoms of COVID-19 are available on the CDC website at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.

Probate, and 42nd 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.
 - d. Required employees handling mail to wear masks and gloves.
 - e. 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 will not travel for nonessential Court business.
 7. Quarantine and/or isolation requirements will be implemented consistent with the most current guidance from the Centers for Disease Control and/or local public health officials.
 8. Employees have been trained regarding COVID-19. The training included good hygiene practices, updated personnel policies, and safety controls at the Court facilities.
 9. Court facilities have posted signage emphasizing proper handwashing.
 10. Shared equipment will be cleaned and sanitized before each 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.
 11. The Court is following the CDC guidance on cleaning and disinfecting if the facility is exposed to COVID-19.
 12. The Court has developed a contact tracing policy and will 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 and notify 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 District Courts are maintaining the following measures related to public entry into Court facilities:

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

- a. Do you have a fever greater than 100.4 degrees? If a touchless/contactless thermometer is available, a temperature check is strongly recommended in lieu of verbal confirmation.
- b. Do you have a cough or worsening cough (excluding chronic cough due to known medical reason)?
- c. Do you have shortness of breath?

OR

d. 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

e. Have you had any close contact in the last 14 days with someone diagnosed with COVID-19?

f. Have you traveled internationally in the last 14 days?

Any individual responding “yes” to the screening questions will not be allowed to enter the courthouse. Screening personnel will notify the Court of any individual who does not pass the screening procedure. If the person came to the Court to file documents, the Court will accept those documents for filing. If the person was scheduled to appear as a party or witness in a court proceeding, the Court will work to reschedule the hearing/trial as 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 the business of the 16th Judicial Circuit, Macomb County Probate, and 42nd District Courts, the 16th Judicial Circuit, Macomb County Probate, and 42nd District Courts are using 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. All attendees will be required to wear face coverings to the extent they can medically tolerate it, and maintain social 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. All public proceedings will continue to be live streamed on YouTube. Face coverings will be required for Court in a manner consistent with the SCAO [Return to Full Capacity Guide](#).

3. Off-site visits with probationers and clients will resume on a limited basis.
4. Large venues and common areas in the courthouse (e.g. waiting areas, sit-down dining, etc.) will be open for use. Members of the public are required to wear facemasks to the extent they can medically tolerate it. They will be provided by the Court prior to entry.
5. Pursuant to MCR 8.110(C), members of the public or staff who refuse to wear required face coverings or adhere to social distancing requirements 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 District Courts are regularly meeting with local public health officials to monitor local public health conditions related to COVID-19.

Dated: 3/16/21



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