
**State of
Michigan**

**Local Administrative
Order**

**Washtenaw County Trial Court – Plan to
Return to Full Capacity: Return to Phase 2**

C22 2020-15J
P81 2020-15J

Effective Date: October 28, 2020

PLAN TO RETURN TO FULL CAPACITY: RETURN TO PHASE 2

IT IS ORDERED:

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 Washtenaw County Trial Court has consulted with the local health department and determined that gating criteria have deteriorated to require the court to move back from Phase 3 to Phase 2 as of October 24, 2020 (see attached). Specifically:

1. On August 10, 2020, the Washtenaw County Trial Court entered into Phase 3 of the Return to Full Capacity process.
 2. There is an upward trajectory of documented cases COVID-19 cases within a 14-day period and there is an upward trajectory of positive tests as a percent of total tests within a 14-day period (flat or increasing volume of tests) in Washtenaw County; and,
 3. State and local orders restricting movement and/or requiring shelter-in-place have been rescinded or limited and the SCAO has determined that existing orders would not prevent the courts from implementing Phase 2 requirements; and,
 4. The chief judge has consulted with health authorities confirming that regional health care facilities are able to treat all patients without crisis care.
- A. In order to protect the health and safety of employees and the public, the Washtenaw County Trial Court has 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.^a
 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.

^a 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>

3. To the extent possible, court employees who have been working remotely will continue to work remotely.
 4. Anyone entering court facilities will wear a face covering at all times unless 6 ft. social distancing can be guaranteed. In addition, the court has taken the following steps to ensure proper social distancing and employee safety:
 - a. Limited capacity in break and meeting rooms.
 - b. Placed physical barriers between workspaces and reconfigured those that are not 6 feet apart.
 - c. Marked the floor in common spaces to indicate 6 feet intervals.
 - d. Employees handling mail will wear masks and will practice frequent hand washing (gloves are optional).
 - e. Placed barriers between clerk counters and the public to ensure additional screening.
 - f. Providing PPE for all employees including masks, gloves, spray disinfectant, and hand sanitizer.
 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 non-essential business.
 7. The court has consulted with the local health department and developed policies regarding employee travel outside of Michigan. Any 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 1 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 courts 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 Washtenaw County Trial Court is maintaining the following measures related to public entry into court facilities:

1. The public will be screened by court personnel or security personnel or asked to self-screen using posted screening questions 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, it will be used.
 - 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 2 of the following symptoms:
 - Fever
 - Chills
 - Repeated shaking with chills
 - Muscle pain
 - Headache
 - Sore throat
 - New loss of taste or smell
 - e. Have you had any close contact in the last 14 days with someone diagnosed with COVID-19?

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 increased activity in the courthouse, the court is 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. The Washtenaw County Trial Court will be closed to the public with the following exception:
 - In-person court proceedings will be allowed on a limited basis. They will be limited to no more than 10 people in the courtroom. Face coverings will be required for court in a manner consistent with the SCAO [Return to Full Capacity Guide](#). All participants must pass the wellness screening prior to entry.
 - Individuals will be allowed inside the lobby area of the courthouse to conduct court business by appointment. Individuals who appear without an appointment will be assisted if space allows, asked to wait until space is available or will be scheduled at a later time. All participants must pass the wellness screening prior to entry.

- Individuals will be allowed inside the courthouse to meet with Friend of the Court, the referee or the probation department when remote communication is unavailable or impractical. Prior approval by the Chief Judge or Court Administrator must be obtained.
 - Anyone who has an emergency should call 734-222-3001 (*and then press the number 3 when the recording starts*) Monday through Friday between the hours of 8 am and 4:30 pm. This will immediately connect them to a clerk who will make sure appropriate services are provided.
 - A locked dropbox has been placed in the vestibule at the front door of the courthouse for payments and court filings. The dropbox is available for use for all customers Monday through Friday from 7 am until 4:30 pm. Dropbox filings and receipts for payments will be timely processed with the dropbox being checked multiple times per day.
 - The Trial Court has published numerous ways to complete transactions and filings via phone, e-filing and email. Please see our website at <https://www.washtenaw.org/3109/Current-Court-Operations> for all of the email addresses to submit filings and questions based on case type. Please also check our Trial Court contacts page to reach individual staff or departments by phone: <https://www.washtenaw.org/1431/Contacts>.
3. Off-site visits with probationers and clients will not take place.
 4. Large venues and common areas in the courthouse (e.g. waiting areas, sit-down dining, etc.) will not be open for use in a manner that cannot support social distancing of at least 6 feet. Members of the public are required to wear facemasks to the extent they can medically tolerate it. They will be provided by the courts 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.
 7. The Washtenaw County Trial Court is regularly consulting with local public health officials to monitor local public health conditions related to COVID-19 and are continuously evaluating data to assess their readiness to proceed to the next phase of court capacity.

Dated: October 28, 2020



 Carol Kuhnke
 Chief Judge Washtenaw County Trial Court

	LOCAL HEALTH DEPARTMENT CONFIRMATION OF GATING CRITERIA DETERIORATION	
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I confirm for _____ as follows:
Specify county or counties

1. a. There is an upward trajectory of documented COVID-19 cases within a 14 day period.

AND

b. There is a upward trajectory of positive COVID-19 tests as a percent of total COVID-19 tests within a 14 day period (flat or increasing volume of tests).

Date



Signature of health department representative

Print name

Title

Health department address

City, state, zip

Telephone no.