



THIRD JUDICIAL CIRCUIT
OF MICHIGAN

701 COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3413

VIRGIL C. SMITH
CHIEF JUDGE

(313) 224-5430

LOCAL ADMINISTRATIVE ORDER 2009-13

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

SUBJECT: GENERAL CIVIL CASE ASSIGNMENTS

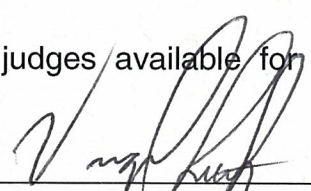
This Administrative Order rescinds and replaces Administrative Order 2009-02, and Docket Directive 2009-07.

Pursuant to the provisions of MCR 8.111(B) Assignment of Cases, it is ordered that the following system be used effective immediately:

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, AP, AV) and all other extraordinary writs, including post-adjudicated habeas corpus, (AH); actions for mandamus and quo warranto or other writs (AW), but excluding the following:
 - i. superintending control (AS),
 - ii. election matters,
 - iii. pre adjudicated habeas corpus petitions which continue to be governed by LAO 2006-04 or its successor, and
 - iv. cases in which the County of Wayne is a party that involve a funding dispute.
 - c. General Civil (CB, CC, CD, CE, CH, CK, CL, CP, CR, 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 property forfeiture cases (CF) shall also be assigned to a designated judge on the property

forfeiture docket. 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 a designated judge on the tax foreclosure docket.

- 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. Medical malpractice, malpractice and products liability cases (NH, NM, NP) excluding cases involving exposure to asbestos or personal injuries due to silicone gel implant devices.
 - g. For the purposes of administrative efficiency, all cases (NP) and other general civil causes of action in which injury is claimed as a result of exposure to asbestos or personal injury due to silicone gel implant devices shall be assigned to a designated judge.
 - h. 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.
 - i. All ancillary or other special proceedings, which may be treated as cases (PC, PD and PR).
2. For the purpose of administrative efficiency, all (PZ) cases (miscellaneous proceedings), including cases involving the transfer of a payee's structured settlement payment rights pursuant to MCL 691.1301 et seq., shall be assigned to the Presiding Judge of the Civil Division.
 3. For the purpose of administrative efficiency, superintending control matters (AS), election issues or actions (AW), where the County of Wayne is a party that involves a funding dispute and all matters in which the Third Circuit Court is a party in the case shall be assigned to the Chief Judge.
 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. The Chief Judge shall be excluded from those judges available for "by lot" assignments.



Virgil C. Smith, Chief Judge
Third Circuit Court

Dated: November 20, 2009