

Muskegon County Courts

RETURN TO PHASE II MEMORANDUM

10/26/2020

To: Court Staff, Judicial Staff, Prosecutors, Public Defenders, MCBA

From: Court Administration & Judges

RE: Status of Phase II Court Proceedings, Effective 10/28/2020

Due to the increase in local COVID-19 cases, the Muskegon County Courts are required to return to Phase II of their return to full capacity plan. Please see below for the list of hearings and appointments that will be conducted remotely versus in-person during this time.

- Staff will be sending out Zoom notices for each hearing and appointment that provides detailed instructions for how attorneys and parties participate. Attorneys/parties also have the option to call in, if they do not have access to a computer.
- The virtual hearing is a court proceeding, and therefore, an extension of the courtroom, so appropriate conduct and attire is expected and required. During virtual hearings or appointments, please remember to speak one at a time and to pause prior to speaking in case there is any audio/video lag. Please mute yourself when not speaking in order to avoid any potential background noises.
- It is the responsibility of attorneys to communicate with their clients prior to the hearings.
- Attorneys are encouraged to provide the courts with your email address on any correspondence you submit, and to accept service via email, rather than mail, during this crisis.
- Dockets will continue to be displayed on the court's website and copies of hearings can be made by email request to the assigned Judge's Judicial Secretary.

*Case-by-Case Basis- More complicated court proceedings will be subject to the assigned Judge's capacity to conduct such proceeding remotely. That capacity is to be evaluated on a case-by-case basis.

District Court

All proceedings scheduled to take place in-person on Wednesday October 28th and Thursday October 29th will be conducted in-person as previously scheduled. All district court hearings scheduled to take place in-person between Monday, November 2nd and Thursday, November 5th (with the exception of Landlord/Tenant summary proceedings and Preliminary Examinations) will be adjourned, rescheduled and re-noticed for a later date, primarily to be conducted via Zoom Conferencing Technology.

Type of Proceeding	Status
Arraignments In-Custody, Bond Out and Appearance Tickets	Remote via Zoom Hearing
Pleas, Motions	Remote via Zoom Hearing
Sentencing	In-Person
Probation Violation Hearings	In-Person on a case-by-case basis
Misdemeanor Pre-Trials	Remote via Zoom Hearing with Magistrate
Probable Cause Conferences	Remote Via Zoom
Preliminary Examinations	In Person unless defendant waives right to be present
Preliminary Examination Waivers	Remote via Zoom Hearing
Criminal Bench Trials	In-Person on case-by-case basis
Jury Trials	Case-by-Case based on Approved Jury LAO
Small Claims	Remote via Zoom Hearing with Magistrate
Informal Hearings	Remote via Zoom Hearing with Magistrate
Formal Hearings	Remote via Zoom Hearing with Judge
Landlord Tenant Pretrials	Remote via Zoom Hearing with M&RS Mediator
Landlord Tenant Summary Proceeding	In Person on case-by-case-basis
Civil Pre-Trials	Remote via Zoom Hearing with Magistrate
All Civil Trials	Remote via Zoom on case-by-case basis

Circuit Civil & Criminal Division

Type of Proceeding	Status
All Hearings	Remote Zoom Hearings
Pleas	Remote Zoom Hearings
Motions	Remote Zoom Hearings, Unless Otherwise Specified
Criminal Bench Trials	Remote Zoom Hearings
Criminal Jury Trials	Case-by-Case based on Approved Jury LAO
Sentencing	Remote Zoom Hearings, Unless Court Specifies

Neglect & Abuse

Type of Proceeding	Status
Removals/Preliminary Hearings	Remote Zoom Hearings
Pleas & Stip Agreements	-Remote Zoom Hearings; Submit Stips; --If not scheduled, Prosecutor to schedule with assignend Referee or Judge to take Plea
Pre-Trials	-Prosecutor to Email Completed Pre-Trial Form to Juvenile Clerk & Referee; -Remote Zoom Hearing
Jury Trials	Case-by-Case based on Approved Jury LAO
Bench Trials	Remote Zoom Hearings
Sentences	Remote Zoom Hearings
Dispositional Hearings	Remote Zoom Hearings
Review Hearings & PPH	Remote Zoom Hearings
Post Termination Reviews	Remote Zoom Hearings

Juvenile Delinquency

Type of Proceeding	Status
Detainment/Arraignments/Preliminary Hearings	Remote Zoom Hearings
Pleas	Remote Zoom Hearings
Pre-Trials	-Prosecutor to Email Completed Pre-Trial Form to Juvenile Clerk & Referee; -Remote Zoom Hearing
Jury Trials	Case-by-Case based on Approved Jury LAO
Bench Trials	Remote Zoom Hearings
DL & DJ Sentences	Remote Zoom Hearings
Dispositional Hearings	Remote Zoom Hearings
Review Hearings	Remote Zoom Hearings
Probation Violation Hearings	Remote Zoom Hearings

Domestic

Type of Proceeding	Status
Pro Confesso Hearings	Remote Zoom Hearings
Child Support Motions	Remote Zoom Hearings (Referees)
Parenting Time Motions	-Some Decisions to be Issued based on the Pleadings, Can File Objections; -Some Remote Zoom Hearings
Custody Motions/MCR 3.210(C)(8 Hearings	-Some Decisions to be Issued based on the Pleadings, Can File Objections; -Some Remote Zoom Hearings
Trials & Objection Hearings	Remote Zoom Hearings
ADR- Joint Meetings & FIG As & Bs (Formerly Parenting Time Meetings/Conferences, Conciliation Conferences & Custody Resolution Conferences)	Remote Zoom Meetings

Personal Protection Orders (PPOs)

Type of Proceeding	Status
Hearings on Denials	Remote Zoom Hearings
Objection Hearings	Remote Zoom Hearings
Violation Hearings	Remote Zoom Hearings

Adoptions

Type of Proceeding	Status
Petitions	Being Accepted via Mail or Drop Box- 3 rd Floor HOJ, Attn: Adoption Coordinator
Finalizations	-Judges Signing Finalization Orders w/o Hearings; -Remote Zoom Hearings

Probate Court

Type of Proceeding	Status
Emergency Motions/Filings	-Being Accepted via Email, Mail or Drop Box -Remote Zoom Hearings
All Other Hearings	Remote Zoom Hearings

CONDUCTING BUSINESS WITH THE MUSKEGON COUNTY COURTS

Alternative ways to conduct business with the Courts that do not require in-person contact

<p style="text-align: center;">Filings</p> <p>To begin a case or file documents to be included in an existing case, please send the documents to the following email addresses: Filing fees do apply. Please see the link below for information regarding filing fees: https://courts.michigan.gov/Self-help/center/general-information/Pages/Filing-and-Other-Fees.aspx</p>	<p>14th Circuit Court Records (also for Ex Partes): CCR.Filings@muskegoncounty.net Family Court (for PPOs): FamilyCourtServices@muskegoncounty.net Documents for FOC or Juvenile Probation: Imaging@muskegoncounty.net Friend of the Court Order & Judgment Approval: refereeorders@muskegoncounty.net Probate Court: Probatefile@muskegoncounty.net 60th District Court: 60DistrictCourt@muskegoncounty.net</p>
<p style="text-align: center;">Phone #s</p> <p>If you would like to speak directly with someone regarding a case, please use the following telephone numbers. If a person does not immediately answer, please leave a message, and you will get a return phone call ASAP.</p>	<p>14th Circuit Court Records: 231-724-8843 Family /Circuit Court: 231-724-6234 Circuit Court Collections: 231-724-3470 60th District Court: Civil: 231-724-6329 Criminal/Traffic:231-724-6258 Probate Court:231-724-6241 FOC Questions: 1-877-543-2660 Follow prompts to state disbursement unit.</p>
<p style="text-align: center;">Payments</p> <p>Payments can be made either online at www.govpaynow.com using the PLC code or by being placed in the drop box (DO NOT LEAVE CASH) located outside of the Muskegon County Hall of Justice.</p>	<p><u>PAYMENT PLC CODES</u> District Court – 7225 Circuit Court Records-Filing Fees/Copy Fees- 5115 Circuit Court-5127 Juvenile Court- 1916 Jail- 4950 Friend of the Court/Child Support- 1915 Probate Court -6186 Child Support payments can be made online at: www.misdu.com or by calling 1-877-543-2660.</p>
<p>Recordings</p>	
<p>All court events are recorded and are capable of being provided for public viewing/listening. To request a recording: District Court: https://www.co.muskegon.mi.us/formcenter/district-court-8/district-court-recorded-audio-hearing-re-112 Circuit/Family Court: https://www.co.muskegon.mi.us/FormCenter/Circuit-Court-19/Video-hearing-request-94</p>	
<p>Warrants</p>	
<p>If you would like to turn yourself in on an active 60th District Court warrant, please call or email the 60th District court to determine if you may be eligible to schedule a zoom arraignment.</p>	
<p>Court Forms & Legal & Web Assistance</p>	
<p>SCAO Court Forms- https://courts.michigan.gov/administration/scao/forms/pages/search-for-a-form.aspx Michigan Legal Self-Help Center of Muskegon County- https://muskegon.michiganlegalhelp.org/ Muskegon County Friend of the Court Forms- https://www.co.muskegon.mi.us/419/Forms-Publications General FOC Case Information and Electronic Communication with FOC- www.michigan.gov/michildsupport</p>	