

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT

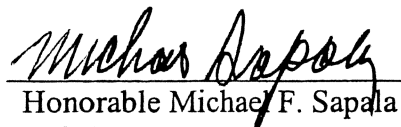
SUBJECT: GENERAL CIVIL CASE ASSIGNMENTS

This Administrative Order rescinds and replaces Administrative Order 1998-5.

By order of the Michigan Supreme Court and the Memorandum of Understanding dated November 29, 2001, and pursuant to the provisions of MCR 8.111(B) Assignment of Cases, it is ordered that the following system be used effective January 2, 2001:

1. All cases must be assigned by lot within the following case type categories:
 - a. License Restoration cases (AL): each judge shall be assigned a minimum of 10 cases before any judge receives an 11th case.
 - b. All other appeals from lower courts and administrative agencies (AA, AE, AH, AP, AV, AW, AX, AZ) excluding superintending control (AS).
 - c. General Civil (CB, CC, CD, CE, CH, CK, CL, CP, CR, CS, CZ), excluding housing and real estate cases (CH) and other general civil cases (CZ) in which the City of Detroit is the named plaintiff.
 - d. For the purpose of administrative efficiency, all housing and real estate cases (CH) involving tax foreclosure claims in which the City of Detroit or the County of Wayne is the named plaintiff; the case shall be assigned to Chief Judge Mary Beth Kelly. All property forfeiture cases (CF) shall be assigned to the docket of Chief Judge Timothy Kenny.
 - e. Other general civil cases (CZ) involving fire insurance escrow claims filed pursuant to MCL 500.2845 in which the City of Detroit is the named plaintiff are to be assigned by lot in groups of not more than 50 cases to each judge selected.
 - f. Malpractice, medical malpractice and products liability cases (NM, NH, NP) excluding cases involving exposure to asbestos or personal injuries due to silicone gel implant devices.

- g. All other civil damage cases (ND, NF, NI, NO, NS, NZ) excluding cases involving exposure to asbestos or personal injuries due to silicone gel implant devices.
 - h. All ancillary or other special proceedings, which may be treated as cases (PC, PD, PR, PS) excluding (PZ) cases.
2. For the purpose of administrative efficiency, superintending control matters (AS), and other miscellaneous matters (PZ) shall be assigned to Chief Judge Mary Beth Kelly.
 3. For the purpose of administrative efficiency, Chief Judge Mary Beth Kelly and Chief Judge Timothy Kenny may reduce the docket of the judge or judges assigned related action pursuant to Administrative Order 1989-3 either by reassignment of pending cases or by periodic removal from the random draw.
 4. In order to insure that cases assigned by lot under section 1 are distributed to all judges equally, no judge is to receive a fifth (5th) case within a designated case category until all judges have received at least four (4) cases except as noted for case categories 1. (a) And 1. (e).
 5. Chief Judges Mary Beth Kelly and Chief Judge Timothy Kenny shall be reassigned any pending cases from Chief Judge Michael Sapala's docket. Any Post Judgment matters will be returned to them pursuant to the Michigan Supreme Court Memorandum of Understanding.
 6. Chief Judges Mary Beth Kelly and Chief Judge Timothy Kenny shall be excluded from those judges available for "by lot" assignments.



Honorable Michael F. Sapala
Chief Judge
Third Judicial Circuit Court

Dated: DEC 21 2001