



Third Circuit Court
2 Woodward, Ste. 711
Detroit, MI 48226

Thirty-fourth District Court
11131 Wayne Rd.
Romulus, MI 48174

CONCURRENT JURISDICTION PLAN APPLICATION

and

LOCAL ADMINISTRATIVE ORDER

for

JUVENILE CASES IN DISTRICT COURTS PROGRAM (JCDC)*

****Updated version of the Concurrent Jurisdiction Plan Approved by AO 2004-7***

CONCURRENT JURISDICTION PLAN

SUBMISSION CHECKLIST

- Applicant Summary Page with Authorized Signatures
- Concurrent Jurisdiction Plan Application
- Certificates of Adoption – Judges
- Certificates of Adoption/Notification – Local Funding Units
- Concurrent Jurisdiction/Case Assignment Local Administrative Order
- Organizational Chart

Please forward two copies of your completed JCDC Concurrent Jurisdiction Plan/LAO, including the above items, to:

**Deborah Green, Director
Region I
State Court Administrative Office
P. O. Box 02984
Detroit, Michigan 48202**

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I. GENERAL GUIDELINES (Adapted for JCDC)

A. Authorization

Public Act 678 of 2002 (MCL 600.401 *et seq.*), effective April 1, 2003, allows trial courts to adopt a plan of concurrent jurisdiction within a county or judicial circuit. Supreme Court Administrative Order 2003-1 authorizes courts to develop plans for concurrent jurisdiction. A plan must be submitted to the local funding unit(s) at least **30 days** before it is submitted for approval to the Supreme Court in the format specified by the State Court Administrative Office (SCAO). A local administrative order (LAO) and the accompanying plan of concurrent jurisdiction will not take effect until at least **90 days** after it is approved by the Supreme Court.

B. Plan Format

Plans must follow the outline provided in Section III, Plan Application. Supporting documentation and required items should be included in accordance with later instructions. These guidelines are also available in an electronic format upon request to the SCAO or on the Michigan Supreme Court website at <http://www.courts.mi.us/scao/resources/standards#>.

C. Due Dates

A plan may be submitted at any time. A detailed time line is provided in the following section. The legislation specifies certain time frames to allow funding units to consider cost implications and to provide for an appropriate amount of planning time for the organizational change within the justice system environment. The following due dates must be observed:

1. Plans shall be submitted to the local funding unit(s) 30 days prior to submission to the SCAO for review of the plan's financial implications. Consistent with art VII, § 8 of the State Constitution of 1963, the cost of implementing a plan of concurrent jurisdiction is subject to approval by the funding unit or units through the funding units' budgeting process.
2. The plan, along with a LAO implementing the plan and case assignments, should be provided to SCAO for review and approval at least 180 days prior to the intended effective date.
3. Plans shall not become effective until the first day of the month at least 90 days after Supreme Court approval.

D. Plan Review & Amendment

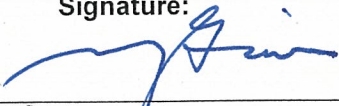
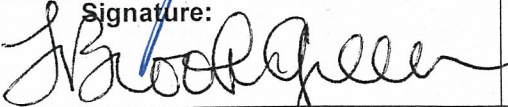
Submitted plans will be reviewed by the regional administrator and other SCAO staff. Applicant courts may be asked to make modifications to plans prior to submission to the Supreme Court for approval. Upon Supreme Court approval of a plan and SCAO approval of related LAOs, amendments to the plan for concurrent jurisdiction will be effective only after review and approval of the amendment, rescission of any prior order, and issuance of a new LAO.

E. SCAO Contact

Courts wishing to participate in the JCDC program must contact the Region I administrator at (313) 972-3300 to obtain the template for submitting a plan for concurrent jurisdiction.

II. CONCURRENT JURISDICTION PLAN APPLICATION
Adapted for JCDC

A. Applicant Summary

1.	Circuit Applicant/Contacts:	Third Circuit Court (County of Wayne) 2 Woodward Ave. Suite 711 Detroit, MI 48226 Hon. William Giovan, Chief Judge 313-224-5430 (TX) 313-237-1114 (FAX) william.giovan@3rdcc.org Bernard Kost, Executive Court Administrator 313-224-5261 (TX) 313-224-6070 (FAX) bernard.kost@3rdcc.org	
2.	District Applicant/Contacts:	Thirty-fourth District Court (City of Belleville, City of Romulus, Huron Township, Sumpter Township, Van Buren Township) 11131 S. Wayne Rd. Romulus, MI 48174 Hon. Tina Brooks Green, Chief Judge 734-941-4462 x 250 (TX) 734-914-0057 (FAX) tbrooksgreen@yahoo.com Alan Hindman, Court Administrator 734-941-4462 x 203 (TX) 734-941-7530 (FAX) AHindman34@yahoo.com	
3. Concurrent Jurisdiction Type:			
Circuit and District Court Jurisdictions -- Misdemeanor Juvenile Delinquency cases only			
4a. Chief Judge, 3rd Circuit:	Signature:	Date:	
Hon. William Giovan		8-8-08	
4b. Chief Judge, 34th District:	Signature:	Date:	
Hon Tina Brooks Green		8/6/08	

B. Plan Description

1. Judges of the Family Division of the Third Circuit Court and the Thirty-fourth District Court, subject to Supreme Court approval and to certain other limitations defined in 2002 PA 678 and described in these requirements, by a majority vote of each group of judges, adopt a concurrent jurisdiction plan to grant to the Thirty-fourth District Court judges the power and jurisdiction to adjudicate juvenile misdemeanor cases.
2. *Juvenile Cases in District Court (JCDC)* is a special program established in 1999 in which **state misdemeanor, ordinance violation, traffic violation, and civil infraction proceedings** involving not-in-custody juveniles are conducted in the courthouses of the districts where the offenses occur. *The Michigan Supreme Court has previously approved this program, through judicial cross-assignments and concurrent jurisdiction plans.* [AO 2004-7]
3. Voluntary participation in the JCDC program requires the support of the participating bench and district funding unit(s).
4. Joint Local Administrative Orders designate the district courts as satellites of the Third Circuit Court Family Division – Juvenile Section. [See MCL 712A.2 and MCL 600.1517; see appendices for LAO]
5. JCDC-eligible cases involve juvenile residents of the participating districts who have no other cases pending in the Third Circuit Court Family Division – Juvenile Section. Cases which cannot be handled locally under JCDC are transferred to the Third Circuit Court for adjudication by circuit judges or referees.
6. District courts participating in JCDC may utilize local and/or county educational/rehabilitative programs; may employ juvenile-certified probation officers; and must comply with statutory, court rule, and Third Circuit Court requirements governing case processing and records management.
7. *Fines and costs assessed in JCDC cases are allocated pursuant to statute.* Oversight and program assessments cover the cost of defendants' participation in educational/rehabilitative programs. Local funding units may voluntarily create such programs without county reimbursement, or District Court judges may order juvenile defendants to participate in county-sponsored programs at no cost to the local funding units.

C. Certification of Plan Approval

1. The Third Circuit Court and the Thirty-fourth District Court judges agree to adopt this plan of limited concurrent jurisdiction to permit the Thirty-fourth District Court to participate in the JCDC program.
2. The governing bodies of the local funding units of the Thirty-fourth District Court (City of Belleville, City of Romulus, Huron Township, Sumpter Township, and Van Buren Township) agree to adopt this plan of limited concurrent jurisdiction for implementation of the JCDC Program at their expense. The chief executive of Wayne County, the funding unit of Third Circuit Court, was notified of Thirty-fourth District Court's participation in the JCDC Program which operates at no expense to the county.
3. Certificates of adoption and notification of this concurrent jurisdiction plan are submitted with this plan. [See appendix]

D. JUDICIAL RESOURCE ALLOCATION & ADMINISTRATION

1. Goals and Benefits

The following benefits will accrue to the courts, communities, and litigants through the adoption of a plan of concurrent jurisdiction permitting the Thirty-fourth District Court to participate in the JCDC program.

- a. District Court adjudication of juvenile offenses allows the Circuit Court to reallocate judicial and county resources for the adjudication of felony cases.
- b. District Court adjudication of juvenile offenses provides local communities an additional means of controlling local juvenile delinquency by devoting intensive resources to early intervention over and above those available at the county level.
- c. District Court adjudication of juvenile offenses affords juveniles and their parents convenient local access to the court system.
- d. District Court adjudication of juvenile offenses allows the justice system to provide intense personal attention to the influences of local culture and circumstances.

2. Judicial Resources

JCDC cases will be evenly and fairly distributed among the District Court judges through the blind draw system. [See MCL 600.401(3), 406(3), 407(3), and 408(3), and MCR 8.111] If a different system is adopted in the future, a Local Administrative Order will be submitted.

- a. **Case assignment and scheduling process:** Misdemeanor cases involving resident juveniles with no pending Circuit Court cases shall be adjudicated in the Thirty-fourth District Court. Ineligible misdemeanor and felony cases involving juveniles shall be adjudicated in the Circuit Court Family Division – Juvenile Section. Cases filed in the Thirty-fourth District Court will be assigned and scheduled pursuant to the current approved docketing practices of the Thirty-fourth District Court. Cases filed in or transferred to the Third Circuit Court will be assigned and scheduled pursuant to the current approved docketing practices of the Family Division – Juvenile Section.
- b. **Caseload distribution:** JCDC-eligible cases will be evenly divided among the Thirty-fourth District Court judges. JCDC-ineligible cases will be evenly divided among judges and referees in the Third Circuit Court Family Division – Juvenile Section.
- c. **Transition/handling of open/pending cases:** Cases open and pending in the Third Circuit Court will remain there. New cases will be filed in the Thirty-fourth District Court upon approval of this concurrent jurisdiction plan and local administrative order. Cases filed in the Third Circuit Court prior to the approval of this concurrent jurisdiction plan and local administrative order will remain in the Family Division-Juvenile Section.

- d. **Rotation of judges within divisions; transfer of cases:** Rotation of judges into the Family Division of the Circuit Court will occur irrespective of the JCDC Program. The judges of the Thirty-fourth District Court carry full dockets comprised of all case types. JCDC-ineligible cases filed in the Thirty-fourth District Court will be transferred to the Third Circuit Court Family Division – Juvenile Section through petition (form JC-02).
 - e. **Plan for appeals from disqualification rulings:** The challenged Thirty-fourth District judges shall decide motions to disqualify. If the District judge denies the motion, on the request of a party, the challenged District Court judge shall refer the motion to the chief judge of the Third Circuit Court who shall decide the motion de novo. If all of the judges within the Thirty-fourth District Court are disqualified, the case shall be transferred to the Third Circuit Court Family Division-Juvenile Section.
 - f. **LAO for assignment of cases:** Cases will be assigned to Judge Brain A. Oakley. Judge Oakley is the presiding Judge of the Juvenile program at the Thirty-fourth District Court. In the event that Judge Oakley cannot hear the case, one of the other two Judges of the court will hear the case.
 - g. **Quasi-Judicial Resources Utilization and Assignment:** There is no legal authority for District magistrates to preside over JCDC cases. Third Circuit Court referees will continue to adjudicate cases under current operating procedures.
3. **Court Governance**
- a. **Structure:** The Third Circuit Court will designate the Thirty-fourth District Court as a satellite location of the Third Circuit Family Division – Juvenile Section as a part of this concurrent jurisdiction plan. [See MCL 600.1517; see appendices for LAO]
 - b. **Roles and Responsibilities:** The Third Circuit Court Chief Judge will oversee the JCDC program. The Thirty-fourth District Court clerk's office will process JCDC case files and report cases as indicated by Third Circuit Court policy. The Thirty-fourth District judges will adjudicate the JCDC cases, and the District Court juvenile probation officer will supervise the defendants. In addition, Wayne County will make available to the Thirty-fourth District Court the same educational/rehabilitative programs that are available for cases adjudicated at the Third Circuit Court Family Division – Juvenile Section. The city of Belleville, city of Romulus, Huron Township, Sumpter Township, and Van Buren Township may choose to provide local educational/rehabilitative programs available for JCDC defendants whose cases are adjudicated in the Thirty-fourth District Court.
 - c. **Decision-making process:** Appropriate judicial and administrative representatives of the Third Circuit Court and Thirty-fourth District Court, along with representatives from the SCAO Region I office, will meet as needed to make major decisions. Otherwise, decisions will be made by the Chief Judges of the Third Circuit and Thirty-fourth District Courts. Note that all fundamental decisions were made during the initial development of the JCDC program *which was approved by the Michigan Supreme Court*. [See AO 2004-7]

4. **Administrative Structure**
 - a. **Administrative Roles -- Thirty-fourth District Court Staff:**
Administrative staff in the Thirty-fourth District Court clerk's office will process JCDC cases from initiation through closing after completion of probation or other sanctions. Staff will treat JCDC cases as Third Circuit Court cases, maintain case files and statistics, and report the latter for inclusion in the Third Circuit Court caseload report.
 - b. **Administrative Roles: Third Circuit Court Staff:** Administrative staff at the Third Circuit Court Family Division-Juvenile Section will create computerized records of the JCDC cases adjudicated at the Thirty-fourth District Court. Staff will report JCDC cases on the Circuit Court caseload report.
 - c. **Organizational chart:** An organizational chart for the JCDC program is submitted. [See appendices]

5. **Human Resources**
 - a. **Staffing Changes:**
 - 1) Third Circuit Court: None.
 - 2) Thirty-fourth District Court: None.
The Thirty-fourth District Court currently employs a certified juvenile probation officer and adequate administrative staff.
 - b. **Staff's Employment Status and Proposed Changes:**
 - 1) Third Circuit Court: No changes will occur in either the status or number of Third Circuit Court employees.
 - 2) Thirty-fourth District Court: No changes will occur in either the status or number of Thirty-fourth District Court employees.
 - c. **Employee Status Issues:**
 - 1) Third Circuit Court: None. No changes will occur.
 - 2) Thirty-fourth District Court: None. No changes will occur.

6. **Budget/Fiscal Management**
 - a. **Preparation, presentation, and administration of court budgets:**
The Thirty-fourth District Court will be responsible for preparation, presentation, and administration of its budget, including contracting and purchasing authorization responsibilities. The Thirty-fourth District Court will finance and administer the JCDC program through its own budget as approved by its funding unit(s). Third Circuit Court and Wayne County will not be involved in the JCDC Program's financial administration in the Thirty-fourth District Court. There are no budgetary implications for the Third Circuit Court and Wayne County.

- b. **Coordination or consolidation of collections:** The Thirty-fourth District Court will collect and transmit fines, costs, and assessments directly to Wayne County, the State of Michigan and local funding units as prescribed by statute.
- c. **Revenue allocation:** The Thirty-fourth District Court will allocate revenue as required by statute. Therefore, no funding unit agreement pertaining to the re-allocation of revenue is required under this concurrent jurisdiction plan.
- d. **Budgetary impact (start-up costs, system integration costs, equipment costs, etc.):** There will be no new budgetary impact resulting from the implementation of this concurrent jurisdiction plan. The local funding units fund the probation officer position as part of the Thirty-fourth District Court's personnel costs. No start-up expenses are expected to be incurred as a result of the implementation of this concurrent jurisdiction plan at this time. The funding units *may* incur the costs of voluntarily establishing educational/rehabilitative programs.

7. **Records Management**

- a. **Records administration:** The Thirty-fourth District Court will administer JCDC case records, including the filing, maintenance, and storage of, and access to them, in compliance with statutory and court rule requirements. The Third Circuit Court will maintain electronic records of the JCDC cases.
- b. **Concurrence by the county clerk:** The JCDC program has operated successfully since 1999 with the agreement of all appropriate entities. Records of JCDC cases in the Thirty-fourth District Court will be managed in the same manner as have all JCDC cases been since the inception of the program, i.e., in compliance with statute and court rule. The purpose of this concurrent jurisdiction plan is to permit the Thirty-fourth District Court to participate in the long-established JCDC program. Hence, no evidence of concurrence by the county clerk is required. [See MCL 600.420]

8. **Information Systems**

- a. **Court case management systems, hardware and software:** The Thirty-fourth District Court manages its cases on the JIS system. The Third Circuit Court maintains its own in-house case management system. The Thirty-fourth District Court will provide information to the Third Circuit Court manually, as do the other JCDC participants.

- b. **Integration and/or system enhancements:** The Third Circuit Court and Thirty-fourth District Court systems will be updated as required to accommodate future changes in court rule and statute. The Thirty-fourth District Court will provide all information to the Third Circuit Court concerning the JCDC cases it adjudicates. [If the proposed countywide connectivity plan is implemented, district courts will be able to transmit JCDC information to Third Circuit electronically.]
 - c. **Court recording/reporting systems:** The Thirty-fourth District Court will record hearings for JCDC cases in the same manner as it records hearings for adult cases using SCAO-approved equipment pursuant to statute and court rule. There is no need to change the current court recording system in order to participate in the JCDC Program.
- 9. **Facilities and Infrastructure**
 - a. **Facilities, security, courtroom utilization, records maintenance, support activities:** No changes to facilities, security, courtroom utilization, records maintenance, or location of support activities will be required to accommodate the Thirty-fourth District Court's participation in the JCDC program.
 - b. **Proposed changes in court hours:** The Third Circuit Court and the Thirty-fourth District Court will maintain their regular court hours.
- 10. **Jury Management**
 - a. **Changes in jury management:** The jury systems of the Third Circuit and the Thirty-fourth District Courts will not change as a result of the Thirty-fourth District Court's participation in the JCDC program.
- 11. **Planning Process/External Relations**
 - a. **Involvement of affected judges, court staff, other persons, and entities in plan development:** Representatives of the Third Circuit Court, participating District Courts, juvenile probation officers, SCAO, local police departments, and local funding units have been actively involved in the planning process for the development and implementation of the JCDC Program since its inception. The Thirty-fourth District Court judges, administrators, probation officers, clerk's office staff, the funding unit administration and police departments of the city of Belleville, city of Romulus, Huron Township, Sumpter Township, and Van Buren Township have been involved in planning for the participation of the Thirty-fourth District Court in the JCDC program.
 - b. **Information dissemination to external agencies and clients:** The Third Circuit Court, the District Courts, and SCAO have disseminated appropriate information to external agencies and clients of changes in court policies, procedures, and processes since the inception of the JCDC Program through meetings, local administrative orders, memoranda, and

written operating procedures. The Thirty-fourth District Court has disseminated information to external agencies and clients concerning policies, procedures, and processes to be followed as a result of the Thirty-fourth District Court's participation in the JCDC program.

12. **Training**

- a. **Training of judicial and court support staff:** The employees of the Third Circuit Court have been performing the appropriate JCDC functions since the inception of the program. The Thirty-fourth District Court employees will receive appropriate training in the statutory and court rule requirements for processing juvenile misdemeanors through cooperative efforts with the Third Circuit Court Juvenile Section, the Thirty-fourth District Court administration, and SCAO Region I.

APPENDICES

- Appendix A:** Certificates of Adoption -- Judges
- Appendix B:** Certificates of Adoption/Notification -- Local Funding Units
- Appendix C:** Local Administrative Order
- Appendix D:** Organization Chart

Appendix A

Certificates of Adoption
Circuit and District Judges



WILLIAM J. GIOVAN
CHIEF JUDGE

WAYNE COUNTY CIRCUIT COURT
701 COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE
DETROIT, MICHIGAN 48226

(313) 224-5430

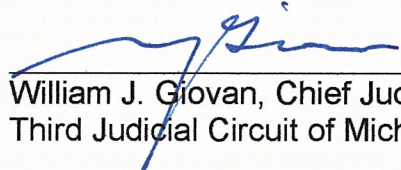
Certificate of Adoption of Concurrent Jurisdiction Plan

Juvenile Cases in District Court Program (JCDC)

This is to certify that the majority of the judges of the Family Division of the Third Circuit Court agree to adopt a plan of limited concurrent jurisdiction which designates the 34th District Court as a satellite location for the Family Division – Juvenile Section of the Third Circuit Court.

This plan permits the 34th District Court to participate in the Juvenile Cases in District Court Program (JCDC) program under which the 34th District Court processes and adjudicates eligible juvenile misdemeanor cases involving residents of the cities of Belleville, Romulus, Huron Township, Sumpter Township, and Van Buren Township.

Dated: August 8, 2008



William J. Giovan, Chief Judge
Third Judicial Circuit of Michigan



34th Judicial District Court

11131 WAYNE ROAD
ROMULUS, MICHIGAN 48174-1472
PHONE: 734-941-4462

SERVING THE CITIES OF
ROMULUS AND BELLEVILLE
AND THE TOWNSHIPS OF
HURON, SUMPTER, AND
VAN BUREN



TINA BROOKS GREEN
BRIAN A. OAKLEY
DAVID M. PARROTT
DISTRICT JUDGE

Certificate of Adoption of Concurrent Jurisdiction Plan by District Judges

Juvenile Cases in District Court Program (JCDC)

This is to certify that the majority of the judges of the Thirty-fourth District Court agree to adopt a plan of limited concurrent jurisdiction which designates the Thirty-fourth District Court as a satellite location for the Juvenile Section of the Family Division of the Third Circuit Court.

This plan permits the Thirty-fourth District Court to participate in the long-established *Juvenile Cases in District Court Program (JCDC)* under which the Thirty-fourth District Court will process and adjudicate eligible juvenile misdemeanor cases involving residents of the city of Belleville, city of Romulus, Huron Township, Sumpter Township, and Van Buren Township.

Hon. Tina Brooks Green, Chief Judge
Thirty-fourth District Court

Date: 8.5.08

Appendix B

Certificates of Notification/Adoption Local Funding Units



WILLIAM J. GIOVAN
CHIEF JUDGE

WAYNE COUNTY CIRCUIT COURT
701 COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE
DETROIT, MICHIGAN 48226

(313) 224-5430

August 8, 2008

Mr. Robert A. Ficano
County Executive
Wayne County
600 Randolph
Detroit, M 48226

Dear Mr. Ficano:

This is to notify you, as the Chief Executive of the County of Wayne, that the Third Circuit Court has adopted a plan of concurrent jurisdiction governing the adjudication of juvenile misdemeanors with the Thirty-fourth District Court. The *Juvenile Cases in District Courts* program (JCDC), has been in existence since 1999, permitting district court judges to adjudicate misdemeanor cases, such as smoking violations, arising within their communities.

The adoption of this plan represents a continuation of the program that will now include the Thirty-fourth District Court, pursuant to requirements dictated by statute and the Michigan Supreme Court.

There is NO COST to the County of Wayne as a result of the adoption of the plan of concurrent jurisdiction. The County will continue to receive the fines and costs to which it is entitled by statute.

This notification, a mere formality, is required. Should you have any questions, please do not hesitate to contact my office.

Sincerely,

William J. Giovan
Chief Judge
Third Circuit Court

Attachments: LAO 2008-04J

cc: Presiding Judge Judy Hartsfield
Bernard J. Kost, Executive Court Administrator



34th Judicial District Court

11131 S. WAYNE ROAD
ROMULUS, MICHIGAN 48174
PHONE: 734-941-4462



SERVING THE CITIES OF
ROMULUS AND BELLEVILLE
AND THE TOWNSHIPS OF
HURON, SUMPTER, AND
VAN BUREN

TINA BROOKS GREEN
BRIAN A. OAKLEY
DAVID M. PARROTT
DISTRICT JUDGE

Certificate of Adoption of Concurrent Jurisdiction Plan

Juvenile Cases in District Court Program (JCDC)

This is to certify that the governing bodies of the Cities of Belleville, Romulus, Huron Township, Sumpter Township and Van Buren Township agree to the adoption of a plan of current jurisdiction which designates the 34th District Court as a satellite location for the Family Division - Juvenile Section of the Third Circuit Court.

This plan permits 34th District Court to participate in the Juvenile Cases in District Court Program (JCDC) under which the 34th District Court processes and adjudicates eligible misdemeanor cases involving juvenile residents of the Belleville, Romulus, Huron Township, Sumpter Township and Van Buren Township communities committed within those communities.

Said governing bodies agree that fines and costs collected by the 34th District Court under this program are to be distributed pursuant to statute, and that fees may be collected to cover the costs of probation oversight and educational/sanction programs.

Said governing bodies agrees that the local funding units of the 34th District Court shall fund the adjudicating and processing JCDC-eligible cases within the District Court budget without expectation of County reimbursement.

Said governing bodies also agree that the local funding units of the 34th District Court may fund additional or sanctions programs it voluntarily provides for JCDC defendants without expectation of County reimbursement.

Said governing bodies agree that the County of Wayne shall make available to JCDC defendants programs for which non-JCDC defendants within the County may be eligible at the discretion of the sentencing judge at no cost to the local funding units of the 34th District Court.

Richard Smith 5-5-08
City of Belleville Representative Date
Mayor

Alan Kales 5-20-08
City of Romulus Representative Date

[Signature] 6-19-08
Huron Township Representative Date

[Signature] 5-19-08
Sumpter Township Representative Date

[Signature] 7.1.08
Van Buren Township Representative Date

Appendix C

Local Administrative Order



Thirty-fourth District Court
11131 Wayne Rd.
Romulus, MI 48174

Third Circuit Court
2 Woodward
Detroit, MI 48226

Local Administrative Order 2008-09J

Adjudication of Juvenile Cases in District Court (JCDC) Under Concurrent Jurisdiction Plan

IT IS ORDERED:

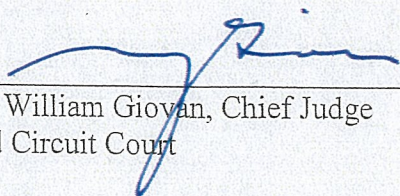
This administrative order is issued in accordance with MCR 8.111, MCR 8.112, Administrative Order 2003-1, MCL 712A.2, MCL 600.1517, and MCL 600.401.

Pursuant to 2002 Public Act 678, the Third Circuit Court and the Thirty-fourth District Court have entered into a concurrent jurisdiction agreement to name the Thirty-fourth District Court as a satellite of the Third Circuit Court Family Division-Juvenile Section through participation in the *Juvenile Cases in District Court* program (JCDC). Under the JCDC program, District Court judges adjudicate cases involving resident juveniles charge with misdemeanors committed within the District.

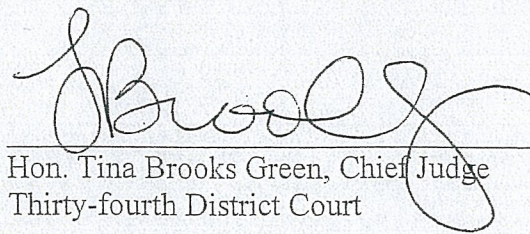
1. Under the Juvenile Cases in District Court (JCDC) concurrent jurisdiction plan adopted by the Third Circuit Court and the Thirty-fourth District Court, the Thirty-fourth District Court shall be designated as a satellite location at which misdemeanor cases involving juvenile defendants are adjudicated by the judge(s) of the District Court as provided by MCL 600.1517(3).
 - a. Only those cases involving misdemeanors which occur within the District shall be adjudicated in the Thirty-fourth District Court.
 - b. Only those cases involving residents of the District who are not in custody and/or who do not have pending cases in the Third Circuit Court shall be adjudicated in the Thirty-fourth District Court.

2. Cases eligible for adjudication in the Thirty-fourth District Court under the JCDC program shall be assigned to the District judges by blind draw.
3. Cases ineligible for adjudication in the Thirty-fourth District Court under the JCDC program shall be filed at the Third Circuit Court Family Division-Juvenile Section and be assigned to referees and judges pursuant to standard operating practices and procedures.
4. Motions filed to disqualify the assigned District judge shall be acted upon by the assigned District judge. If the assigned District judge denies the motion, at the request of the party, the motion shall be heard *de novo* by the Chief Judge of the Third Circuit Court. If the Chief Judge of the Third Circuit Court grants the motion to disqualify the assigned judge, the case shall be reassigned to another District judge within the Thirty-fourth District Court. Cases which cannot be reassigned within the Thirty-fourth District Court shall be forwarded to the Third Circuit Court where it will be processed and adjudicated according to standard operating practices and procedures by Third Circuit Court Family Division-Juvenile Section staff, referees, and judges.
5. The JCDC cases filed in the Thirty-fourth District Court shall be processed in accordance with statutes, court rules, Third Circuit Court policies, and the guidelines of the JCDC program governing: case types/charges to be adjudicated; juvenile eligibility; case, forms, and records management; assessment and distribution of fines, costs, and oversight fees; sanctions, supervision/probation, and programs; probation officers' assignments and training; and assignment of appointed counsel.
6. Changes to the JCDC program must be approved by the Chief Judge of the Third Circuit Court, the Chief Judge of the Thirty-fourth District Court, and SCAO.
7. The Third Circuit Court and the Thirty-fourth District Court shall provide copies of this order, as well as copies of pertinent procedures, to all appropriate law enforcement agencies.

Date: August 8, 2008



Hon. William Giovan, Chief Judge
Third Circuit Court



Hon. Tina Brooks Green, Chief Judge
Thirty-fourth District Court

Effective: March 1, 2009

Appendix D

Organization Chart

JCDC Organization Chart

