

Honorable Yasmine I. Poles - Courtroom Protocol

Courtroom 1B, First Floor- Oakland County Courthouse

Judicial Clerk	Tehlia Wall	248.452.2000	wallt@oakgov.com
Judicial Clerk	Rebekah Morlock	248.452.2000	morlockr@oakgov.com
Judicial Assistant	Maureen Ferguson	248.452.2002	fergusonm@oakgov.com
Judicial Staff Attorney	Audrey Polanco	248.858.1546	polancoa@oakgov.com

In order to better serve the attorneys and litigants appearing in Judge Poles's courtroom, the Court has adopted the following protocols.

GENERAL

Judge Poles has returned to in-person proceedings, unless otherwise indicated. In compliance with the recommendations of the Oakland County Health Department, masks are not required to be worn in the courtroom. Individuals may wear a mask if they feel more comfortable.

All parties shall be respectful to the Court, Court staff, opposing parties, and others.

Anyone appearing in Court must be dressed appropriately. Those dressed inappropriately risk having their case not heard or being removed from the courtroom. In accordance with the local rules, men will be asked to remove their hats. Additionally, sunglasses should not be worn, and chewing gum is not permitted in the courtroom. Cell phones must be silenced. Any cell phone that rings while Court is in session may be confiscated.

All civil cases, appeals, and criminal pleadings are to be electronically filed. It is your responsibility to become aware of, and comply with, the e-filing requirements.

MOTION PRACTICE

Except with leave of the Court or as otherwise directed herein, motions are scheduled pursuant to the local court rules and are heard every Wednesday at 8:30 a.m. Parties must praecipe motions for any Wednesday of their choice (including Orders for Show Cause). Absent good cause, the Court declines to hear add-ons. Parties are expected to complete an order in accordance with the Court's ruling by the end of the day on which the motion is heard. If you expect to be more than 15 minutes late, you must call chambers immediately to inform the staff. If the non-moving party has not checked at their scheduled time, the clerk may call the case upon the request of the moving party, and the Court may grant the requested relief if appropriate. If the moving party has not checked in with the clerk at their scheduled time, the Court may dismiss the motion. While the Court continues to conduct motion call via Zoom for civil motions, all criminal motion require in-person hearings.

Responsive Pleadings: Any responsive pleadings must be filed no later than the Monday before the motion. The cut-off time is noon. Any late filings will not be considered.

Adjourning Motions: Only the moving party may adjourn their motion. The moving party must notify chambers by 4:00 p.m. on the Tuesday before the Court is scheduled to hear the motion. The moving party shall notify other parties that the motion has been adjourned. Filing a re-praepice and re-notice of hearing alone does not provide notice to the Court.

Dispositive Motions: The Court will issue a separate briefing scheduling order for motions for summary disposition. Attorneys should get a hearing date for the dispositive motion from the Staff Attorney prior to filing. Please file a praepice and notice of hearing after the date has been provided. Untimely motions and motions which exceed the page limit will be rejected. A judge's copy is appreciated for all dispositive motion pleadings. Any questions regarding dispositive motions should be directed to the Judicial Staff Attorney, Audrey Polanco at polancoa@oakgov.com or 248.858.1546.

Motions for Reconsideration: A judge's copy is appreciated. Unless the Court otherwise indicates, no hearing is scheduled, and no response is required.

Emergency Motions: A request for an emergency hearing may be submitted anytime. To be considered, a written motion explaining the request must be submitted to the Court. Please email the emergency motion to judgepoleschambers@oakgov.com and polancoa@oakgov.com after the motion has been e-filed. Oral requests for emergency motions will not be considered. The moving party shall call chambers to inform the Court that an emergency motion has been filed.

Appeals: Follow court rules for license restoration and district court appeals.

Applications to Set Aside Convictions: The Court requests that the petitioner submit a supplement focusing on post-conviction circumstances prior to the hearing. The supplement should be limited to five (5) pages.

Discovery Facilitation: Discovery motions will be referred to the discovery facilitator for resolution. If the parties are not able to resolve, the parties may join the Court's motion call upon the conclusion of facilitation. The moving party must call the Court to inform the clerk that the parties will be joining motion call after facilitation.

CRIMINAL CALL

All criminal matters (including motions) are scheduled in person. Beginning January 1, 2025, criminal call will be held weekly on Tuesdays at 9 a.m. Defendants on bond will be scheduled at 9 a.m. with incarcerated defendants to follow at 10 a.m. Attorneys are expected to check in with the clerk prior to 9 a.m. If you expect to be more than 15 minutes late, you must call chambers to inform court staff. If you need to leave the courtroom for any reason, you must inform the clerk and sign out on the whiteboard.

Arraignments by Mail: The Court will accept arraignments by mail. Arraignments by mail must be e-filed no later than 4:30 p.m. on the Friday prior to the arraignment. Late submissions will be rejected without consideration. Parties must appear for arraignment if an arraignment by mail is not timely submitted.

Adjournments: All adjournment requests must be submitted by stipulated order via e-filing. Stipulated orders must be e-filed no later than 4:30 p.m. on the Friday before the hearing. Late submissions will be rejected without consideration. Adjournments will be considered for good cause. Adjournments are only approved and completed upon signed Order by the Court. Do not presume an adjournment is granted upon e-filing.

***People v Cobbs*:** The Court may consider pleas made pursuant to *People v Cobbs* at arraignment or a pre-trial conference. The Court does not accept pleas on the day of trial.

Motion Cut-Off: All motions on criminal cases must be filed and heard at least two weeks prior to the scheduled trial date. Motions in limine and dispositive motion deadline remains consistent with original trial date unless a motion or order has been entered adjourning the cut-off date. All criminal motions require in-person hearings.

Pleas: The defendant must be prepared to provide a factual basis for the plea. Upon completion of the plea, the attorney shall provide the defendant with their appellate rights form. The Court does not accept pleas on the day of trial.

Sentencing Memoranda: All sentencing memoranda must be filed at least three days prior to sentencing. Please email the sentencing memoranda to judgepoleschambers@oakgov.com.

CIVIL MATTERS

Status Conferences: Status conferences are held at the discretion of the Court and may be held by stipulation of parties.

Pre-Trial and Settlement Conferences: The Court holds meaningful pre-trial and settlement conferences after case evaluation or alternative dispute resolution. Clients, trial counsel, and insurance adjusters with full settlement authority (if applicable) shall appear at these conferences, which are held in person.

If a matter has settled, the parties shall inform the Court and the Court will issue a show cause order. A stipulated order of dismissal must be entered prior to the show cause date, or all trial counsel and clients must appear for the scheduled show cause. Failure to appear for the show cause may result in entry of a dismissal and/or default.

Alternate Service/Second Summons: Must be submitted on an approved SCAO form. Proposed orders must be accompanied by a verified motion and brief with supporting authority, proof of certified address, postal verification, affidavit of process server (or reason why one cannot be given) showing at least three attempts.

TRIALS

Final Trial Orders: A final trial order will be issued in all civil and criminal cases. Counsel shall refer to the Final Trial Order for detailed instructions regarding required filings prior to the trial date.

Schedule: Parties will be informed of the trial schedule on the day of trial.

Exhibits: Counsel should stipulate to as many exhibits as possible before the trial date. Exhibits should be marked prior to trial (Plaintiff – numbers; Defendant – letters).

***Voir Dire*:** The Court conducts general *voir dire*, and, under most circumstances, attorneys conduct *voir dire* related to the circumstances of the case. Attorneys shall refer to jurors by seat number and/or juror number.

Adjournments: Request to adjourn trial must be made by motion and will be granted only for good cause.

ZOOM INSTRUCTIONS	
Tablets and Phones:	Desktop PCs and Laptops:
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	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	

At this time, subject to the discretion of the Court, motion call and certain matters under special circumstances will continue to be held remotely. Please refer to the Zoom instructions above for Zoom access.

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 Court has full power over remote participants as if they were present in the physical courtroom.

Public Access to Hearings: If you wish to observe a court proceeding via Zoom, visit the Court Calendar at <https://jsos.oakgov.com/OaklandCounty>. Zoom participants can choose to view anonymously by ensuring they are named as "Public" and turning off their video. If you need assistance with this, please ask the clerk when joining the hearing. **Viewers are prohibited from recording or otherwise copying court proceedings.**