

**VAN BUREN COUNTY – ALL COURT POLICY**  
**(36<sup>th</sup> Circuit Court, 7<sup>th</sup> District Court and Van Buren County Probate Courts)**

<b>SUBJECT:</b> Public Health Emergency Operations Plan / Policy	<b>SECTION:</b> Administration	<b>DATE:</b> 3/24/2020
<b>PREPARED BY:</b> Frank Hardester	<b>NUMBER:</b> VBC-0026	<b>RESCINDS:</b> 3/17/2020 issue

Van Buren County Courts (VBCC) will be open to conduct essential functions, Monday Wednesday, and Friday between the hours of 9:00 a.m. and 3:00 p.m. through April 13, 2020 but the doors will be closed to the general public. Filings and inquires may be handled remotely as described in this plan. All other matters will be adjourned or addressed as outlined in this plan. Normal operations will resume April 14, 2020 at 8:30 a.m. pending further updates. This action is being taken to:

- Respond to the state of emergency declared by the [President of the United States](#)
- Comply with the [Executive Orders issued by the Governor of Michigan](#)
- Follow recommendations from the [Centers for Disease Control and Prevention](#) (CDC)
- Comply with the [Michigan Supreme Court Administrative Orders](#)
- Combat the spread of the COVID-19 pandemic
- Reduce the risk posed to the public, court staff, and other stakeholders, while protecting public safety and the legal rights of our citizens

The following emergency operations plan will be followed:

**A. General**

1. All non-essential matters scheduled must be handled remotely or will be adjourned to a later date.
2. The court will continue to accept filings using means other than in-person filing. This includes filing by mail, email, fax or using the payment drop box near the entry of the court facility.
3. Patrons may call or email the court using the numbers provided in this plan. Messages are being answered daily. We encourage patience due to the unique circumstances of this health crisis.
4. All summoned jurors are excused from jury service through April 13, 2020.
5. All jury trials are adjourned during the period noted in this plan and will be rescheduled in the future. Cases, and in particular case ages, have been reviewed. As it relates to criminal and juvenile delinquency matters, VBCC find the period of delay caused by this plan justified by good cause. We are in states of emergency declared by both the Governor of Michigan and the President of the United States due to a pandemic. Sweeping efforts are in place to slow the spread of the coronavirus, including social distancing and limiting gatherings of people. These efforts, coupled with mandatory school closings, significantly impair the court's ability to obtain and accommodate jurors. In addition, restrictions in place have temporarily hampered the prosecution and the defense's ability to investigate and present/defend their case. [MCR 6.004\(C\)\(6\)](#) and [MCR 3.942\(A\)](#).
6. Whenever possible, essential hearings will be conducted using video conference technology or by telephone so that parties and counsel can appear without physically entering the

courthouse.

7. Pursuant to [1963 Const, Art VI, §4](#), which provides for the Supreme Court's general superintending control over all state courts, **trial courts are ordered to limit access to courtrooms and other spaces to no more than 10 persons, including staff, and to practice social distancing for those that are allowed into the courtroom.**

In the interest of public health, only the following individuals shall be permitted to enter VBC courthouses (if necessary) during the time period covered by this plan:

- a. Parties and essential case participants to hearings
- b. Parents of in-custody juveniles for hearings
- c. Parties' counsel for the hearings
- d. Essential court and county staff
- e. Essential law enforcement

Pursuant to [MCR 8.116\(d\)](#), courts may limit access to the court for a compelling reason. The court finds the COVID-19 pandemic as appropriate justification.

8. The court will use consistent messaging on doors, phone systems, website, social media.
9. Scheduling notices will include the following verbiage:
  - a. Essential Proceedings:

“Parties and all persons related to the case are encouraged to participate remotely. Due to the county closure, courthouse doors are closed and only authorized individuals will be allowed into the facility. Please communicate your plans for court appearance with the assigned judicial staff PRIOR TO your proceeding. Also, if you need any technical assistance in appearing remotely, please advise judicial staff ahead of the proceeding. Social distancing standards will be followed with no more than 10 people allowed in the courtrooms and other spaces.”
  - b. Non-Essential Proceedings:

“Parties must participate remotely or request an adjournment. Please refer to the attached instructions on form VBC-0001.”

## **B. Payments**

1. Court payments cannot be made in person, however they can be made as follows:
  - a. Online: <https://www.vbco.org/courtpayments.asp>
  - b. Dropbox at court entry locations
  - c. By mail, find locations at <https://www.vbco.org/locationshours.asp>

## **C. Probation / Caseworker Supervision**

1. All supervision of clients/defendants will be conducted remotely using electronic communication. This includes face-to-face visits.
2. Visits to health/residential care or juvenile detention facilities is restricted due to [Executive Order 2020-07](#).

## **D. Circuit Court**

1. Criminal matters for in-custody defendants: (Out-of-custody matters will be adjourned. If you are requesting to have an out-of-custody matter heard remotely contact the court under section g below.)
  - a. Arraignments and Pleas – The court will process these proceedings on Mondays, Wednesdays, and Fridays between the hours of 9:00 a.m. until 3:00 p.m. Court to schedule.
  - b. Sentencings, Pre-Trials and Final Pre-Trials will be held on Mondays between the hours of 9:00 a.m. until 3:00 p.m. Court to schedule.

- c. Final Pre-Trials will be held on Fridays at 1:00 p.m. Court to schedule.
- d. Emergency Motions – The court will entertain emergency motions on Mondays, Wednesdays, and Fridays between the hours of 9:00 a.m. until 3:00 p.m. Court to schedule.
- e. Probation Violations (PV) – The court will work with the probation department to allow for discretion in the monitoring of probationers' ability to comply with conditions without the need for amended orders. PV's will be handled on the days/times noted above.
- f. Filings must be made with the county clerk's office by mail, fax, email or by using the payment drop box near the court entrance. The clerk's office contact information is as follows:
  - Email: [clerk@vbco.org](mailto:clerk@vbco.org)
  - Phone: (269) 657-8200 ext. 2350
- g. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time of the proceeding. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:
  - Email: [williamsm@vbco.org](mailto:williamsm@vbco.org)
  - Phone: (269) 657-8200 ext. 2345

## 2. Civil Matters

- a. Emergency Motions – The court will entertain emergency motions on Mondays, Wednesdays, and Fridays from 9:00 a.m. until 3:00 p.m.
- b. Filings must be made with the county clerk's office by mail, fax, email or by using the payment drop box near the court entrance. The clerk's office contact information is as follows:
  - Email: [clerk@vbco.org](mailto:clerk@vbco.org)
  - Phone: (269) 657-8200 ext. 2350
- c. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time of the proceeding. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:
  - Email: [cowgillk@vbco.org](mailto:cowgillk@vbco.org)
  - Phone: (269) 657-8200 ext. 2213

## 3. Domestic Matters

- a. Emergency Motions – The court will entertain emergency motions on Mondays, Wednesdays, and Fridays from 9:00 a.m. until 3:00 p.m.
- b. Filings must be made with the county clerk's office by mail, fax, email or by using the payment drop box near the court entrance. The clerk's office contact information is as follows:
  - Email: [clerk@vbco.org](mailto:clerk@vbco.org)
  - Phone: (269) 657-8200 ext. 2350
- c. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time of the proceeding. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:
  - Email: [schmittm@vbco.org](mailto:schmittm@vbco.org)
  - Phone: (269) 657-8200 ext. 2342

4. Friend of the Court (FOC)
  - a. The FOC will be reviewing items as presented to their office on a case-by-case basis.
  - b. Specialized programs such as the 24/7 Dad program will be postponed until further notice.
  - c. If you have an emergency filing, contact the FOC at:  
Email: [foc@vbco.org](mailto:foc@vbco.org)  
Phone: (269) 657-7734
  
5. Juvenile (Delinquency / Neglect)
  - a. The Judicial Officers will process emergency proceedings using the normal on call weekly rotation.
  - b. Emergency proceedings will be held on Mondays, Wednesdays, and Fridays from 9:00 a.m. until 3:00 p.m.
  - c. Permanency planning hearings will continue to be held pursuant to [MCL 712A.19a](#) on Mondays, Wednesdays, and Fridays from 9:00 a.m. until 3:00 p.m.
  - d. Filings must be made with the juvenile clerk's office by mail, fax, email or by using the payment drop box near the court entrance. The clerk's office contact information is as follows:  
Email: [juvenilem@vbco.org](mailto:juvenilem@vbco.org)  
Phone: (269) 657-8237
  
6. Personal Protection Orders (PPO's)
  - a. PPO Initiation – Filings must be made with the county clerk's office by mail, fax, email or by using the payment drop box near the court entrance. The clerk's office contact information is as follows:  
Email: [clerk@vbco.org](mailto:clerk@vbco.org)  
Phone: (269) 657-8200 ext. 2350
  - b. Hearings – The court will entertain these matters on Mondays, Wednesdays, and Fridays from 9:00 a.m. until 3:00 p.m. Hearing requests can be made using the process noted above by contacting / filing the paperwork in the county clerk's office.
  - c. If you need assistance with filing, parties may contact Domestic Violence Coalition at:  
Email: [mhookerva1@live.com](mailto:mhookerva1@live.com)  
Phone: 269-655-9008
  - d. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time of the proceeding. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:  
Email: [kleins@vbco.org](mailto:kleins@vbco.org)  
Phone: (269) 657-8200 ext. 2321

## **E. District Court**

1. Criminal Matters - Misdemeanors & Felonies
  - a. Out-of-custody:
    - i. On misdemeanors, the arresting agency will advise defendants that the court will notify them of their next appearance date
    - ii. Other matters will be adjourned. If you are requesting a matter heard remotely contact the court under section d below.
  - b. In-custody:
    - i. The court will follow the weekend / holiday arraignment process during the period of this plan.
    - ii. Pre-Trials, Pleas and Sentencings will occur on Mondays, Wednesdays, and

- Fridays between the hours of 9:00 a.m. until 3:00 p.m. Court to schedule.
- iii. Preliminary Exams and Probable Cause Conferences will be as follows:  
South Haven: Prelims – Wednesday AM; Probable Cause Conf – Wednesday PM  
Paw Paw: Prelims – Wednesday PM; Probable Cause Conf – Wednesday AM
  - iv. Trials are adjourned until further notice.
  - v. Full arraignments will occur on Mondays, Wednesdays, and Fridays between the hours of 9:00 a.m. until 3:00 p.m. Court to schedule.
- c. Emergency Motions – The court will entertain emergency motions on Mondays, Wednesdays, and Fridays between the hours of 9:00 a.m. until 3:00 p.m. Court to schedule.
  - d. Filings must be made with the district court clerk’s office by mail, fax, email or by using the payment drop box near the court entrance. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time of the proceeding. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:  
Email: [7dc@vbco.org](mailto:7dc@vbco.org)  
Phone: (269) 657-8222

## 2. Civil Matters

- a. Emergency Motions – The court will entertain emergency motions on Mondays, Wednesdays, and Fridays from 9:00 a.m. until 3:00 p.m.
- b. Filings – Filings must be made with the district court clerk’s office by mail, fax, email or by using the payment drop box near the court entrance. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time of the proceeding. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:  
Email: [7dc@vbco.org](mailto:7dc@vbco.org)  
Phone: (269) 657-8222

## 3. Civil Infractions / Tickets

- a. Extended appearance / to pay dates will be set 90 days out from citation.

## F. Probate Court

### 1. All matters

- a. Emergency Proceedings – The court will entertain emergency motions on Mondays, Wednesdays, and Fridays from 9:00 a.m. until 3:00 p.m.
- b. Examples of emergency proceedings include but are not limited to the following:
  - o mental health pick-up / transport orders
  - o other mental health petitions, including petitions for hospitalization
  - o petitions for immediate funeral / burial arrangements
  - o guardianships involving life threatening medical emergencies
  - o conservatorships with immediate pending evictions / foreclosures / shut off notices
  - o estates where immediate access to residence is necessary
  - o requests for ex-parte temporary restraining orders
  - o emergency petitions filed by Adult Protective Services and Child Protective Services
- c. Filings – Filings must be made with the probate court clerk’s office by mail, fax, email or by using the payment drop box near the court entrance. Upon receipt of filings, the court will be in communication with the filing party to arrange the date and time of the proceeding. If you have concerns about the communication, or if you wish to contact the court regarding scheduling, feel free to contact the court at:  
Email: [probate@vbco.org](mailto:probate@vbco.org)  
Phone: (269) 657-8225

2. GAL Reviews
  - a. All supervision of wards will be conducted remotely using electronic communication. This includes face-to-face visits.
  - b. Visits to health/residential care facilities are restricted due to [Executive Order 2020-07](#).

### **G. Specialty Court**

1. Court sessions will be discontinued or held remotely during the term of this plan. Judges will communicate electronically with participants as a group.
2. Client contacts and supervision will continue using electronic / remote communication.
3. If you have an emergency, you can contact the specialty court office at:  
Email: [specialtycourts@vbco.org](mailto:specialtycourts@vbco.org)  
Phone: (269) 657-8200 ext. 2478

### **H. Emergency Contact / Filing Information**

1. Emergency filings can be sent by by mail, fax, email or by using the [court payment drop box location](#) near the building entrance at each court.
2. Emails and voicemails will be checked will be checked daily.
3. 36<sup>th</sup> Circuit Court: Email: [36circuitcourt@vbco.org](mailto:36circuitcourt@vbco.org)  
Phone: (269) 657-8200 ext. 2340
  - a. County Clerk: Email: [clerk@vbco.org](mailto:clerk@vbco.org)  
Phone: (269) 657-8200 ext. 2350
  - b. Friend of the Court (FOC): Email: [foc@vbco.org](mailto:foc@vbco.org)  
Phone: (269) 657-7734
  - c. Juvenile Court: Email: [juvenilem@vbco.org](mailto:juvenilem@vbco.org)  
Phone: (269) 657-8237
  - d. Child Abuse / Neglect Central Intake Hotline: (855) 444-3911
4. 7<sup>th</sup> District Court: Email: [7dc@vbco.org](mailto:7dc@vbco.org)  
Phone: (269) 657-8222
5. Probate Court: Email: [probate@vbco.org](mailto:probate@vbco.org)  
Phone: (269) 657-8225
6. Specialty Court: Email: [specialtycourts@vbco.org](mailto:specialtycourts@vbco.org)  
Phone: (269) 657-8200 ext. 2478
7. During the period of this delay, the court will entertain objections related to delays caused by this plan. Such objections are to be filed using the processes outlined in this document.

### **I. Public Notice / Communication**

Notice of the court closure and how emergency matters and filings shall be accomplished during the court closure shall be given to the public, the court's funding unit and other affected agencies and officials. Notice shall include this plan being posted at all of all courthouse locations and on the courts website: <https://www.vbco.org/courts.asp>

Effective Date: March 24, 2020

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Chief Judge Signature: 