



Local Administrative Order

20th Circuit Court 2020-09J
Ottawa County Probate Court 2020-07J
58th District Court 2020-06J

PLAN TO REDUCE CAPACITY **PHASE THREE TO PHASE TWO**

Rev. October 30, 2020

This Local Administrative Order rescinds the Plan to Return to Full Capacity – Phase 3 LAO which took effect July 31, 2020 (LAO 20th Circuit 2020-06J; Ottawa Probate 2020-07J; 58th District 2020-06J).

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 regarding COVID-19 symptoms, community cases, and health system capacity, for continuation in Phase Three of the Plan to Return to Full Capacity have deteriorated to the point that a reduction to Phase Two is warranted, effective immediately. 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;
2. There have been no COVID-19 confirmed or suspected cases in the Ottawa County Court facilities (i.e., Grand Haven courthouse, West Olive courthouse, Juvenile Justice Institute, Juvenile Detention Center, Holland Courthouse, Hudsonville courthouse) within a 14-day period (October 16 – October 30);
3. There is an uptrend trajectory of documented cases within a 14-day period; and there is an uptrend trajectory of positive tests as a percent of total tests within a 28-day period; and the supportive data provided by the Ottawa County Public Health Department is attached;
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 State and local orders restricting movement and/or requiring shelter-in-place have been rescinded or limited and the SCAO has determined that existing orders would not prevent the Courts from implementing Phase Two requirements;

5. The Chief Judges have consulted with the Ottawa County Department of Public Health (DPH), obtained data (attached), and confirmed that regional health care facilities are able to treat all patients without crisis care; and,
 6. The Chief Judges have consulted with DPH, obtained data (attached), and confirmed there is evidence of COVID-19 rebound within the local community and a need to reduce capacity to Phase Two levels based upon a resurgence of infections in the local area.
- 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 5.0, July 28, 2020, attached). 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).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. 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. Court employees in court facilities will maintain social distancing of six feet and wear masks when six-foot physical distance cannot be maintained. 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)

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>

- 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)

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. Court employees will not travel for non-essential business.
 7. The Courts have consulted with the DPH and developed policies regarding employee travel outside of Michigan. Any 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. Court employees have been trained regarding COVID-19. The training includes good hygiene practices, updated policies, and safety controls at the court facilities.
 9. Court facilities have posted signage emphasizing proper handwashing (County Plan Appendix F).
 10. 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.
 11. The Courts are following the CDC guidance on cleaning and disinfecting if the facility is exposed to COVID-19 (County Plan Appendix F).
 12. 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. 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).
 2. 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 increased activity in the courthouses, the 20th Circuit Court, Ottawa County Probate Court, and 58th District Court are 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 allow for social distancing of at least six feet.
 3. Members of the public will be required to wear face masks to the extent they can medically tolerate it. Masks will be provided by the county (if needed) upon entry to all county buildings/courthouses.
 4. Off-site visits with probationers and clients will resume on an “as needed” basis. Problem solving court drug testing deemed to be an “essential function” by the presiding judge will be conducted by appointment.
 5. 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.
 6. 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.
 7. 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, file documents in an alternative manner, or confer with court administration to determine alternate arrangements for accessing the Courts.
 8. 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 the next phase of court capacity (<https://www.miottawa.org/Health/OCHD/coronavirus.htm>).

Effective Date: October 30, 2020

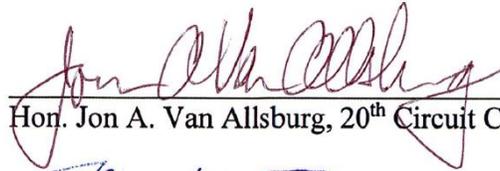
Date:

11-2-2020

10-30-2020

11/2/20

Chief Judge Signatures:


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


Hon. Mark A. Feyen, Ottawa County Probate Court


Hon. Bradley S. Knoll, 58th District Court