

## DISTRICT COURT - 35<sup>TH</sup> JUDICIAL DISTRICT

660 PLYMOUTH RD., PLYMOUTH, MICHIGAN 48170 - 1891

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[www.35thdistrictcourt.org](http://www.35thdistrictcourt.org)

JAMES A. PLAKAS  
CHIEF DISTRICT JUDGE



MICHAEL J. GEROU  
CHIEF JUDGE PRO TEM

RONALD W. LOWE  
DISTRICT JUDGE

PAM AVDOULOS  
COURT ADMINISTRATOR

### **PLEASE READ TO THE END OF THIS POSTING FOR DAILY AMENDMENTS AND UPDATES**

**Last Updated 3/24/2020**

**Due to the COVID-19 pandemic, Governor Whitmer's declared State of Emergency, her Executive Orders, and the Michigan Supreme Court's March 18, 2020 Administrative Order 2020-2, including any and all subsequent Administrative Orders, the 35<sup>th</sup> District Court has hereby adopted the following Emergency Policy with the intent of promoting social distancing while continuing to provide critical judicial services in order to protect the rights and health of all people who have business with this Court. This policy shall be effective beginning Tuesday, March 17, 2020, through Sunday, April 12, 2020.**

Except as is otherwise stated below under the heading "Criminal Matters," the Court building is closed to the public.

A reduced but essential Court staff shall continue to report daily during this period.

Payments shall continue to be required and made by phone, online, by way of mail and/or in the drop box located at the front of the Courthouse.

The scheduled Arraignment Judge shall be responsible for the handling all proceedings each day.

### **CRIMINAL MATTERS**

- ***Felonies and Misdemeanors (In-Custody Defendants):***
  - To the extent possible, for all in-custody criminal defendants, all arraignments, pleas, sentencings, bond motions, probable cause conferences and preliminary exams shall be conducted using video technology or by way of other remote participation tools.
- ***Felonies and Misdemeanors (Not In-Custody Defendants):***
  - All "non-emergency" matters, when the defendant is not in-custody, shall be adjourned a minimum of three weeks with all parties to be sent notices to appear with a new assigned date.

- Until directed otherwise by the Supreme Court, this Court finds that any complaints made by any individuals protected by any “Terms and Conditions of Bond” or an “Order of Sentence” issued by this Court, alleging that a defendant is in violation of this Court’s orders, shall be declared and scheduled as an emergency hearing at the discretion of the Arraignment Judge. To the extent possible, these matters shall be conducted using video technology or by way of other remote participation tools.
- All bench and jury trials shall be adjourned until the parties receive further notice from the Court.
- ***Show Causes***
  - All show causes shall be adjourned a minimum of three weeks, with the defendants to be sent notices to appear with a new assigned date.
- ***Failures to Appear***
  - A bench warrant shall be issued at the discretion of the Arraignment Judge for a defendant’s failure to appear for an emergency hearing.

### **PROBATION**

- All “Reporting Probation” shall be by way of telephone only, with the calls to be initiated by a member of the Probation Department.
- The rescheduling of appointments shall be at the discretion each Probation Officer, and communicated to each Probationer in a timely manner.
- Probationers are advised to contact their Probation Officer for all questions and concerns related to their matter.

### **CIVIL MATTERS**

- All jury trials, bench trials, civil motions, mediations, small claims, and post-judgment collection discovery exams are adjourned a minimum of three weeks with all parties to be sent notices to appear with a new assigned date.
- Pleadings shall continue to be sent to the Court via U.S. mail with the necessary filing fees.

### **LANDLORD-TENANT MATTERS**

- Summary proceedings, hearings, and trials shall be adjourned a minimum of three weeks with all parties to be sent notices to appear with a new assigned date.
- The scheduling of new filings shall be handled on a case-by-case basis.

**TRAFFIC/CIVIL INFRACTION MATTERS**

- Informal and formal hearings are adjourned a minimum of three weeks with all parties to be sent notices to appear with a new assigned date.

**WEDDINGS**

- No weddings shall be scheduled or held at the Court until further notice.

**These procedures may be extended, revised, or cancelled at any point without advanced notice.**

**3/18/2020 ADDED**

**WALK-IN ARRAIGNMENTS ON WARRANTS**

Pursuant to and consistent with the 35<sup>th</sup> District Court's Emergency Policy enacted on March 16, 2020, with the intent of promoting social distancing while continuing to provide critical judicial services in order to protect the rights and health of all people who have business with this Court, through Sunday, April 5, 2020, any defendant wishing to appear and be arraigned on a warrant issued by this Court shall follow the procedure outlined below:

- 1.) Contact the Court via telephone between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
- 2.) Explain to the Court Clerk that you are attempting to appear on a warrant that has been issued by the 35<sup>th</sup> District Court, but that you are unable to do so because of the Court's Emergency closure.
- 3.) Provide the Clerk with your date of birth, current address, and drivers license number.
- 4.) The Court Clerk will cancel your warrant and schedule a specific date for you to walk-in on your arraignment.
- 5.) The Notice advising you of your arraignment date will be mailed to the address given over the phone.
- 6.) Failure to appear for the scheduled arraignment will result in the immediate issuance of a new warrant or warrants with the amount of bail to be determined by a Judge of the Court.

**3/18/2020 ADDED**

**SHOW CAUSES FOR FAILURE TO PAY**

Pursuant to and consistent with the 35<sup>th</sup> District Court's Emergency Policy enacted on March 16, 2020, with the intent of promoting social distancing while continuing to provide critical judicial services in order to protect the rights and health of all people who have business with this Court, through Sunday, April 5, 2020, any defendant wishing to appear on a Show Cause issued by this Court shall follow the procedure outlined below:

- 1.) Contact the Court via telephone at 734-459-4740, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
- 2.) Explain to the Court Clerk that you are attempting to appear on a show cause that has been issued by the 35<sup>th</sup> District Court, but that you are unable to do so because the Court's Emergency Policy does not permit you to enter the building at this time.
- 3.) Provide the Clerk with your date of birth, current address, and drivers license number.
- 4.) The Court Clerk will schedule a new date for you to appear for your show cause hearing.
- 5.) A "Notice to Appear" advising you of your show cause hearing date will be mailed to the address given over the phone.
- 6.) Failure to appear for the scheduled show cause hearing may result in the immediate issuance of a warrant or warrants, with the amount of bail to be determined by a Judge of the Court.

**3/19/2020 ADDED**  
**TEMPORARY SUSPENSION OF COURT ORDERED FACILITY**  
**ALCOHOL/DRUG/CONTROLLED SUBSTANCE TESTING**

Pursuant to and consistent with the 35<sup>th</sup> District Court's Emergency Policy enacted on March 16, 2020, with the intent of promoting social distancing while continuing to provide critical judicial services in order to protect the rights and health of all people who have business with this Court, through Sunday, April 5, 2020, all defendants ordered by this Court to submit to testing at a facility for the presence of alcohol, drugs and or controlled substances during the above time period shall be relieved of having to do so without penalty.

Be advised, this temporary suspension does NOT lift or cancel any other orders of this Court that may include, but not be limited to, prohibiting the possession of, purchase of, or consumption of any controlled substances, alcohol, intoxicants, drugs and/or marijuana.

Upon the resumption of all testing, all individuals who test positive, in contradiction to their orders, shall immediately be violated by the probation department.

This temporary suspension does not apply to defendants who are being monitored by way of alcohol tethers, portable testing units, and/or interlock devices.

**3/20/2020 ADDED / 3/24/2020 UPDATED**  
**ORDER TEMPORARILY SUSPENDING**  
**EVICIONS EXECUTED BY THE 35<sup>th</sup> DISTRICT COURT**

Pursuant to the 35<sup>th</sup> District Court's Emergency Policy enacted on March 16, 2020, and the Governor's Executive Order 2020-19, any and all Orders of Eviction executed by this Court, at any time prior to today's date, shall be suspended, without the necessity of a Judge's signature,

and as such no evictions shall proceed until after April 17, 2020. Thus, no person shall enter any residential property to remove or exclude the tenant from the premises, except when the tenant poses a substantial risk to another person or an imminent and severe risk to property. Whether a person poses a substantial risk to another person or imminent and severe risk to property shall be determined by a Judge in accordance with MCL 600.5174. Although a tenant still has an obligation to pay rent under the lease, a landlord may not serve a demand for payment of rent during this period. By the Governor's Order, any statutory restriction on the Court's ability to adjourn proceedings, toll redemption or limitation periods, or extend any deadline is also suspended until 30 days after the temporary suspension of evictions expires.

Dated: 3/24/2020

Hon. James A. Plakas  
Chief Judge, 35<sup>th</sup> District Court