

The End of an Era: Four Days in May 2016

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By The Honorable Kathryn Joan Root,

Oscoda County Probate and Presiding Family Division Judge



May 4, 2016: It was a very ordinary day until the evening 10 o'clock local news came on. The first picture on the television was the 1888 Oscoda County Courthouse in flames. It was shocking to see the 128 year old building on fire. I jumped up from the couch, grabbed my jacket, and drove to the courthouse. Like family gathering at a death bed, I stood with the clerk, treasurer, board of commissioners' chairman, and court and county employees, watching the building we worked so hard in day after day burn to the ground and mourning its loss. Community members also gathered bringing food and water for the firefighters and bystanders. Emotions were raw - silence, tears,

laughter. Everyone was sharing memories and stories of the old building and the people who worked there over the years.

The smell, the smoke, the flames, the eerie light cast by the spotlights firefighters used was surreal or more accurately, nightmarish. Four volunteer fire departments were on scene from our county and neighboring counties. The Grayling Fire Department from Crawford County brought a ladder truck so water could be poured into the second story through the burning roof. Over 700,000 gallons of water were sprayed on the building. Water flooded the basement and the first floor and then proceeded to flow out of broken windows and doors. Parts of the second story collapsed into offices below. Antique furniture and leather-bound law books stored for historical restoration of the old courtroom were lost to the flames while the plastic light up Santa that everyone loved to hate survived without a scratch.

The overwhelming sense of loss was quickly followed by the realization of what that loss would mean for county and court operations. The “burning” question that made it hard to sleep that night was what remained of county and court records.



May 5, 2016: Elected officials, employees, and the county’s insurance agent met in the courthouse annex, the building that houses court offices. To begin, the agent shared policy limits and types of coverage. Discussion then shifted to developing a plan to get offices up and running:

- Family division office court staff would accept all circuit court filings and payments until the county clerk could establish operations.
 - Laptops would be purchased by the IT department to replace destroyed desktop units.
 - The county clerk, the treasurer, the register of deeds office, and equalization would temporarily set up in the annex board of commissioners’ room and first floor lobby until mobile office units could be delivered.
 - The board would use meeting space at the community center.
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- Michigan Department of Corrections staff would work out of the county’s Department of Health and Human Services office.
 - The annex (constructed in 1918) had to be upgraded with new phones and electrical lines to accommodate the added load of four more offices.
 - Portable wall units, tables, and chairs were moved in to create work areas.
 - Transmittals could not be processed for several days.
 - Annex court offices made fireproof, locked cabinet space available for the county clerk and the treasurer to accommodate confidential records, cash receipts, etc.

Employees were allowed into the courthouse remains for a few minutes to collect personal property and any other essential items that could be quickly recovered and removed. The county clerk’s and the treasurer’s vaults were briefly opened and resealed. Current court files and county records did not appear to be affected by fire, water, or smoke damage.

The prosecutor, who also serves as county civil counsel, was on vacation out-of-state. The emergency management coordinator and the fire marshal were not immediately available as both were at the same conference in Grand Rapids. The sheriff's department provided security at the fire site until a fenced security perimeter was established around the courthouse and first-floor windows boarded up.

Annex court staff were receiving phone calls from court users about circuit court cases. One woman called in a panic because she filed for divorce the day of the fire. She wanted to know if her papers were destroyed and whether she had to refile her case. Individuals who had payments due called or stopped by, concerned about bench warrants if payments could not be accepted or processed.irate callers wondered why the circuit court clerk's office was not answering phone calls or returning messages. It was a day of planning, frustration, and questions.



May 6, 2016: Elected officials and employees met with the insurance adjuster and investigator. The Michigan State Police investigation was initiated. Each employee shared information on the events of the day of the fire such as arrival time in the

morning, normal daily activities, computer or electrical issues, work assignments, unusual occurrences, and departure time.

The insurance adjuster asked for pictures of the upstairs courtroom. I provided pictures from my swearing in ceremony as probate judge over 29 years ago. I certainly never dreamed pictures of that event would be needed to identify the location of ceiling fans, lights, thermostats, furnishings, and the overall courtroom layout.

Contracted crews removed all electronic equipment including computers, scanners, and copiers to a central location within the security perimeter so that IT could remove hard drives and memory boards before disposal.

Around noon, elected officials and employees were authorized to enter the courthouse in pairs to remove whatever office supplies could be saved and to identify records for removal by the document recovery specialists. The county emergency manager, back from conference, provided hard hats and flashlights. Firefighters also donated the use of hard hats. A court employee was assigned to serve as a monitor to sign in anyone entering the security perimeter and to ensure everyone entering wore a hard hat.

The county clerk and I worked together in the courthouse basement where older court records were stored. Conditions were difficult. Electrical power was off. We wore boots and hard hats and carried flashlights, paper, pens, and two rolls of different color painter tape. We worked in 2 to 4 inches of water in the courthouse basement and 4 to 6 inches of water in the next door records storage building, which was flooded by runoff. We worked around hazards such as floating debris and tipped-over chairs. We could only stay in the buildings for limited periods of time without coming out for fresh air. It was a very long afternoon.

We carried out as many supplies and jury-board materials as were salvageable. The sheriff's department garage was designated for temporary storage. We used painter's tape to label boxes and file cabinets of court records; one color for 'shred' and another color for 'save'. The document-recovery team came in when we were done, confirmed with us what we had marked, restickered with their labels, and immediately removed court records to freeze-dry storage. We were told everything removed would be itemized and a list returned so restoration could be prioritized based on the document-recovery limits in the county policy.

The fire marshal ordered the immediate takedown of the courthouse steeple. The only equipment available in the county that could reach the steeple was an Amish-owned sawmill boom-truck. The Amish owner drove it to town to assist the court and declined compensation for the service. The boom moved into place and with a gentle push the tower twisted and fell to the ground without mishap.

May 7, 2016: The county clerk's and the treasurer's vaults were opened for records removal. Current court files were boxed and moved into storage trailers, which were parked in the county's motor-pool garage. Files are theoretically available, but practically inaccessible.



Within the next few days, laptops, phone lines, electric, and software systems were in place and offices operating. No day has been ordinary since the fire, and likely won't be until a new courthouse is constructed. Files in storage are difficult to retrieve. Some files are smoky, while others are water marked and wrinkled. Some files have to be processed from a combination of the register of actions and reprints of scanned documents. However, justice continues to be served and no court hearing had to be cancelled due to the fire.



Some historical artifacts were salvaged for display at the county museum and for incorporation into the new courthouse, such as a section of the stamped-tin wall panels, courtroom bar (railing), winding wooden staircase, transom window, beams, and handmade nails.

The Oscoda County Courthouse fire marks the end of an era and the loss of an iconic county symbol. The challenge now is to design a new courthouse. As that process unfolds, court staff may be visiting or talking with colleagues across the state for feedback on what they like or don't like about their courthouse. As sad as the loss of the old courthouse is, it presents a unique opportunity to more fully implement our consolidated county-court system and deliver a courthouse designed for that new court reality that can best serve the citizens of Oscoda County and the state of Michigan for at least the next 128 years.

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