



MICHIGAN COURTS NEWS RELEASE

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FOR IMMEDIATE RELEASE

Unanimous Order Authorizes Courts to take Emergency Measures

Order allows courts to take additional action to slow spread of COVID-19

LANSING, MI, March 15, 2020 – The Michigan Supreme Court has unanimously entered an [order](#) to authorize trial courts “to implement emergency measures to reduce the risk of transmission of the virus and provide the greatest protection possible to those who work and have business in our courts.” Based on recommendations from Chief Justice Bridget M. McCormack early last week, courts statewide have already implemented a [wide range of steps](#) to reduce risk, protect the public, and maintain operations; this order allows courts to take further measures subject to constitutional and statutory limitations.

“This order provides authority and direction for the courts of Michigan to take every measure necessary to protect the public,” said Chief Justice McCormack. “The message is simple: Emergency action to protect the public shall take precedence over normal operating procedures. I am proud that our state judiciary has already begun to take such action. But present circumstances require continued vigilance. We will continue to work to protect the public, while ensuring fairness to those involved in judicial proceedings.”

The [order](#) includes a wide range of emergency measures, including:

1. Trial courts may adjourn any civil matters and any criminal matters where the defendant is not in custody; where a criminal defendant is in custody, trial courts should expand the use of videoconferencing when the defendant consents;
2. In civil cases, trial courts should maximize the use of technology to enable and/or require parties to participate remotely. Any fees currently charged to allow parties to participate remotely should be waived;
3. Trial courts may reduce the number of cases set to be heard at any given time to limit the number of people gathered in entranceways, lobbies, corridors or courtrooms;
4. Trial courts should maximize the use of technology to facilitate electronic filing and service to reduce the need for in-person filing and service;
5. Trial courts should, wherever possible, waive strict adherence to any adjournment rules or policies and administrative and procedural time requirements;
6. Trial courts should coordinate with the local probation departments to allow for discretion in the monitoring of probationers’ ability to comply with conditions without the need for amended orders of probation;

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7. Trial courts should take any other reasonable measures to avoid exposing participants in court proceedings, court employees, and the general public to the COVID-19 virus;
8. In addition to giving consideration to other obligations imposed by law, trial courts are urged to take into careful consideration public health factors arising out of the present state of emergency: a) in making pretrial release decisions, including in determining any conditions of release, b) in determining any conditions of probation; and,
9. If a Chief Judge or the court's funding unit decides to close the court building to the public, the Chief Judge shall provide SCAO with the court's plan to continue to provide critical services, including handling emergency matters.

The emergency measures are effective until the close of business Friday, April 3, 2020 or as provided by a subsequent order.

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