



**THIRD JUDICIAL CIRCUIT  
OF MICHIGAN**

TIMOTHY M. KENNY  
CHIEF JUDGE

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**ADMINISTRATIVE ORDER 2021 – 15**

**STATE OF MICHIGAN  
THIRD JUDICIAL CIRCUIT**

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**SUBJECT: Plan to Return to Full Capacity – Phase Three Forward**

This Local Administrative Order rescinds and replaces Local Administrative Order 2021-08.

In accordance with Administrative Order 2020-14, effective May 6, 2020, and upon approval of the State Court Administrative Office (SCAO), the Chief Judge of the Third Circuit Court has consulted with the local health department and determined that gating criteria is satisfied as of June 7, 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;
  2. There is 7-day average of 5 percent or less for positive tests as a percent of total tests; and 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 State and local orders restricting movement and/or requiring shelter-in-place have been rescinded or limited and SCAO has determined that existing orders would not prevent the court from implementing Phase Three requirements;
  4. The Chief Judge has obtained data confirming that regional health care facilities are able to treat all patients without crisis care; and,
  5. The Chief Judge has consulted with health authorities AND 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 Circuit Court has enacted the following protections:
1. The staffing plan includes staggered shifts for on-site employees and remote work plans

for eligible employees to reduce crowd size and risks of staff congregating at opening and closing times.

2. Vulnerable employees on temporary leave or working remotely may return to work and practice six-foot physical distancing, wearing masks in a manner consistent with the SCAO [Return to Full Capacity Guide](#). Minimizing exposure to social settings where social distancing is not possible is encouraged.
3. Personal travel should take into account the necessary travel precautions and employees are fully aware of the potential for quarantine requirements upon return.
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; and in courtrooms or hearing rooms during formal or informal proceedings.
  - d. Developed, in consultation with local public health officials and legal counsel, a face covering policy for employees that is consistent with [MIOSHA Emergency Rules](#).
  - e. Submitted its employee face covering policy to the regional office.
  - f. Required employees handling mail to wear masks and gloves.
  - 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.
  - h. Travel for Court Business, including departmental plans for resuming offsite visits with probationers and clients, will be limited and require the prior approval of the Executive Court Administrator or Chief Judge.
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 have been trained regarding COVID-19. The training included good hygiene practices, updated personnel policies, and safety controls at the court facilities.
7. Court facilities have posted signage emphasizing proper hand washing.
8. Newly exposed areas (e.g. areas recently opened to the public or returning staff) and shared equipment will be cleaned and sanitized before 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.

9. The Court is following the CDC guidance on cleaning and disinfecting if the facility is exposed to COVID-19.
10. The Court has developed a contact tracing policy and is prepared to implement contact tracing procedures after receiving notification that the court facility has had confirmed exposure to COVID-19. These procedures will help the Court identify individuals who may have been exposed to COVID-19 and will 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 public will be asked to self-screen using posted screening questions prior to entering the court building at the Coleman A. Young Municipal Center and will be screened by court personnel or security prior to entering the court buildings at other locations. Screening questions will include, but are not limited to the following:
  - a. Have you experienced any of the following symptoms in the past 48 hours?  
Fever or chills  
Cough  
Shortness of breath or difficulty breathing  
Fatigue  
Muscle or body aches  
Headache  
New loss of taste or smell  
Sore Throat  
Congestion or runny nose  
Nausea or vomiting  
Diarrhea
  - b. Are you isolating or quarantining because you tested positive for COVID-19 or are worried that you may be sick with COVID-19?
  - c. You **HAVE NOT** fully recovered from a documented COVID-19 infection in the last 3 months OR you **HAVE NOT** been fully vaccinated and you have been in close physical contact in the last 14 days with:
    1. Anyone who is known to have laboratory-confirmed COVID-19 test
    - OR
    2. Anyone who has any symptoms consistent with COVID-19
  - d. Are you currently waiting on the results of a COVID-19 test?

- e. Have you traveled (see travel definition above) within the United States in the last 10 days and you **HAVE NOT** been fully vaccinated?

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.

- f. Have you traveled internationally in the last 10 days?

If yes, and you **HAVE NOT** been fully vaccinated, 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.

OR

If yes, and you **HAVE** been fully vaccinated, the following applies:

- Must take a PCR COVID-19 test 3-5 days from return.

- g. Has HR instructed you to remain off work?

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 screening. The Court will accept documents for filing from the person. If the person was scheduled to appear as a party to a court proceeding, the Court will reschedule the hearing/trial to either a remote proceeding or to a future date when the person may pass courthouse screening. The Court must provide appropriate personal protective equipment (PPE) to any personnel responsible for in-person screening.

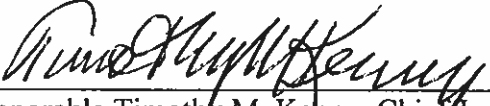
- C. To facilitate increased activity in the courthouse, the Court is enacting the following measures related to court proceedings:

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 allowed on a limited basis to ensure six-foot social distancing at all times. Face coverings are required in accordance to the provisions outlined in the Return to Full Capacity Guidance. The public will be directed to view court proceedings remotely. The six-foot social distancing shall be required during proceedings.
3. The public is required to wear masks in court spaces pursuant to the provisions outlined in the Return to Full Capacity Guidance. The Court will provide masks at the time of entry.

4. Large venues and common areas in the courthouse (e.g. waiting areas, sit-down dining, etc.) will be open for use using limited six-foot physical distancing and masking requirements. Pursuant to MCR 8.110(c), members of the public or staff that refuse to adhere to social distancing requirements or other mitigation procedures may be asked to leave the court facility. The Court's personnel policies shall govern actions involving employees.
5. Any member of the public 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 Circuit Court will continue to regularly meet with local public health officials to monitor local public health conditions related to COVID-19 and is continuously evaluating data to assess their readiness to proceed to Phase Four, which is anticipated when a public health announcement is made that COVID-19 has been suppressed within the United States.

**Dated: June 8, 2021**

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

**Date Approved by SCAO: June 16, 2021**