

THIRD JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER 1985-9 (G)

Pursuant to the provisions of MCR 2.403 (D) (2) it is hereby ORDERED that the qualifications for selection of a member of a mediation panel shall as a minimum require,

1) that the candidate have a minimum of five (5) years' experience as a practicing attorney, and

2) that the candidate has appeared as Counsel in at least three cases that have proceeded to a jury verdict or judicial disposition, before the Third Judicial Circuit Court or the United States Eastern District Court.

THIRD JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER 1985-9 (F)

Consistent with the provisions of MCR 2.403 it is hereby ORDERED that the Director of Docket Management shall timely transmit to the Mediation Tribunal Association all civil cases for mediation in which the relief sought consists of money damages or division of property.

A.O. 1985-8(D)

Actions for superintending control of lower courts shall be assigned to the Chief Judge. The Chief Judge may either retain the action for hearing or may, after approving or denying preliminary ex parte relief and/or order to show cause, assign the action to another judge by lot.

A.O. 1985-9

Mediation

(A) Mediation Board

The Mediation Tribunal Association shall select the mediators.

(B) Term of Mediators.

The term of a member of a mediation board is one week unless otherwise ordered.

(C) Effect of Mediation.

If any party rejects the board's evaluation, the case proceeds to trial in the normal fashion. If the evaluation is \$10,000 or less, a date for hearing before the chief judge will be set for the purpose of determining whether the case should be removed to the district court. A notice of hearing will be served on counsel for the parties at least 5 days before the hearing date. The chief judge will enter an order of removal unless objection to removal is made at the hearing. The penalty provisions still apply to cases which are removed.

A.O. 1985-8(A)

Re-assignment of Preliminary Matters.

Whenever a judge is unable to undertake any preliminary matter or matters subsequent to trial it shall be referred to an alternate. All orders, injunctions, orders to show cause, et cetera, in such actions, shall be signed by the alternate and shall be stamped "Alternate acting for Judge". If the alternate is unable to undertake the matter it may be referred to another judge by the Chief Judge.

A.O. 1985-8(B)

Alternates.

Each judge shall have a designated first alternate, second alternate and third alternate, the same to be designated in alphabetical order from those situated on the same floor with him or her.

A.O. 1985-8(C)

The judge to whom a civil case is assigned shall handle all preliminary matters until the conclusion of the mandatory settlement conference and the case is assigned to a judge for trial. If the case is not settled at the settlement conference it shall be assigned for trial to the next available judge.

A.O. 1985-7

It appearing to this Court that there is sufficient necessity for the operation and maintenance of a continuing criminal advocacy training program in the Wayne County felony courts, particularly for the purpose of maintaining high professional standards in the representation of indigent defendants in felony cases, and that the cost thereof should not impose further burden upon the public;

IT IS HEREBY ORDERED that effective July 1, 1983, and continuing until the further order of the Court, the County of Wayne shall pay to counsel assigned to represent indigent criminal defendants in Wayne County Circuit and in the Recorder's Court ninety-nine percent (99%) of the amount approved as attorney fees on each respective voucher submitted for such services, and the same shall constitute full compensation therefore and the County of Wayne shall simultaneously pay the remaining one percent (1%) of the approved amount of each voucher over to the Detroit Wayne County Criminal Advocacy Program, a non-profit association organized to provide a legal advocacy training, which shall maintain a deposit account with a recognized banking institution.

IT IS FURTHER ORDERED that all funds of the Detroit Wayne County Criminal Advocacy Program shall be used exclusively for the operation of the advocacy training program, and no expenditures of funds shall be made except upon vouchers signed by both the Chief Judge of the Wayne County Circuit Court and the Chief Judge of the Recorder's Court, which vouchers shall contain a description of items for which the expenditures are to be made.

A.O. 1985-6

Pursuant to a review of the Assigned Counsel Fee Schedule heretofore adopted by the issuance of Joint Administrative Order No. 1982-1, dated November 22, 1982;

Upon approval by the Judges of each of said Courts, respectively;

IT IS HEREBY ORDERED on behalf of both of said Courts that the Assigned Counsel Fee Schedule promulgated under Joint Administrative Order No. 1982-1 be, and the same hereby is set aside and Fee Schedules designated Schedules "A", "B", "C" and "D" which are attached hereto and made a part hereof, are hereby adopted nunc pro tunc as of December 1, 1982 and that said Schedules be utilized in fixing remuneration of attorneys for services rendered within the dates designated in each Schedule, in the representation of indigent defendants. Counsel appointed for indigent defendants may make no expenditure, other than for subpoena fees, for which he or she expects reimbursement except upon approval and order of the trial judge on motion for good cause shown.

(N.B. Schedules "A", "B", "C" and "D" are omitted).

A.O. 1985-3

IT IS HEREBY ORDERED that Friend of the Court Referees be assigned to conduct and hold preliminary paternity hearings.

A.O. 1985-4

ASSIGNMENT OF ACTIONS: RELATED ACTIONS

In furtherance of the expeditious administration of justice and pursuant to the promotion and preservation of the orderly division of the obligations of the Court, the Chief Judge, upon a finding of just cause, may by order direct that all cases related in terms of the similarity of issues of law and fact, all be assigned to one or more of the Judges of the Court.

A.O. 1985-5

IT IS ORDERED that the Wayne County Friend of the Court make a report and recommendation in those cases involving minor children after 240 days from the filing date of the complaint for divorce or separate maintenance if the Friend of the Court has not received a previous agreement from the parties or if the Friend of the Court has not taken previous action to make a report and recommendation.

IT IS FURTHER ORDERED that after the 240th day from filing the complaint for divorce or separate maintenance involving minor children, no judgment be entered if the parties fail to pay the fees under MSA 27A.2529(1)(f).

A.O. 1985-2

Filing Transcripts of Preliminary Examination Testimony.

When a written demand has been filed at the conclusion of the preliminary examination for a transcript of the preliminary examination, the Court Reporter or Recorder shall file such transcript with the office of the Chief Court Reporter as follows:

(a) Within 10 days, after written demand for such transcript has been filed with the reporter or recorder, if the defendant is incarcerated.

(b) Within 21 days, after written demand for such transcript has been filed with the reporter or recorder, if the defendant is not incarcerated.

If a reporter or recorder is unable to produce a demanded transcript within the time limits herein established, he or she may file a written request with cause shown, for extension of time for filing, with the Chief Court Reporter. Approval or disapproval of such request will be made forthwith by the Chief Judge of the Circuit Court.

The failure of a court reporter or recorder to file a transcript of preliminary examination testimony within the time limits herein provided, or as extended by the Chief Judge, will be deemed a contempt and punishable as provided by MCL 600.1715 or by loss of one-half of the payment ordinarily made for such transcript but not in excess of \$250.

THIRD JUDICIAL CIRCUIT
ADMINISTRATIVE ORDERS

A.O. 1985-1

Court Holidays for 1985, as revised

TUESDAY,	JANUARY 1, 1985 - NEW YEAR'S DAY
MONDAY,	JANUARY 14, 1985 - MARTIN LUTHER KING'S BIRTHDAY
TUESDAY,	FEBRUARY 12, 1985 - LINCOLN'S BIRTHDAY
MONDAY,	FEBRUARY 18, 1985 - WASHINGTON'S BIRTHDAY
MONDAY,	MAY 27, 1985 - MEMORIAL DAY
THURSDAY,	JULY 4, 1985 - INDEPENDENCE DAY
MONDAY,	SEPTEMBER 2, 1985 - LABOR DAY
MONDAY,	OCTOBER 14, 1985 - COLUMBUS DAY
MONDAY,	NOVEMBER 11, 1985 - VETERAN'S DAY
THURSDAY,	NOVEMBER 28, 1985 - THANKSGIVING DAY
TUESDAY,	DECEMBER 24, 1985 - DAY BEFORE CHRISTMAS
WEDNESDAY,	DECEMBER 25, 1985 - CHRISTMAS DAY
TUESDAY,	DECEMBER 31, 1985 - DAY BEFORE NEW YEAR'S DAY