

STATE OF MICHIGAN
61ST DISTRICT COURT

STATE OF MICHIGAN,

Plaintiff,

v

CHRISTOPHER SCHURR,

Defendant.

Case No: 2022-FY-000827

Hon. Nicholas S. Ayoub

COURTROOM MANAGEMENT, SCHEDULING, AND HEARING
ADMINISTRATION ORDER

This case has generated substantial public interest and media attention. As in all cases that come before it, the Court is charged with the important task of balancing (1) the public's right to know and have access to criminal judicial proceedings, (2) the media's right to information and access to courtroom proceedings, (3) the constitutional rights of the defendant to a fair and public hearing at all stages of the proceeding, and (4) the court's interest in maintaining a safe and orderly environment in which legal proceedings can be conducted according to the governing rules and law.

In order to accommodate this high level of media and public interest without disruption to the normal and proper course of the administration of justice, the Court establishes these rules and protocol:

1. **District Court Hearing Schedule.** Under Michigan law, all criminal cases begin in the district court. At the time of the arraignment of a defendant on a felony charge, the district court is required to schedule two hearings: a (1) probable cause conference and (2) preliminary examination. The district court's function is to determine whether probable cause exists to bind the accused over to the circuit court to stand trial on a felony charge. MCL 766.4.

a. **Probable Cause Conference – June 21, 2022 at 9:30 A.M.** The probable cause conference is not a hearing per se, but rather a chance for the prosecution and the defense to discuss procedural matters related to the case as a whole and, in particular, whether the defendant intends to waive his or her right to a preliminary examination. By statute, the probable cause conference itself may be waived by agreement of the parties and, as a practical matter, is often waived. The parties must inform the court whether they will be conducting the preliminary examination or waiving the examination. MCL 766.4. Judge Ayoub allows parties to waive the probable cause conference by jointly filing the appropriate "Pre-exam Form." If the form is filed with the court, the parties need not appear in court at the time otherwise set for the probable cause conference.

b. Preliminary Examination – June 28, 2022 at 1:30 P.M. The Court is required to schedule the preliminary examination and inform defendant of the date at the time of the arraignment. The parties may agree to adjourn the preliminary examination to a later date and, upon a showing of good cause, the court may order that it be adjourned. MCL 766.7.

2. **Livestream of Hearings.** The Court will livestream the hearings in this matter via YouTube. The video and audio feed for that livestream will be taken from the permanently installed courtroom video and audio system. The link to the livestream can be found by using the [MiCourt Virtual Court Directory](#) and searching by Judge’s Name. A direct link to the YouTube livestream can be found [here](#).

3. **Access to the Physical Courtroom for Hearings.** All proceedings will be conducted in Courtroom 7D of the Hall of Justice at 180 Ottawa NW in Grand Rapids. The maximum capacity in the courtroom is 84 people total, including all court personnel. Capacity limits will be strictly enforced.

a. Reserved Seating. The first row of seats behind the prosecution table will be reserved for members of the victim’s family. The first row of seats behind the defense table will be reserved for members of defendant’s family.

b. Media Seating. Members of the media are encouraged to review the [Kent County Courthouse Media Access Protocol](#). Except where otherwise noted herein, the [Protocol](#) will be enforced. Media must electronically submit notice on [SCAO Form MC27](#) as referenced in the [Protocol](#). Members of the media shall be permitted to be seated in the jury box as space otherwise permits. To the extent that space is available in the jury box for multiple video cameras, each media outlet may maintain its own equipment. If space is not available, media outlets will be requested to pool coverage. The court will use a first-in-time approach for determining which media outlet may maintain its camera in the courtroom. Media outlets may rely on the court’s livestream for purposes of capturing courtroom video for broadcast.

c. Public Seating. The public may be seated anywhere behind the bar other than in the row directly behind counsel tables. Once all of the seats in the back two rows are filled, no additional members of the public will be admitted to the courtroom. No one will be permitted to stand at the back or along the side of the courtroom. Lawyers not involved in this case shall be treated as members of the public. Admission of the public to the courtroom will be on a first-come-first-served basis. Members of the public wishing to be admitted to the courtroom shall form a single-file line in the designated space outside of the courtroom.

d. Seating in Front of the Bar. No one other than the parties, the attorneys, and their assistants shall be permitted to sit in the chairs in front of the bar and behind counsel table without specific authorization by the court.

4. **Courtroom Decorum and Etiquette.**

a. **Entry and Exit During Court Proceedings.** Spectators, including members of the media and the public shall be seated before court is in session and during any portion of the hearing. No entry to the courtroom shall be permitted while court is in session. Persons leaving the courtroom during the hearing must wait until the next recess before re-entering. Shortly before the end of each recess the bailiff will invite spectators who have left the courtroom to return to their seats.

b. **Courtroom Attire.** Spectators should refrain from wearing articles of clothing, buttons, or other accessories that express support or sympathy for any matter that may be reasonably be perceived as related to or associated with the case. Persons wearing such attire or accessories may be denied entry into the courtroom.

c. **Disruptive Conduct.** Any spectator who creates a visual or auditory disturbance of the court proceedings may be removed from the courtroom and/or the building at the discretion of court security personnel.

5. **Other Cases.** More than one matter may be scheduled for a similar hearing at the same time that this case is scheduled. While the courtroom is open, spectators merely interested in this matter are asked to consider waiting outside of the courtroom until this case is called in order to allow the other cases to be heard without disruption. Anyone inside of the courtroom prior to this matter being called will lose his or her place in the cue for access to the limited seating available during hearings on this case.

6. **Other Areas of the Courthouse.** Court security may quiet or disperse members of the public or media outside of the courtroom to ensure that they do not disturb the proceedings in the adjacent courtrooms or otherwise interfere with court staff and others from accessing portions of the building or other courtrooms to conduct other court business.

7. **Media Contact.** Under Michigan Code of Judicial Conduct, judges and members of their staffs are unable to make statements or comments associated with cases or issues before the court.

IT IS SO ORDERED.

June 20, 2022
Date



Hon. Nicholas S. Ayoub
61st District Court Judge