

Administrative and Procedural Updates

By

April K. Maycock

Probate Register/

Director of Information Services

Attorney Training Program

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Coronavirus\Public Health Emergency

The official state of emergency for courts ended on June 29, 2021 via an order from the SCAO. However, the chief judge of each trial court was directed to take steps to protect public health and given broad latitude as to when to permit individuals to come to the court in person.

Since March, 2020, the Court has revamped its entire operations to create an electronic workflow to permit us to process filings in the most efficient manner possible.

The following is an overview of the key procedural changes.

In-Person Reopening

- The in-person reopening of the Court to the public has been delayed due to the increase in new COVID cases. No date for reopening has been set at this time.
- While we are physically closed for in-person interactions, the Court is fully operational and functioning at full capacity.
- Please continue to monitor the Court's website, www.wcpc.us, for additional information.
- You will receive emails regarding important changes in Court procedures.

Filing Process

- Wayne County Probate Court is not an e-filing Court, therefore, the electronic process relies on staff to manually move filing attachments from our email/fax system to our filing/processing system.
- How to File: Email, Fax or Mail
 - If emailed (preferred) or faxed, a clerk manually transfers all PDF attachments received that day from the email/fax server to the electronic workflow queue, where the item is file stamped.

- If mailed, a clerk physically scans all documents received that day into our electronic workflow queues, where the item is file stamped.
 - If an item is an emergency, please indicate this in the subject line of the email and on the WCPC99 Petitioner Filing Coversheet (available on our website) so it can be flagged for our staff to be processed the same day it is received.
- Processing the Filing:
 - Once the filing is in the queue, Service Clerks will process the oldest items first to determine if they can be accepted for filing. If so, the item is entered and immediately viewable on the Court's website (if it is a public document).
 - The Service Clerk will then notify the filer to submit payment via epayment, unless payment was submitted with the filing.
 - Scheduling the Hearing:

Once the filer pays the filing fees, a Document Processor will schedule the hearing and send the notice of hearing packet, if applicable, or provide certified letters of authority. If the filer pays using ePayment, the payment information is provided on a report within days following payment. If the filer mails a check, the payment is received once received. The goal is to schedule the hearing within three days of payment

Reminders

- Although our local court rule requiring attorneys to file via email is no longer in effect, lawyers are strongly encouraged to submit their filings via email probateservice@wcpc.us, rather than by fax or using the US Mail. Email is the quickest and most efficient way to have your pleadings processed.
- Since we are not an e-filing court and do not have an automated process, you will not receive an email confirmation that your items have been received. Items are not “tracked” when submitted like a formal e-filing system.
- When filing by email, please submit each filing and all relevant attachments as a single .pdf attachment. Be sure to use the WCPC 99 Petitioner Filing Coversheet form as the first page if the filing is an emergency or you are requesting an updated Letter of Authority.
- If SCAO has approved a form for a particular purpose, it must be used when preparing that particular document for filing with the court. **MCR 5.113(A)**.
- As an Attorney, you do not need to submit the MC505 Contact Information Form. Your information is uploaded into our case management system directly from the State Bar of Michigan. Please verify that your email address is on file with the Bar so that you may receive notifications electronically. If your information

changes, you will need to update with the State Bar of Michigan not with the court.

MC 97 & MC 97a – Personal Protected Identifying Information

- The implementation of the court rule amendments regarding providing personal protected identifying information (PII) on a separate form has been delayed until January 1, 2022.
- SCAO has developed and posted forms (MC 97 & MC 97a) to be used to provide the personal protected identifying information (PII) to the Court, specifically:
 - Date of birth
 - Social security\national ID number
 - Driver's license\state ID card number
 - Passport number
 - Financial account numbers
- The new PII forms may be used now even though they are not required until January 1st.
- SCAO has placed updated versions of their forms on their website which refer to MC 97 and MC 97a.
- All documents filed prior to January 1, 2022 will be restricted from access on our website per **MCR 8.119(H)**. Public documents filed after this date will be accessible on the Case Access site.
- For additional information on PII, please see the Case Law and Legislative Update outline included in the Attorney Training materials.

Processing Delays

- During the last year the Wayne County Probate Court has developed and continues to improve its system for processing cases.
- Approximately half our staff works remotely each day.
- The Court is currently processing filings submitted within one week from submission.

GAL & Assigned Cases – No In Person Meetings

Due to the recent increase in COVID cases, the Court is continuing its practice that no in person meetings will be held related to GAL and assigned counsel work until further notice. Business will be conducted via phone or ZOOM. This includes:

- GAL assignments (adult guardianship or any other type)
- Adult guardianship attorney assignments
- Mental health assignments (including deferral conferences)
- Guardianship reviews

ZOOM Hearings

- All hearings will continue to be conducted remotely via ZOOM.
- This is consistent with the mandate from the Michigan Supreme Court that hearings are to be conducted remotely to the greatest extent possible. **MCR 2.407(G)(1)**.
- ZOOM hearing instructions are included in the notice of hearing packet you receive from the Court. The petitioner must provide this information to all interested persons.

Online ImageAccess

- Wayne County Probate Court has configured its case access system to allow public documents scanned after 1/1/2005 to be viewed on the court's website.
- This change has been implemented to facilitate the review of documents due to the restriction of access to the Court during the public health emergency.
- Confidential and sealed documents are not accessible.
- To access case information and images, go to our website, www.wcpc.us, click on Case Access; follow the instructions.
- You may request certified copies of documents from the Court. Once paid, the certified copies will be provided electronically, whenever possible.
- **Note:** Per the directive of the Supreme Court related to personal identifying information (PII), effective January 1, 2022 on line access for documents filed before this date will no longer be available on line. Public documents submitted from 2022 onward will be available, as the PII will not be included on these forms.

Policy Updates

Rider Bonds

The Court now accepts rider bonds when an additional bond amount is ordered. This aligns us with most other probate courts in permitting this practice.

Instead of obtaining an entirely new bond when the amount is increased, a second (or rider) bond for the additional amount can be filed with the Court.

This will expedite the process of obtaining the additional bond and filing it with the Court.

Website Changes

The wpc.us website received a new look recently and is now mobile friendly. We will soon be making changes to the “How to Start a Wayne County Probate Case” pages to include a step-by-step checklist as to what needs to be filed for each case type.

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