



THIRD JUDICIAL CIRCUIT
OF MICHIGAN

TIMOTHY M. KENNY
CHIEF JUDGE

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ADMINISTRATIVE ORDER 2020 – 04

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

SUBJECT: Plan to Return to Full Capacity – Phase One

In accordance with Administrative Order 2020-14, effective May 6, 2020, and upon approval of the State Court Administrative Office (SCAO), the SCAO Regional Administrator and Chief Judge Timothy M. Kenny of the Third Circuit Court have consulted with the local health department and determined that gating criteria are satisfied as of July 7, 2020. Specifically:

1. Confirmed or suspected cases have occurred in the court facility, but deep cleaning of exposed areas and applicable employee self-quarantine actions have been taken;
 2. There is a downward trajectory of documented cases within a 14-day period;
 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 State and local orders restricting movement and/or requiring shelter-in-place have been rescinded or limited and the SCAO has determined that existing orders would not prevent the Court from implementing Phase One requirements; and
 4. The State Court Administrator 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 Third Circuit Court has enacted the following protections:
1. Employees reporting to a court campus 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.¹
 2. Court employees have been surveyed regarding their ability to return to work. Those employees who have self-identified as a vulnerable employee and unable to return to

¹ 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>.

work have been offered appropriate accommodations. This includes the ability to work remotely if their job lends itself to remote work.

3. To the extent possible, court employees working remotely will be allowed the opportunity to continue working remotely.
4. Employees in court facilities will maintain social distancing of six feet. When a six-foot physical distance cannot be maintained, employees who are able shall wear a properly fitted face mask. The Court has taken the following steps to ensure proper social distancing and employee safety:
 - a. Placed physical barriers between workspaces that are not at least six feet apart.
 - b. Marked the floor in common spaces to indicate six-foot intervals.
 - c. Required employees to wear masks while in public spaces.
 - d. Required employees handling mail to wear masks and gloves.
 - e. Implemented staggered shifts of employees to reduce crowd size and the risk of people gathering at start and close times.
 - f. Limited capacity in common areas such as restrooms and elevators.
 - g. Restricted access to common areas where social distancing could not be maintained. For example, employees may use lunchrooms for food storage and heating only.
5. Employees have been directed to 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. Employees have been trained regarding COVID-19. The training included good hygiene practices, updated personnel policies, and safety controls at the court facilities.
8. Court facilities have posted signage emphasizing proper hand washing.
9. Shared equipment will be cleaned and sanitized before each use. Examples of shared equipment include copiers, fax machines, and telephones used by more than one employee during a single shift or in consecutive shifts. This equipment should be wiped down with disinfectant or a disinfectant wipe between uses.
10. The Court follows the CDC guidance for cleaning and disinfecting facilities exposed to COVID-19.
11. The Court has developed a contact tracing policy and implements contact tracing procedures after receiving notification that a person in the court facility has had

confirmed exposure to COVID-19. These procedures help the Court identify individuals who may have been exposed to COVID-19 and identify exposure locations that need to be cleaned and disinfected pursuant to CDC guidelines.

B. The Third Circuit Court is enacting the following measures related to public entry into court facilities:

1. The Court has an in-person screener at the public entrance. The Court will provide and ensure the screener has appropriate personal protective equipment (PPE).
2. All non-employees will be asked to self-screen using posted screening questions prior to entering the court building. The screening questions will be posted at the public entrances. Screening questions will include, but are not limited to the following:
 - a. Do you have a fever greater than 100.4 degrees?
 - b. Do you have a cough or worsening cough (excluding chronic cough due to known medical reason)?
 - c. Do you have shortness of breath?
 - d. Do you have at least two 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 with a COVID-19 diagnosis?
 - f. Have you traveled internationally in the last 14 days?

Any individual responding “yes” to the screening questions will not be allowed to enter the courthouse until they can pass the screening questions. Screening personnel will notify the Court of any individual that does not make it past (turned away at) screening.

The screening personnel will advise the court user whom to contact so they may complete their court business (filing documents, court appearances, etc.)

If the person was scheduled to appear as a party at a court proceeding, the Court will work to reschedule the hearing/trial to either a remote proceeding or to a future date when the person may pass courthouse screening.

C. In order to facilitate the essential business of the court(s), the Court is enacting 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. In-person court proceedings will be limited to no more than 10 people.
3. Members of the public are required to wear face masks to the extent they can medically tolerate it. The Court will provide a mask to individuals who appear at court without a mask.
4. Pursuant to MCR 8.110(C)(3)(h), 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.
5. 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.

The Third Circuit Court regularly meets with local public health officials to monitor local public health conditions related to COVID-19 and continues to evaluate data to assess its readiness to proceed to Phase Two of court capacity, which is anticipated to be August 10, 2020.

Dated: July 7, 2020



Honorable Timothy M. Kenny, Chief Judge
Third Judicial Circuit of Michigan

Date Approved by SCAO: July 8, 2020