

HONORABLE YASMINE I. POLES

COVID-19 PROTOCOLS

In light of the present public health crisis, and pursuant to the Michigan Supreme Court Administrative Orders, encouraging continued use and expansion of remote hearings, these protocols will continue until further notice.

Contact Information

To reach the Judge's staff, you may call 248-421-9011 or e-mail judgepoleschambers@oakgov.com. Please *either* call *or* email – do not do both.

Courtroom Proceedings

Please see below for details regarding in-person and Zoom proceedings.

Criminal Call

In-Person Matters

The Court is conducting all **bonder** sentencing, VOP hearings & sentencing, and delayed sentencing in-person at 9 a.m., Thursdays.

Matters Conducted via Zoom

All **pretrials** (bonders and jailers) will still be held via Zoom on Thursdays and 9 a.m. All jail hearings will still be held via ZOOM at 1 p.m., Thursdays. In the event confidential matters arise requiring a private discussion between the defendant and his or her respective counsel, the Court will initiate a “breakout room” for a private meeting between the defendant and his or her counsel. This room is not recorded and is exclusive to breakout room members.

Beginning May 19, 2022 Judge Poles will no longer be hearing any criminal bonder hearings via Zoom. All criminal hearings where defendant is on bond will be scheduled in person at 9am. All jail hearings will remain via Zoom at 1p.m.

The Court intends to conduct arraignments, pretrials, sentencing, and violation of probation hearings for in-custody defendants as follows: counsel will participate by Zoom video and/or audio conference; in-custody defendants will participate via videoconference from the jail. Due to limited videoconferencing availability, if confidential matters need to be discussed as these matters occur, the Court will terminate the hearing and allow counsel and Defendants to confer in confidence outside of the Zoom platform by setting the matter for another date.

Defendants must agree to this procedure; otherwise these matters will be adjourned.

Sentencing Memoranda: All sentencing memoranda and letters for consideration should be emailed to the Court's staff at fergusonm@oakgov.com at least three (3) days prior to sentencing.

E-filing: SCAO has authorized the expansion of the e-filing system and FC and FH case types are now e-file cases. In order to file, serve and/or receive future filings in your matter, you must enroll with the Court's MiFile True Filing system and add yourself as a service contact to each case.

Motions

MCR 2.119 continues to govern all motions filed with the Court, including the filing deadlines and notice requirements set forth in MCR 2.119(C), unless otherwise ordered by the Court.

Judges Copies: Judges Copies are not required but are highly recommended.

Dispositive Motions: All motions for summary disposition will continue to follow the normal protocol (i.e., please call Chambers at 248-421-9011 or email the staff attorney at polancoa@oakgov.com to get a date to schedule your dispositive motion, and Chambers will issue a specific scheduling order for briefing and hearing).

Scheduling of Appeals: Hearings on general civil and criminal appeals will continue to follow the normal protocol (i.e., to be briefed and heard pursuant to the respective Michigan Rules of Court, unless otherwise stipulated). Email the staff attorney at polancoa@oakgov.com.

Motions to Adjourn: The Court has already issued or will be issuing amended scheduling orders addressing cases in which (1) case evaluation was adjourned because of the shelter at home orders or (2) the trial date was during the shelter at home period. The Court WILL consider reasonable proposed stipulated orders to adjourn.

Motions for Default or Default Judgment: Motions for Default or Default Judgment may now be heard. Please follow the below protocol to schedule your motion for hearing.

Scheduling of All Other Motions: Judge Poles is accepting praecipes to set motions for hearing. Pursuant to MCR 2.119(E)(3), the Court may dispense with oral argument and issue an order on the motion when appropriate. For motions necessitating oral argument, Judge Poles will hear such motions on Wednesdays at 9:00 A.M. via Zoom video and/or audio conferences.

If you wish to have a previously filed or newly filed motion be heard, the moving party **must** file a [praecipe](#) with the Case Management Office by 4:30 P.M. the Wednesday prior to the motion hearing date.

Orders after motion hearing: Parties are expected to e-file an order in accordance with the judge's ruling by the end of the day. The order must be signed by the attorneys who attended the motion hearing before it is submitted for the Court's signature.

PUBLIC ACCESS TO HEARINGS

Except for essential functions that cannot be conducted remotely, the Court is not conducting in-person proceedings at this time. All courtroom proceedings will be conducted electronically using Zoom video and/or audio conferences. Please see the information below for how to access the Zoom conferences.

If you wish to observe a court proceeding via Zoom, please check the court calendar at <https://jsos.oakgov.com/OaklandCounty>.

If you need to confirm a hearing date or request to appear by Zoom, please see the instructions outlined above in Judge Poles's COVID-19 Protocols.

Participants are reminded that all virtual court appearances are an extension of the courtroom; therefore, parties must adhere to proper conduct and appropriate attire is required. The Judge has full power over remote participants as if they were present in the physical court room.

Zoom participants can view anonymously by ensuring they are named as *Public* and turning off their video and muting themselves. If you need assistance with this, please ask the clerk when joining the hearing. **Viewers are prohibited from recording or otherwise copying court proceedings.**

ZOOM INSTRUCTIONS

Tablets and Phones:

Install the Zoom App from the App Store or Play Store prior to the call. At the time of the call, launch the Zoom app and join using Meeting ID **248 452 2000**

Desktop PCs and Laptops:

From the browser, go to the Zoom Web Site (zoom.us). Click on "Join Meeting." Join using Meeting ID **248 452 2000**

Audio-only via Telephone:

Call (646) 876-9923
Connect using Meeting ID **248 452 2000**