

COURTHOUSE AND COURTROOM RULES OF CONDUCT FOR THE LIMITED PHASED REOPENING

The following Rules of Conduct are in effect for the limited phased reopening at the Detroit, Flint, Ann Arbor and Bay City courthouses.

NOTIFICATION OF RULES AND CONDUCT

- Attorneys are responsible for notifying all attendees of these rules of conduct.

ATTENDANCE AND ENTRY

- Defense counsel must notify the case manager of any of the defendant's family members who plan to attend a proceeding at least 7 days in advance of the proceeding to ensure that the courtroom can accommodate the number of people attending. *The number of family members allowed in the courtroom will be restricted to the number of individuals who may be seated safely while observing proper social distancing and other protection requirements.*
- At least 7 days in advance of a proceeding, government counsel must notify the case manager of any victims and/or witnesses who will be in attendance to ensure that the courtroom can accommodate the number of people attending.
- For any attendee who is traveling to the courthouse from out of state (e.g., out-of-state attorneys, defendants, clients, victims, family members and witnesses), the domestic travel guidelines recommended by the Centers for Disease Control and Prevention (CDC) currently in effect will be followed by the Court. However, the Court may change its restrictions in response to pandemic conditions.
- Out-of-state attorneys and attendees who do not get tested before traveling and do not plan to quarantine in Michigan for seven (7) days before the proceeding will be required to produce their vaccination cards. Photocopies and pictures of vaccination cards are not acceptable.
- Out-of-state unvaccinated attendees must: **A)** have a COVID-19 test completed no more than three (3) days before travel, **B)** quarantine in Michigan for seven days before the proceeding date, and **C)** have a rapid COVID-19 test completed the day before the scheduled proceeding date. The rapid test results must be produced for entry into any courthouse in the Eastern District of Michigan.

- Defense attorneys may arrive at the courthouse 30 – 45 minutes before the proceeding start time to meet with a custodial client in the U.S. Marshal's Service interview room. Otherwise, attorneys and attendees are not to arrive at the courthouse any earlier than ten (10) minutes before the proceeding start time. Proceedings will begin at the scheduled start time. There will not be an opportunity for defense counsel to meet with a client in the courtroom.
- Attorneys must enter the courthouse using the doors on the appropriate side of the building as indicated in the notice to appear.
- All attendees entering the courthouse are to wear a surgical grade facial mask. Statement masks and masks with emblems are not permitted in the courthouse. Masks must be worn at all times.
- Attorneys must inform all attendees of the proper entrance to enter the courthouse.
- All persons entering the courthouse will be required to stop at the health screening kiosk to answer questions and have their temperature checked.
- Attorneys who do not pass the health screening will be asked to leave the building and are to contact chambers immediately.
- Attendees who do not pass the health screening will be asked to leave the building and are to contact the appropriate attorney immediately.
- Attorneys must ensure that attendees have their cell phone number in case they do not pass the health screening to enter the building. It is counsel's responsibility to inform the court if this situation occurs.
- In the Detroit courthouse, only two individuals are allowed to occupy an elevator car and must observe social distancing.
- Attorneys and other attendees may not enter the courtroom until asked by the case manager.

COURTROOM GUIDANCE

- Unless a person is waiting to enter the courtroom, congregating and sitting in the hallways is not permitted. All attendees must leave the building immediately after the proceeding has concluded. Counsel is responsible for informing all attendees of these requirements.

- Attorneys must inform all attendees of the courtroom number. The Clerk's Office is closed to the public and will not be able to provide any case information.
- Only the primary attorney representing a client may sit at counsel tables in the courtroom. If a second attorney or other office staff member is needed to assist the primary attorney, the primary attorney must contact chambers to inquire whether the additional person can be accommodated at counsel table or elsewhere in the courtroom.
- Attorneys will be required to wear a surgical grade mask at all times when in the courthouse and the courtroom.
- Sidebar conferences will be discouraged, but if necessary, they will be conducted using headsets.
- Attorneys are responsible for ensuring that writs for out-of-state custodial defendants and/or witnesses are issued and furnished to the U.S. Marshal's Service at least sixty (60) days in advance of the hearing.
- Each proceeding will be scheduled for one (1) hour, unless the Court informs the attorneys otherwise. Thirty (30) minutes will be allocated for cleaning the courtroom between proceedings.
- Hand sanitizer, disinfectant wipes, and facial tissue will be available in each courtroom.
- Decals will be placed on benches indicating where people may sit in the gallery.

WITNESS TESTIMONY AND EVIDENCE PRESENTATION

- All hearing participants must wear a surgical grade facial mask while in the courtroom (and everywhere else in the courthouse). A witness may remove a mask when testifying and replace it with a court-issued face shield for their face to be seen during his or her testimony.
- Attorneys and court staff must take all their papers, exhibits, and belongings out of the courtroom each evening to ensure that all surfaces can be cleaned in the courtroom. All conference rooms must be emptied of belongings, or all items placed in each evening in a location approved by the court, so that GSA or the cleaning contractor is able to thoroughly clean the conference rooms.

- Paper exhibits are discouraged. If possible, all documentary evidence should be presented electronically in the courtroom.
- All physical evidence must be contained in a plastic covering. The plastic covering should be wiped down with disinfecting wipes before it is provided to anyone in the courtroom.
- If it is necessary for a witness to review a paper document, the attorney should place any paper exhibits on the witness stand before the witness is called to testify.

Dev. 4/2021