



MICHIGAN COURTS NEWS RELEASE

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Order Requires Courts to Follow Phased Approach, Based on Local Conditions *Supreme Court Provides Guidance to Courts on Return to Full Capacity*

LANSING, MI, May 6, 2020 – The Michigan Supreme Court today unanimously approved [Administrative Order No. 2020-14](#), requiring courts to follow a careful, phased approach in returning to full capacity. Court plans must be based on the advice of local health experts and be approved by the State Court Administrative Office prior to implementation. The order also stipulates that until approval to expand in-court proceedings is given, courts must maintain their current level of operations, keep expanding use of remote proceedings, and continue social distancing and other practices to prevent spread of the virus.

“Michigan courts have shown they are up to the challenge of keeping our justice system running during this crisis. Their dedication and commitment to innovation has laid a solid foundation for a return to full capacity. Full capacity won’t look the way it used to as courts and the public will continue to benefit from technology to increase access to justice and make doing business more user friendly,” said Chief Justice Bridget M. McCormack. “Based on local conditions, judges and court staff now have a clear step-by-step process to support them in ultimately resuming operations, while maintaining protections for the public and for staff.”

In conjunction with [AO No. 2020-14](#), the State Court Administrative Office (SCAO) released detailed guidance: “[Return to Full Capacity, COVID-19 Guidelines for Michigan’s Judiciary](#).” This 27-page guide reflects advice published by the U.S. federal courts, the White House, the Centers for Disease Control, and the Michigan Department of Health and Human Services. Similar to plans being followed by the federal court system, the guide identifies gating criteria to enter each of four phases in returning to full capacity. All of the criteria must be met, including:

- **Symptoms:** No COVID-19 confirmed or suspected cases in the court facility within a 14-day period; confirmed or suspected cases have occurred in the court facility, but deep cleaning and applicable employee self-quarantine actions have been taken.
- **Community Case:** There is a downward trajectory of documented cases within a 14-day period; or, there is a downward trajectory of positive tests as a percent of total tests within a 14-day period (flat or increasing volume of tests).
- **Health System Capacity:** Rescission of local or state restrictive movement and/or shelter in-place orders and local and regional health care facilities are able to treat all patients without crisis care.

If courts meet these conditions, they need to submit a plan to the SCAO regional office for approval to enter the next phase; however, if there is deterioration in conditions, courts must revert to the previous phase. Current operations must be maintained until gating criteria are achieved for entrance into Phase 1, and then subsequent phases slowly increase in-court operations until reaching Phase 4, which is normal operations. Courts in a single circuit are encouraged to work together to submit a single plan to SCAO.