

Judge Mary Ellen Brennan's PROTOCOLS

These protocols are intended to assist parties and litigants navigating the court process for cases assigned to Judge Mary Ellen Brennan.

Parties and attorneys are encouraged to check the official register of actions for most updated appearance dates

CHAMBERS CONTACT INFORMATION

Courtroom 2G, Second Floor-Oakland County Courthouse East Wing

ZOOM MEETING ID 248 858 0355

- Phone: (248) 858-0355 (248) 701-3183 (248) 807-9971

Please email all staff members when contacting the chambers.

- Clerks: Khareem-slatonk@oakgov.com , Trinity- ortiztc@oakgov.com
- Judicial Assistant Kirsten: turnerk@oakgov.com
- Staff Attorney Maureen: smithmh@oakgov.com

GENERAL

- Counsel and parties shall treat staff, witnesses, jurors, opposing counsel and parties with decency and civility.
- All attorneys, parties, jurors, witnesses, or any other person attending court shall wear proper dress attire in compliance with Local Court Rule 8.115(D), or they may be removed from the courtroom under Local Court Rule 8.115(E).
- All Portable Electronic Devices as defined by MCR 8.115(C)(2)(a), including, but not limited to, all cell phones, tablets and computers, shall be **silenced prior to** entering the courtroom, and shall not be used to make or receive telephone calls or for any other audible function while court is in session. Furthermore, use of all Portable Electronic Devices in the courthouse and/or any courtroom shall be in compliance with MCR 8.115(C), or the device may be confiscated, or the device and, or responsible individual may be held in contempt of court.

Courtroom Proceedings

- The court shall conduct proceedings via electronic means, including Zoom video and/or audio conferences, Judge On-Line telephone conferences, and similar means as necessary.
- If, during a hearing, a need arises for a private conference between attorney and client, the court will terminate the hearing and allow the necessary individuals to confer in confidence outside of the electronic system by either passing the case, providing an electronic 'conference room' or setting the matter for another date.
- The court will conduct in person hearings when necessary.

CRIMINAL CALL-Thursdays at 9:00 a.m. in person in courtroom 2G.

- Check-In procedures: Attorneys are expected to check-in with the Court Clerk between 8:30 a.m. and 9:00 a.m. Criminal call begins promptly at 9:00 a.m. If an attorney must leave for another courtroom, they **MUST** first check in with the Court Clerk and then sign out on the board.
- Arraignment by Mail: The Court will accept arraignment by mail on a case by case basis. SCAO form cc261 (WAIVER OF ARRAIGNMENT AND ELECTION TO STAND MUTE OR ENTER NOT GUILTY PLEA) must be e-filed by noon on Tuesday before the arraignment date. ABMs are only accepted if defendant is in custody or bond compliant
- The Court will accept a Cobbs plea at arraignment or pretrial, but not on the scheduled trial date. No conditional plea of any kind will be allowed on the day of trial, no exceptions.
- Plea forms shall be completed and will be e-filed by chambers after the plea is taken.
- E-File: Attorneys should attach themselves to their case in e-file to receive filings. Attorneys are responsible for e-filing their own documents.
- All sentencing memoranda and letters for consideration should be emailed to turnerk@oakgov.com or delivered to chambers by Tuesday at noon.
- Jury instructions are due 5 days prior to trial and must be delivered to chambers.

MOTION CALL - Wednesdays 8:30 a.m.

- MCR 2.119 continues to govern all motions filed with the Court, including the filing deadlines and notice requirements set forth in MCR 2.116(C), unless otherwise ordered by the Court. Praecipes are required for all motions.
- Motion call shall be conducted electronically via ZOOM video conference with limited exceptions. The Court reviews motion call, waiving oral argument under MCR 2.119(E)(3) and issuing Orders relative thereto in its discretion.
- In the event the Court determines oral argument is necessary on any given motion, the Court will issue a notice of hearing and, or order setting forth the date and time of hearing via ZOOM video conference or in person and will be e-filed the Tuesday before.
- If an order is being issued it will be issued in short order.
- Judge's Copies: A Judge's Copy **must be delivered to the Judge's Chambers for all motions by Thursday at noon.** If the Court does not receive a timely Judge's copy, you may be instructed to re-praecipe.
- If you re-praecipe a motion, you must contact chambers by phone or email to notify of the re-praecipe and receive instructions to remove it from the Court's motion call.

CIVIL

- Any scheduling orders issued by the predecessor Judge are still the controlling scheduling order and a new one will not be issued by this Court.
- The parties may stipulate to the first adjournment of due dates if the trial date is not impacted.
- Trial dates that are scheduled are firm dates. If you are looking to adjourn trial a motion must be filed.
- The parties may stipulate to attend facilitation in lieu of case evaluation. To do so, the parties must submit a stipulated order that includes the name of the facilitator, and the date and time of facilitation.
- Summary Disposition Motions – Please notice a motion for summary disposition for hearing on “a date to be set by the court.” Once the motion is filed, the Court will enter a scheduling order with a hearing date and briefing schedule. The moving party must then file a praecipe for the hearing date. If a praecipe is not filed, the motion will not be heard on the scheduled date.

CIVIL TRIALS

- In both bench and jury trials, trial briefs shall be filed and delivered to chambers at least one week before trial. The trial brief should contain a brief statement of pertinent facts, a statement of the issues to be tried, an identification of controlling law, and a brief analysis of the evidentiary and legal issues.
- Each party shall submit a copy of proposed jury instructions and verdict forms to the Court at least 5 days before trial in both paper and electronic (Word) forms.
- Counsel shall attempt to stipulate exhibits before the trial date. Exhibits should be marked prior to trial (Plaintiff – numbers; Defendant – letters). Please deliver a binder containing the stipulated exhibits to chambers at least 3 days before trial.