

HON. RICHARD E. NOBLE  
Chief Judge

**District Division**  
Main: 989/275-5312  
F: 989/275-6033

**Circuit Division**  
P: 989/275-4776  
F: 989/275-6321

**Central Filing**  
P: 989/275-1902  
F: 989/275-0602



STATE OF MICHIGAN  
34th Circuit, 82nd District, and Roscommon County Probate Courts  
500 Lake Street, Roscommon, Michigan 48653

HON. ROBERT W. BENNETT  
Circuit Court Judge

HON. MARK D. JERNIGAN  
Probate Court Judge

**Probate/Family Division**  
P: 989/275-5221  
F: 989/275-8537

**Friend of the Court**  
P: 989/275-3121  
F: 989/275-4584

## **4TH AMENDED COVID-19 EMERGENCY OPERATIONS PLAN**

The purpose of this Emergency Operations Plan / Policy is to close the Roscommon County Municipal Building to the public from March 19, 2020 through May 27, 2020. This plan includes all operations in the 34th Circuit Court, 82nd District Court and Roscommon County Probate Court. Normal operations will resume May 28, 2020 at 8:30 a.m. This action is being taken to:

- Respond to the states of emergency declared by the Governor of Michigan and the President of the United States
- Comply with Michigan Supreme Court Administrative Order 2020-2
- Follow recommendations from the Centers for Disease Control and Prevention (CDC)
- 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.

During the closure, only essential services will be performed by the court pursuant to its emergency operations plan. The following emergency operations plan will be followed:

### **A. General**

1. All non-emergency matters scheduled during the closing will be adjourned to a later date.
2. Only essential clerking operations will be processed during the time period covered by this plan. Please refrain from contacting the court regarding ordinary business issues until Thursday, May 28, 2020.
3. All summoned jurors are excused from jury service through June 22, 2020.
4. All jury trials are adjourned during the closure 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, Roscommon County Courts 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).

Whenever possible, emergency hearings will be conducted using video conference technology or by telephone so that parties and counsel can appear without physically entering the courthouse. In the interest of public health, only the following individuals shall be permitted to enter the Roscommon County Municipal Building (if necessary) during the time period covered by this plan:

- Parties and essential case participants to hearings
- Parents of in-custody juveniles for hearings

- Parties' counsel for the hearings
- Essential court and county staff
- 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.

## **B. Payments**

Court payments cannot be made in person; however they can be made as follows:

1. Online: <http://roscommoncounty.net/>
2. The drop box at the Roscommon County Municipal Building, Monday – Friday, between the hours of 8:00 a.m. and 11:00 a.m.
3. By mail, addressed to the respective court, 500 Lake Street, Roscommon, MI 48653

## **C. Circuit/Family Court**

### **1. Criminal/Civil Matters**

- a. Arraignments – The court will conduct bench warrant arraignments as required.
  - a. Probation Violations (PV) – The court will work with the Michigan Department of Corrections (MDOC) for any probation violation matter and process as necessary.
  - b. Emergency Motions/Emergency Filings – Motions/Filings must be made by using the drop box at the Roscommon County Municipal Building, Monday – Friday, between the hours of 8:00 a.m. and 11:00 a.m.
  - c. Upon receipt of emergency filings, the court will review and determine on a case-by-case basis whether an emergency hearing is warranted, and proceed accordingly.

### **2. Personal Protection Orders (PPO's)**

- a. The Judicial Officers will review any request by a party for an ex parte order. Pleadings will be reviewed on a case-by- case basis to determine if an ex parte PPO is warranted and the Court will proceed accordingly.
- b. Ex parte – Filings must be made by either using the drop box at the Roscommon County Municipal Building, Monday – Friday, between the hours of 8:00 a.m. and 11:00 a.m., or via e-mail in pdf format to: [Probatecourt@roscommoncounty.net](mailto:Probatecourt@roscommoncounty.net)
- c. The Judicial Officers will conduct review and determination of emergency request to extend a PPO pursuant to statute.
- d. The Judicial Officers will conduct arraignments on alleged PPO violations when the defendant is in custody.

### **3. Ex Parte Relief**

- a. The Judicial Officer will sign or prepare emergency orders that may be necessary for the safety and well-being of a litigant or child.
- b. Ex parte – Emergency filings must be made by either using the drop box at the Roscommon County Municipal Building, Monday – Friday, between the hours of 8:00 a.m. and 11:00 a.m., or via e-mail in pdf format to: [Probatecourt@roscommoncounty.net](mailto:Probatecourt@roscommoncounty.net)

**4. Safe Delivery of Newborn Child/Waiver of Parental Consent**

**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 pursuant to statute.
- c. Emergency Filings – Filings must be made by either using the drop box at the Roscommon County Municipal Building, Monday – Friday, between the hours of 8:00 a.m. and 11:00 a.m., or via e-mail in pdf format to: [Lacasselaw@Outlook.com](mailto:Lacasselaw@Outlook.com)
- d. Upon receipt of emergency filings, the court will review and determine on a case-by-case basis whether an emergency hearing is warranted, and proceed accordingly.

**I. Juvenile Probation**

- a. All supervision of juveniles will be conducted remotely using electronic communication.

**D. District Court**

**1. Criminal/Civil Matters**

- a. On misdemeanors, the arresting agency will advise defendants of an arraignment date and time to appear.
- b. The court will follow the weekend / holiday arraignment process during the period of this plan.
- c. Full arraignments will occur for in-custody Defendants as required.
- d. Emergency Motions/Emergency Filings – Motions/Filings must be made by using the Drop box at the Roscommon County Municipal Building, Monday – Friday, between the hours of 8:00 a.m. and 11:00 a.m.
- e. Upon receipt of emergency filings, the court will be in communication with the filing party to arrange the date and time of the proceeding.
- f. As it relates to probable cause hearings, preliminary examination hearings and trials adjourned as a result of this plan, the Roscommon County Courts again find good cause as we adopt the mitigation strategies urged by public health organizations and the states of emergency declarations. MCL 766.7, MCR 6.110, MCR 6.004(C)(6).

**2. Probation**

- a. All supervision of defendants will be conducted remotely using electronic communication.
- b. Probationers enrolled in randomized drug testing shall continue to call and report as requested by Redwood Toxicology.

**3. Traffic**

- a. Information for common offenses and their associated fine can be found by visiting: <http://roscommoncounty.net/154/82nd-District-Court>.

**E. Probate Court**

**1. All matters**

- a. Emergency Motions/Emergency Filings – Motions/Filings must be made by either using the drop box at the Roscommon County Municipal Building, Monday – Friday, between the

hours of 8:00 a.m. - 11:00 a.m., or via e-mail in pdf format to:

[Probatecourt@Roscommoncounty.net](mailto:Probatecourt@Roscommoncounty.net)

- b. Upon receipt of filings, the court will review and determine on a case-by- case basis whether an emergency hearing is warranted, and proceed accordingly.
  - Examples of emergency proceedings and matters include but are not limited to the following:
    - Hear involuntary mental health treatment petitions
    - Review petitions for emergency hearings in guardianship and conservatorship matters, determine on a case-by-case basis whether an emergency hearing is warranted, and proceed accordingly
    - Review any other petition for temporary/emergency relief, determine on a case-by- case basis whether an emergency hearing is warranted, and proceed accordingly.

**F. Emergency Contact / Filing Information**

1. If an emergency filing is necessary, please see below court drop box information:

LOCATION:	DROP OFF HOURS:
Roscommon County Municipal Building 500 Lake ST, Roscommon, MI 48653	Monday thru Friday 8:00 a.m. – 11:00 a.m.

2. Emergency E-mail Contacts

34th Circuit Court: [Centralfiles@Roscommoncounty.net](mailto:Centralfiles@Roscommoncounty.net)

82nd District Court: [82DC@Roscommoncounty.net](mailto:82DC@Roscommoncounty.net)

Roscommon Probate Court: [Probatecourt@Roscommoncounty.net](mailto:Probatecourt@Roscommoncounty.net)

**G. Helpful Information:**

- Court forms: <https://courts.michigan.gov/Administration/SCAO/Forms/>
- Resources for self-represented individuals: <https://michiganlegalhelp.org/>
- Court payments can be paid by mail, or by visiting [www.RoscommonCounty.net](http://www.RoscommonCounty.net) and clicking on the respective court page.

**PUBLIC NOTICE**

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 to the front door of the courthouse facility and the courts website.

Effective Date: March 19, 2020      **Amended Date: March 27, 2020**      **2nd Amended Date: April 8, 2020**

**3rd Amended Date: April 27, 2020**

Chief Judge Signature:



**4th Amended Date: May 11, 2020**