



**THIRD JUDICIAL CIRCUIT
OF MICHIGAN**

TIMOTHY M. KENNY
CHIEF JUDGE

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ADMINISTRATIVE ORDER 2021 – 08

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

SUBJECT: Plan to Return to Full Capacity – Phase Two (Forward)

This Local Administrative Order rescinds and replaces Local Administrative Order 2021-07.

In accordance with Administrative Order 2020-14, effective May 6, 2020, and upon approval of the State Court Administrative Office (SCAO), Chief Judge Timothy M. Kenny of the Third Circuit Court (the Court) has consulted with the local health department and determined that gating criteria is satisfied as of April 27, 2021. 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; and,
 2. There is 7-day average of 15% or less for positive tests as a percent of total tests; and
 3. There is a downward trajectory of documented cases within a 14-day period; and,
 4. State and local orders restricting movement and/or requiring shelter-in-place have been rescinded or limited and the SCAO has determined that existing orders would not prevent the Court from implementing Phase Two requirements; and,
 5. The chief judge has obtained data confirming that regional health care facilities are able to treat all patients without crisis care; and,
 6. The chief judge has obtained data confirming that there is no evidence of COVID-19 rebound within the local community and no need to implement additional social distancing measures based upon a resurgence of infections in the local area.
- 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 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 and those employees who have self-identified as a vulnerable employee and unable to return to work have been offered appropriate accommodations, including 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. Face coverings for employees will be required in a manner consistent with the SCAO [Return to Full Capacity Guide](#). 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 will 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 nonessential court business.
7. Quarantine and/or isolation requirements will be implemented consistent with the most current guidance from the Centers for Disease Control and/or local public health officials.
8. Employees have been trained regarding COVID-19. The training included good hygiene practices, updated personnel policies, and safety controls at the court facilities.
9. Court facilities have posted signage emphasizing proper hand washing.

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>.

10. 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.
11. The Court is following the CDC guidance on cleaning and disinfecting if the facility is exposed to COVID-19.
12. 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. Do you have a fever of 100.4 degrees or higher?
2. Do you have any of the following symptoms of COVID-19 (**NOTE:** Excluding symptoms caused by a pre-existing condition)?
 - Uncontrolled Cough
 - Fever or Chills
 - Shortness of breath or difficulty breathing
 - Sore Throat
 - Diarrhea
 - Fatigue
 - Muscle or body aches
 - New loss of taste or smell
 - Nausea or vomiting
 - Congestion or runny nose
 - Severe headache
3. In accordance with CDC recommendations, have you had close contact in the last 14 days with an individual diagnosed with COVID-19 and you **HAVE NOT** been fully vaccinated within the past 3 months or had and recovered from COVID-19 within the past 3 months?
4. In accordance with CDC recommendations, have you traveled internationally in the last 10 days?

If yes, the following applies:

 - Must take a PCR COVID-19 test 3-5 days from return. If negative, must quarantine for a total of seven (7) days.
 - Those who do not test after return must quarantine for a total of ten (10) days.

5. In accordance with CDC recommendations, have you traveled domestically in the last 10 days and **HAVE NOT** been fully vaccinated within the past 3 months?

If yes, the following applies:

- Must take a PCR COVID-19 test 3-5 days from return. If negative, must quarantine for a total of seven (7) days.
- Those who do not test after return must quarantine for a total of ten (10) days.

6. Have you received a positive COVID-19 diagnosis that you have not yet communicated to HR?

The Court has an in-person screener at the public entrance. 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 ensure six-foot social distancing at all times. Face coverings will be required in court in a manner consistent with the [SCAO Return to Full Capacity Guide](#). The Court will provide a mask to individuals who appear at court without a mask prior to entry.
3. Off-site in-person visits with probationers and clients will be discontinued or limited to the greatest extent possible.
4. Large venues and common areas in the courthouse (e.g. waiting areas, sit-down dining, etc.) will not be open for use. Members of the public are required to wear facemasks to the extent they can medically tolerate it. They will be provided by the court prior to entry.
5. 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.
6. 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.

Dated: April 29, 2021



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

Date Approved by SCAO: May 5, 2021