



**THIRD JUDICIAL CIRCUIT
OF MICHIGAN**

TIMOTHY M. KENNY
CHIEF JUDGE

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LOCAL ADMINISTRATIVE ORDER 2019 – 06

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

SUBJECT: FAMILY DIVISION – JUVENILE CASE ASSIGNMENT

This Administrative Order rescinds and replaces Administrative Order 2009-03.

IT IS ORDERED:

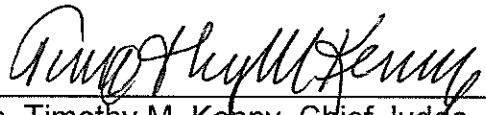
1. This local administrative order, issued in accordance with Michigan Court Rules 8.110 and 8.111, sets forth the method to be used for assigning cases within the Family Division – Juvenile Section of the Third Circuit Court.
2. All cases will be assigned “by lot” to judges and scheduled before their respective team referees in the Family Division – Juvenile Section within the following case type categories, all Delinquency Proceedings (DL) and all Child Protective Proceedings (NA) initiated by petitions under the Juvenile Code.
 - a. All Delinquency Proceedings will be assigned “by lot” to Judges and scheduled before their respective team referees in the Family Division. All Judge Demands from these cases will be assigned to the team Judge.
 - b. All initial hearings on Child Protective Proceedings (NA) shall be heard by a designated referee docket. All NA petitions will be assessed by the designated referee. The designated referee will place the matter for adjudication and disposition on the docket of a referee that may resolve the matter most judiciously. All subsequent court hearings shall be scheduled before the referee assigned at case initiation. All judge demands shall be forwarded to the assigned judge after completion of the first scheduled hearing.

3. All Designated Juvenile Offenses (DJ) will be assigned “by lot” to judges in the Family Division – Juvenile Section with the exception of the Presiding Judge of the Division, who will be responsible for presiding over the preliminary examination on all cases within 14 days of the arraignment of the warrant.
4. When a new petition is filed involving full guardianship of a minor (GM) or limited guardianship of a minor (LG), the petition is to be assigned to the same judge who is assigned or affiliated by way of their respective team referee to the associated Child Protective Proceedings (NA) petition.
5. Pursuant to Local Administrative Order 2003-01, AWOLP cases shall be assigned to a designated judicial docket within the Family Division – Juvenile Section.
6.
 - a. All petitions for adoption (AM) which are filed subsequent to a child protection proceeding resulting in the termination of parental rights, shall be assigned to the judge of record for the child protection proceeding.
 - b. All releases and petitions for adoption (AB, AC, AD, AF, AN, AO, AU and AY) shall be assigned “by lot” to the judges in the Family Division – Juvenile Section.
 - c. Petitions regarding the safe surrender of a newborn child (AG and NB), along with matters regarding the delayed registration of a foreign birth, shall be assigned to the Presiding Judge.
 - d. All releases to adopt sought during the pendency of a child protection matter shall be assigned to a designated referee docket within the Family Division-Juvenile Section.
7. For administrative efficiency, all traffic and local ordinance (TL) cases are to be assigned to the Presiding Judge, and the preliminary inquiry is to be conducted by a referee on a designated docket.
8. For administrative efficiency, all personal protection petitions brought against a respondent under the age of 18 (PJ), are assigned to a designated docket within the Family Division – Domestic Section.
9. A new petition shall be assigned to a specific judge, if that judge had been previously assigned to a case that has involved:
 - a. The delinquency of the child or sibling(s);
 - b. The neglect/abuse of the child or sibling(s);
 - c. Any family member;
 - d. The guardianship of the child.
10. In delinquency actions, a pending case is one in which a disposition has not been imposed. An open case is one for which the judge has not yet signed and filed an order closing probation or terminating jurisdiction according to Public Act 150, 1974.

When a respondent has both a pending and open case, assignment is based upon the open case. When a new case has multiple respondents, the judge with the oldest petition received all respondents.

11. In child protective proceedings, a pending case is one that has not yet been adjudicated. An open case is one in which post-dispositional hearings are scheduled.
12. The same judge and respective team referee must adjudicate all pending and open petitions when a respondent has multiple petitions. The same judge and respective team referee must adjudicate all pending and open petitions when there are multiple respondents.
13. A reissued petition that was previously dismissed shall receive a new petition number and will be assigned to the judge and respective team referee who dismissed the earlier petition.

Dated: May 13, 2019



Hon. Timothy M. Kenny, Chief Judge
Third Judicial Circuit of Michigan

Date Approved by SCAO: July 9, 2019