

Andrea Reenders

From: Region5 Info <Region5-Info@courts.mi.gov>
Sent: Wednesday, March 31, 2021 11:58 AM
To: Jon Van Allsburg; Mark Feyen; Bradley S. Knoll; Kevin Bowling; Lori Catalino; Johanna Wallace
Cc: Region5 Info; Andrea Reenders
Subject: Ottawa Plan to Return to Full Capacity - Phase Two - Approved

Ottawa Plan to Return to Full Capacity – Phase Two - Approved
C20 2021-05J; rescinds 2021-03J
D58 2021-04J; rescinds 2021-02J
P70 2021-04J; rescinds 2021-02J

This is to advise that we have reviewed the above referenced administrative order and find that it conforms to the requirements of MCR 8.112(B). This order is being accepted and filed.

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Local Administrative Order

20th Circuit Court 2021-05J
Ottawa County Probate Court 2021-04J
58th District Court 2021-04J

PLAN TO RETURN TO FULL CAPACITY **PHASE TWO (RETURN)**

Rev. March 29, 2021

This Local Administrative Order rescinds the Plan to Return to Full Capacity - Phase Three (Forward) LAO which took effect February 18, 2021 (LAO 2021-03J).

In accordance with Administrative Order 2020-14, effective May 6, 2020, and upon approval of the State Court Administrative Office (SCAO), the Chief Judges of the 20th Circuit Court, the Ottawa County Probate Court, and the 58th District Court have consulted with the Ottawa County Department of Public Health and determined that gating criteria for Phase Three is no longer satisfied as of March 23, 2021. Specifically:

1. The Courts began Phase One of the Return to Full Capacity process on June 5, 2020, moved to Phase Two on June 18, 2020, and moved to Phase Three on July 31, 2020. Due to upward trends in new cases and the positivity rate, the Courts reduced capacity to Phase Two on October 30, 2020 and further reduced capacity to Phase One on November 20, 2020. Subsequent downward case trends allowed returning to Phase Two (Forward) on January 22, 2021 and to Phase Three (Forward) on February 18, 2021;
2. There have been no COVID-19 confirmed or suspected cases in the court facility within a 14-day period;
3. There is an upward trend in the 7-day average for positive tests as a percent of total tests (8.4% as of March 23, 2021);
4. There is an upward trend of documented cases within a 14-day period;
5. State and local orders restricting movement and/or requiring shelter-in-place have been rescinded or limited and the SCAO has determined that existing orders would not prevent the court from implementing Phase Two requirements;

6. The Chief Judges have consulted with the Ottawa County Department of Public Health (DPH), obtained data, and confirmed that regional health care facilities are able to treat all patients without crisis care; and,
 7. The Chief Judges have consulted with DPH, obtained data, and confirmed there is evidence of COVID-19 uptrends within the local community and a need to reduce capacity from Phase 3 to Phase 2.
- A. To protect the health and safety of employees and the public, the 20th Circuit Court, the Ottawa County Probate Court, and the 58th District Court have collaborated with the Ottawa County offices of Administration, Emergency Management, Public Health, Sheriff, Human Resources, Facilities, and Fiscal Services to develop and implement the County of Ottawa COVID-19 Preparedness and Response Plan, hereafter referred to as the County Plan (Version 8.0, February 26, 2021). In addition to the County Plan, the Circuit, Probate, and District Courts have enacted the following protections:
1. Employees will self-screen for COVID-19 symptoms (County Plan Appendix B). 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 (County Plan section 3.1);
 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. Normal staffing may resume at worksites. Court employees will be encouraged to work remotely where feasible to facilitate social distancing among on-site staff (County Plan section 2.2 and Appendix E);
 4. Face coverings for employees will be required in a manner consistent with the SCAO Return to Full Capacity Guide. The Courts have taken the following steps to ensure proper social distancing and employee safety (County Plan section 3);
 - Staying home when ill (3.1)
 - Employee screening before entering the workplace (3.2)
 - Employee interaction with other departments (3.3)
 - Employee self-monitoring (3.4)
 - Enhanced social distancing (3.5)
 - Wearing cloth face masks at work (3.6)
 - Remote work (3.7)
 - Travel (3.8)
 - Enhanced hygiene (3.9)
 - Enhanced cleaning and disinfecting (3.10)

- Visitors (3.11)
 - County U.S. mail process (3.12)
 - Recycling (3.13)
 - Repair request for maintenance (3.14)
 - Volunteers (3.15)
 - Personal protective equipment (3.16)
 - Trash removal (3.17)
 - Fitness centers (3.18)
 - Drinking Fountains (3.19)
5. Court 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. The Courts have consulted with the DPH and developed policies regarding employee travel. Employees are fully aware of potential quarantine and/or isolation requirements which will be implemented consistent with the most current guidance from the Centers for Disease Control and/or local public health officials;
 7. Court employees have been trained regarding COVID-19. The training includes good hygiene practices, updated personnel policies, and safety controls at the court facilities;
 8. Court facilities have posted signage emphasizing proper handwashing (County Plan Appendix F);
 9. Newly exposed areas (e.g., areas recently opened to the public or returning staff) and shared equipment will be cleaned and sanitized before use (County Plan section 3.10). 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 Courts are following the CDC guidance on cleaning and disinfecting if the facility is exposed to COVID-19 (County Plan Appendix F); and
 11. The Courts are following the DPH contact tracing policy and DPH is prepared to implement contact tracing procedures after receiving notification that any court facility has had confirmed exposure to COVID-19. These procedures will help the DPH and the Courts to 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 20th Circuit Court, Ottawa County Probate Court, and 58th District Court are implementing the following measures related to public entry into court facilities:
1. Public services in all Ottawa County Buildings will be by appointment only;
 2. The public will be self-screened upon entering the building (County Plan section 2.1). They will review the questions contained in the Visitor Health Screening Template (County Plan Appendix D); and
 3. Any individuals responding "yes" to the screening questions are expected to leave the courthouse until they can pass the screening questions. The Courts and/or County Clerk-Register of Deeds Office will provide MiFile, US Mail, email, or fax options for filing of documents and work to reschedule a party's hearing/trial to either a remote proceeding or to a future date when the person may pass courthouse screening.
- C. To facilitate the business of the Courts, the 20th Circuit Court, Ottawa County Probate Court, and 58th District Court are enacting the following measures related to court proceedings:
1. For members of the public appearing for a scheduled appointment (including certain face to face court proceedings), the 20th Circuit Court, Ottawa County Probate Court, and 58th District Court are enacting the following safety measures;
 - a. Proceedings will be conducted virtually to the maximum extent possible, consistent with Administrative Order No. 2020-6
 - b. In-person court proceedings will be limited to no more than the maximum number of people where six-foot social distancing can be ensured
 - c. Face coverings will be required for court in a manner consistent with the SCAO Return to Full Capacity Guide.
 2. Off-site visits with probationers and clients will be conducted on an "as needed" basis. Court ordered court drug testing is deemed to be an "essential function" and will be conducted by appointment only;
 3. Large venues and common areas in the courthouse (e.g., waiting areas, jury assembly room, training rooms, conference rooms, etc.) will be open for use on a limited basis with social distancing and safety protocols being followed;
 4. Pursuant to MCR 8.110(c), members of the public and court employees who refuse to wear required face coverings or adhere to social distancing requirements may be asked to leave court facilities;
 5. Any member of the public who is asked to leave a court facility will be offered an opportunity to conduct court business virtually, attend court proceedings virtually,

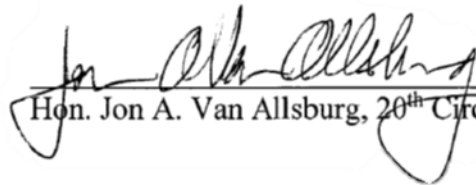
6. The 20th Circuit Court, Ottawa County Probate Court, and 58th District Court are regularly meeting with local public health officials to monitor local public health conditions related to COVID-19 and are continuously evaluating data to assess their readiness to proceed to Phase Three.

Effective Date: March 29, 2021

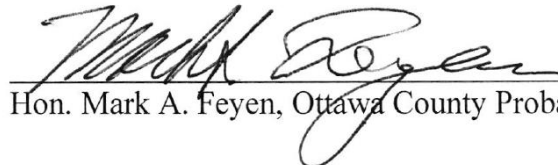
Date:

Chief Judge Signatures:

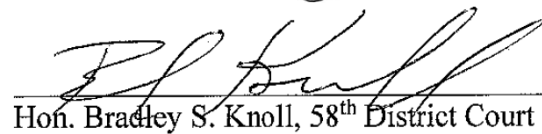
3-29-2021


Hon. Jon A. Van Allsburg, 20th Circuit Court

3-29-2021


Hon. Mark A. Feyen, Ottawa County Probate Court

3/30/21


Hon. Bradley S. Knoll, 58th District Court