

**49th Circuit, 77th District & 18<sup>th</sup> Probate Courts for Mecosta and Osceola  
Counties**

**Joint Local Administrative Order**

49th Circuit Court 2020-  
77th District Court 2020-  
18<sup>th</sup> Probate Court 2020-

**Court Closure for Public Health Emergency**

IT IS ORDERED:

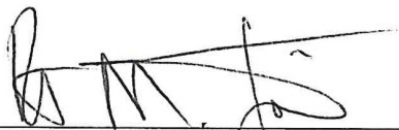
This administrative order is issued in accordance with MCR 8.110(C). The purpose of this order is to close the business offices of the court to the public, upon approval by the State Court Administrative Office.

The business offices of the 49th Circuit, 77th District, and 18<sup>th</sup> Probate Court will be closed on Tuesday, March 17 through Friday, April 3rd. All in-custody arraignments involving adults and juveniles as well as emergency matters (including emergency filings related to child protective proceedings) will be conducted while the court's business offices are closed to the public. Only staff essential to the Courts' will be utilized.

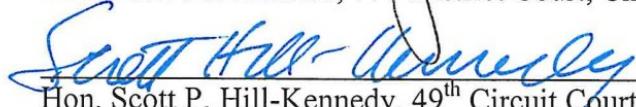
Notice of the court closure and of how emergency matters and filings shall be accomplished during the closing shall be given to the public, the court's funding unit, and other affected agencies and officials. Notice shall include a sign posted at the court.

Attached are the specific plans of the Circuit, District and Probate Courts.

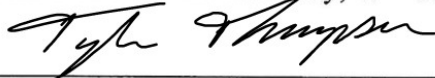
Effective Date: March 16<sup>th</sup>, 2020



Hon. Peter M. Jaklevic, 77<sup>th</sup> District Court, Chief Judge



Hon. Scott P. Hill-Kennedy, 49<sup>th</sup> Circuit Court



Hon. Tyler Thompson, 18<sup>th</sup> Probate Court



Hon. Kimberley Booher, 49<sup>th</sup> Circuit Court

## District Court Essential Functions Plan

Effective Tuesday, March 17, until Friday, April 3, 2020:

Mecosta and Osceola County Courts will be closed to the general public. Essential staffing levels will be maintained to fulfill our core functions and to protect the community.

For District Court, arraignments and bond hearings will continue in all criminal cases where a defendant is lodged because of an inability to post bond. All other criminal matters, for persons not in custody, will be temporarily adjourned. At all arraignments and bond hearings, the Court will be working to safeguard everyone involved including use of teleconferencing and other methods to achieve social distancing.


The Court will decide if, when and how all other criminal hearings are to be held or temporarily adjourned. The Prosecution as well as the Defendant's attorney will be consulted prior to the decision of the Court as to whether hearings need to be held, or whether adjournment is appropriate. Every effort will be made to follow Constitutional Due Process guarantees giving due regard for the safety of all litigants, their attorneys as well as witnesses. Again, use of teleconferencing will be utilized to accomplish as much as possible to protect the public and the rights of the accused.

All civil matters will be adjourned. Civil matters in District Court include Landlord-Tenant, Small Claims, General Civil, and informal hearings.

Court Filings and payments must be made by mail only. Staff will be available to accept payments over the phone every Friday, from 1:30 to 4:30 p.m. For Mecosta District Court, please call 231 592-0799 to make a payment. For Osceola County, please call 231 832-6155.

Those failing to make timely payments will not be penalized while this order remains in effect.

March 16, 2020

  
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Hon. Peter M. Jaklevic  
District Court Judge

Effective Monday, March 16, until Friday, April 3, 2020. Mecosta and Osceola County Courts will be closed to the general public. Essential staffing levels will be maintained to fulfill our core functions and to protect the community.

**For the Probate Court:** mental health commitments, emergency guardianships and certain other emergent matters will continue. At the discretion of the probate judge, other hearings may continue to be held if it is possible to hold the hearing via teleconference in order to achieve social distancing. Every effort will be made to follow Constitutional Due Process guarantees giving due regard for the safety of all litigants, their attorneys as well as witnesses. All in-person civil hearings will be adjourned including but not limited to: all trust, conservatorship, and estate matters.

All non-emergency filings must be submitted by mail. The window will be closed. If you have paperwork to file regarding an emergency hearing, it may be filed by fax 231.592.0191 (Mecosta)/ 231.832.6181 (Osceola) or by email [probatect@mecostacounty.org](mailto:probatect@mecostacounty.org) (Mecosta) / [dhansen@co.osceola.mi.us](mailto:dhansen@co.osceola.mi.us) (Osceola). Limited staff will be available to answer telephone calls as available. 231.592.0135(ext. 1) (Mecosta) / 231.832.6124 (Osceola).

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**For the Family Division of the Circuit Court:** Abuse and Neglect pick-up hearings, required Delinquency hearings, Personal Protection Orders, Ex Parte custody matters and Public Health matters will be held. The court will decide when and if other matters will be heard if it is possible to hold the hearings via teleconferencing in order to achieve social distancing. Every effort will be made to follow Constitutional Due Process guarantees giving due regard for the safety of all litigants, their attorneys as well as witnesses. In-person civil hearings will be adjourned including but not limited to: abuse and neglect, support, custody, parenting time, and delinquency cases.

All non-emergency filings must be submitted by mail. The window will be closed. If you have paperwork to file regarding an emergency hearing, it may be filed by fax 231.592.0191 (Mecosta) / 231.832.6181 (Osceola) or by email [familyct@mecostacounty.org](mailto:familyct@mecostacounty.org) / [familyct@osceolacountymi.com](mailto:familyct@osceolacountymi.com) (Osceola). Limited staff will be available to answer telephone calls as available. 231.592.0131 (Mecosta) / 231.832.6127 (Osceola). Payments will be accepted via mail. Those failing to make timely payments will not be penalized while this order remains in effect.

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**For the Friend of the Court:** The Friend of the Court will adjourn all current hearings and will reassess the possibility of having certain hearings by teleconference. The Friend of the Court office will have limited staff available via telephone only from Monday – Friday during regular business hours. All filings must be submitted by mail.

**49<sup>TH</sup> CIRCUIT COURT**  
**OSCEOLA AND MECOSTA COUNTIES**  
**POLICY/PROCEDURE**  
**Response to the Covid-19 (Coronavirus) Health Emergency**

**March 16, 2020**

1. We share with our judicial colleagues in Mecosta County and in Osceola County a strong desire to aggressively and promptly implement measures to protect the health of all involved in our local justice system while never losing sight of our obligations to respect the rights and needs of all involved.
2. We fully support the closure of our local courts to the public generally while mindful of our obligation to keep necessary functions operating during this time.
3. We will take all reasonable measures to limit face-to-face interactions with those involved in the justice system, including parties and attorneys, to the extent practicable.
4. We will work diligently to protect and honor the constitutional rights and protections of those participating in 49<sup>th</sup> Circuit Court matters, particularly those that are lodged in jail or prison.
5. We will show grace and exercise discretion to extend deadlines and requirements so that to the fullest extent practicable no one is penalized in the court process because of interruptions and difficulties caused by the limitation on access to the courts.
6. We will review the jail list, identify which individuals are lodged for circuit court matters, and set PR bonds for those individuals that are not a particular risks for violence or assaultive behavior, facing serious charges, or are particular flight risks. Reducing the jail populations at this time is important.
7. We will work with Probation and Parole to limit issuance of warrants to only those for the most serious alleged probation violations and work with Probation and Parole as we consider PR bonds for individuals lodged in jail based upon probation violation allegations.
8. We will not issue warrants for failing to appear for non-payment of court assessment show cause hearings.
9. We will adjourn all jury trials to a future date.
10. We will still hear any general civil motions (non-domestic/non-PPO), but they will not be face-to-face; we will move all to phone hearings, with the attorneys having to arrange the conference calls to make it happen.
11. We will adjourn to a future date domestic relations cases, which are primarily divorce without children cases (non-PPO).

12. We will continue to receive PPO petitions, decide ex parte petitions, and hold hearings as the court deems necessary regarding motions to terminate or modify, show cause or contempt hearings, and requests for a PPO.
13. We will postpone to a future date criminal hearings for those not lodged, or we will handle such hearings by Polycom, phone or other electronic communications methods.
14. We will wherever possible avoid receiving hard-copy paperwork in person. Faxing and emailing scanned documents should be encouraged. On-record determinations of indigence, etc. , without using the forms, is encouraged. Pre-trial forms, waivers of arraignment, etc. can and should be faxed or emailed; parties and attorneys need not appear in person for these matters.
15. We will reduce court staffing wherever warranted and practicable.