

### Supreme Court Guidance for Reopening Michigan Courts

With the expiration of Michigan's Stay Home Order on May 28, 2020, Michigan's courts will begin to move towards resuming normal operations. On May 6, 2020, the Michigan Supreme Court issued Administrative Order 2020-14, as well as detailed guidance to help courts navigate this process. The guidance focuses on local public health data, and emphasizes that a uniform approach is not in the best interest of public health. To that end, it proposes a four phase process leading to eventual resumption of normal operations. No court may proceed to the next phase of operations until the following criteria are met and permission is received from the State Court Administrative Office (SCAO):

- No COVID-19 confirmed or suspected cases in the facility for a fourteen (14) day period, unless deep cleaning and applicable quarantine actions have been taken;
- The court's community has shown a downward trajectory in new documented cases or rate of positive test results over the preceding fourteen (14) days;
- Local and regional health care facilities are able to treat patients without crisis care, and any applicable restrictive movement or shelter-in-place orders are no longer in effect.

Throughout the reopening process, courtroom access will be limited to no more than ten (10) individuals, including court staff, and social distancing and protective equipment measures will remain in place. Further, courts will continue to use (and in some cases expand the use of) remote, telephone, or video conference hearings, particularly where in-person attendance is not deemed essential. At least in some jurisdictions, you should expect that your hearing will likely be conducted remotely.

As in-person operations gradually resume, you should expect additional screening when entering courts, social distancing requirements throughout the courthouse, and significant delays in response time. Health screenings will likely be incorporated into normal entry security screenings, and individuals exhibiting a fever or symptoms of respiratory illness may be excluded from court. Courtrooms will be required to limit the number of individuals in the courtroom, which may require the court to limit the number of motions that may be heard on any given day.

Response times may also be affected by an increase in filings. Throughout the re-opening process, courts expect to experience a spike in filings which have been delayed by the pandemic, and a period during which courts will need to catch up on hearings that have been postponed while operations were paused. Further, many courts have issued automatic extensions of filing deadlines and scheduling orders, which may impact the timeline of your case.

If in doubt, your attorney should confirm with court staff whether in-person attendance at a hearing or conference is expected. Further, if you or a member of your household are vulnerable to infection or have been infected or may have been exposed to COVID-19, the Supreme Court's guidance permits you to request remote participation or adjournment for most court activities.

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[Michigan Supreme Court Administrative Order 2020-14](#)

[Return to Full Capacity, COVID-19 Guidelines for Michigan's Judiciary](#)

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