
Litigation in the Time of Coronavirus

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With COVID-19 impacting nearly every aspect of our daily lives, courts around the nation have issued standing orders regarding changes to procedures and schedules in the immediate future. While each individual order varies from court to court, they have some common themes. Hearings on non-time sensitive matters are being adjourned for substantial periods, often between sixty to ninety days. Emergency motions and other urgent items are usually slated to proceed as previously scheduled, but counsel and parties are directed to communicate with court staff to arrange for video or audio appearances in place of in-person interaction wherever possible. Most courts have also expressed an intent to be liberal in granting extensions to deadlines and modifications to scheduling orders to accommodate for the current situation.

However, things are changing daily and some courts are experiencing difficulty adjusting to these shifts in procedure. Some clerks are maintaining regular schedules which do not comply with the courts' standing orders, so it's key to stay in touch with your attorneys to get status updates on any scheduled hearings or deadlines.

My case has a hearing scheduled for next week, will the hearing go forward?

Many courts have posted their standing orders and other updates online, with individual courts providing more detailed information on what types of matters the court will hear during this time period. This information has been published via court websites and social media, but if you're having trouble determining whether your specific matter will go forward, your attorney can contact the courthouse directly to determine the status of your matter.

It's worth noting that much of the guidance provided by the courts addresses hearings, but doesn't alter pending deadlines. Motions, responses, and other filings may still be due even while hearings are postponed, so litigators will continue to keep a close eye on deadlines and to reach out to opposing counsel and the courts for extensions as needed.

Something urgent has happened in my case, can we go to court to do something about it?

Most courts have stated that judges will be available to address urgent civil matters such as temporary restraining orders, emergency show-cause hearings, and other time-sensitive issues. Courts are also remaining open to address criminal and domestic matters, along with issues relating to child and adult health and welfare. If your matter is urgent and the court is unavailable to assist in the short-term, your attorney will work with you to find a solution that protects you or your business until we're able to get the issue before a judge.

Is your office still open?

Maddin Hauser attorneys remain available to assist you, whether we're meeting with you in person or arranging an online meeting to address any concerns. Our attorneys and staff will keep our eyes on your pending litigation so that you can keep your focus on other critical matters during this challenging time.

If you have questions about the status of a lawsuit or other matter, don't hesitate to call or email your attorney. They'll make sure that you're covered until courts and everyone else are able to resume litigation as usual.

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