

Effective Date: June 7, 2010

This administrative order rescinds and replaces Washtenaw County Trial Court Local Administrative Order 2007-06J "Case Assignment."

It is hereby ordered that the case assignments described below be implemented effective June 7, 2010.

The chief judge of the trial court may make adjustments to equalize judicial workloads by reassigning cases, pursuant to MCR 8.111. Further, in order to expedite the processing of certain case types, to take advantage of the expertise of a particular judge or to facilitate the application of the one family/one judge concept, the chief judge may assign or reassign cases among judges to ensure the effective and expeditious handling of such cases. In addition, the chief judge may order that any judge, upon the signing of an appropriate disqualification notice, be removed from the random assignment of a given case or cases as specified in the disqualification notice. When a disqualification order has been signed all attempts will be made to reassign the case to a judge in the Family Division. If all Family Division judges are disqualified the case will go through the case assignment process in the Criminal/Civil Division of the Trial Court.

CIVIL/CRIMINAL DIVISION – General Jurisdiction Caseload

Civil Cases:

- A. Unless there is an underlying DA or DE case, the general jurisdiction civil caseload shall be assigned randomly among the judges as follows: Judge Brown 15%, Connors 25%, Morris 20%, Shelton 20% and Swartz 20%. These cases include the following case types as described in the State Court Administrative Office's Case File Management Standards Publication: **AV, AE, AA, AS, AW, NI, CD, ND, NF, NP, NH, NM, NS, NO, NZ, CB, CC, CL, CK, CE, CF, CH, CR, CP, CZ, PS, PR, PC, PD, and PZ**. If there is an underlying active DA or DE case, the new general jurisdiction civil case will be assigned to Judge O'Brien.
- B. All **AL** cases shall be assigned to Judge David S. Swartz.

Criminal Cases:

The general jurisdiction criminal case types described in State Court Administrative Office's Case File Management Standards Publication: **AP, AH, AR, AX, DJ, FJ, FC, FH** shall be assigned randomly and equally among Judges Brown, Morris, Shelton and Swartz. Cases involving repeat offenders, however, will be assigned or reassigned to the judge (or successor judge) who first handled a case involving that offender; the intent of this practice is to ensure that a single judge, to the extent possible, handles all matters involving a recidivist defendant.

FAMILY DIVISION

The Family Division is responsible for hearing all domestic relations cases, all juvenile matters, all probate matters and all proceedings involving personal protection orders.

- A. All newly filed domestic relations cases **DO, DM, DC, DP, DS, DZ, TO, TM, TC, TU, TI, TS, TP, TZ, UE, UW, UN, UM, UT, UD, UI, UO, UF**, and **UC** shall be randomly assigned as follows: Judge Francis assigned to 50% of the cases, Judge Brown assigned to 25% of the cases, and Judge O'Brien 25% of the cases.
- B. Unless there is an underlying Family Division case, all proceedings for personal protection orders (case types **PP, PH, PJ** and **VP** and their predecessors) shall be assigned to Judge Nancy Francis. If there is an underlying Family Division case the PPO should be assigned to the judge assigned to the original matter. All proceedings for violations of personal protections orders are assigned to Judge Francis, with Judges Connors as primary back up.
- C. All child support enforcement proceedings shall be heard by Judge Connors.
- D. All **DA, DE, DH, PE, TT, TV, TR, BR, ML, CA, CY, DD, GA, GM, GL, LG, PO, MI, JA, EM, NC, ID** cases shall be assigned to Judge O'Brien, unless the provisions of the ICWA apply, in which case it shall be assigned to Judge Connors.
- E. All jury and "judge demand" non-jury trials in DL and NA cases will be handled by Judge Shelton with Judge O'Brien serving as primary back-up. Judges Francis, Swartz and Morris will be assigned any overflow spin off trials. Any DL or NA jury or "judge demand" trial with ICWA applicability will be assigned to Judge Connors.
- F. All CSC **DL** cases shall be assigned to Judge Connors until such time as a petition is authorized.
- G. All other **DL and NA** case matters shall be assigned to Judge Shelton as presiding judge of the Juvenile Center unless the provisions of the ICWA apply, in which case the DL or NA case shall be assigned to Judge Connors.
- H. All **PW** cases shall be assigned to Judge Shelton.
- I. All contested **AY** cases involving a domestic relations case in Washtenaw County shall be assigned to the judge assigned to the domestic relations case.
- J. All other **AY** cases, including those that are contested but not involving a domestic relations case in Washtenaw County, shall be assigned to Judge Shelton.
- K. All **AO** cases shall be assigned to Judge Brown.
- L. All **DL** status offenses shall be assigned to Judge Shelton.
- M. All **TL** cases shall be assigned to Judge Shelton.
- N. All **AD, AB, AC, AF, AG, AM, AN, NB, RB, RL** shall be assigned to Judge Shelton.

APPELLATE PROCEDURE

- A. All appeals to the Washtenaw County Trial Court shall be filed with Circuit Court Services

following appropriate procedures as described in Chapter 7 of the Michigan Court Rules.

- B. Appeals of matters heard in the District Court Division shall be assigned randomly to one of the judges of the Civil/Criminal (general jurisdiction) Division.
- C. Appeals from decisions in probate cases shall be assigned randomly to a judge hearing general jurisdiction civil matters.
- D. Appeals in juvenile cases shall be made, in accordance with MCR 3.993, to the Court of Appeals.
- E. All other appeals of decisions of the judges of the Washtenaw County Trial Court should be made to the Court of Appeals under the applicable court rules.

Honorable Donald E. Shelton
Chief Judge
Washtenaw County Trial Court

Date