

THIRD JUDICIAL CIRCUIT
OF MICHIGAN

VIRGIL C. SMITH
CHIEF JUDGE

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

(313) 224-5430

LOCAL ADMINISTRATIVE ORDER 2010-05

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT

SUBJECT: APPOINTMENT OF DOMESTIC RELATIONS ATTORNEY REFEREE

This Administrative Order rescinds and replaces Administrative Order 2009-35

This Administrative Order is issued in accordance with Michigan Supreme Court Administrative Order 2009-6, effective January 1, 2010. In accordance with MCL 552.507(1) and MCR 3.215(A), and upon approval of the State Court Administrative Office (SCAO),

IT IS ORDERED:

1. The Chief Judge of the Third Circuit Court appoints Attorney Referee **Joseph A. Schewe**. The Referee's contact information is:

Name	Joseph A. Schewe
Bar Number	P23338
Court Address	Penobscot Building
	645 Griswold, Room 654
	Detroit, MI 48226
Phone Number	(313) 224-5341
E-mail Address	Joseph.Schewe@3rdcc.org

It is the responsibility of the Referee to notify the State Court Administrative Office of changes in the individual's contact information during the course of the appointment.

2. **Joseph A. Schewe:**

- A. Will serve at the pleasure of the Chief Judge of Third Circuit Court.
- B. Will take the constitutional oath of office.
- C. Is a member, in good standing, of the State Bar of Michigan, pursuant to MCL 552.5071.

3. The following types of motions may be heard initially by Domestic Relations Referees. Referee **Joseph A. Schewe** is authorized to perform the following duties pursuant to MCL 552.507(1) and MCR 3.215(A):

Hear all domestic relations motions.

Hear all domestic relations motions and any ancillary (related non-domestic relations) motions that the Court determines to be related to a domestic relations case.

Hear all domestic relations motions, with the exception of those listed below:

Exceptions:

- A. Spousal support motions; and
- B. Other motions: Orders to Show Cause for failure to pay support; Motions for Discovery; Motions to Vacate the Home; Motions to Appoint Experts and Receivers and to Assess Fees; Motions for Change of Domicile; Motions to Enforce a Judgment; Motions for Relief from Judgment; Motions regarding Statute of Limitations; Motions regarding all Legal Issues; and Motions regarding Financial Aspects other than child support.

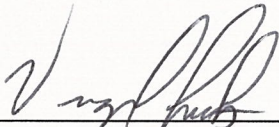
The following types of domestic relations motions shall be initially heard by a Circuit Court Referee:

- A. Post-judgment custody motions;
- B. Parenting time motions; and
- C. Child support motions.

4. The Domestic Relations Referee is authorized to conduct the following scheduling and settlement conferences in domestic relations cases in accordance with MCR 3.215:

- Scheduling conferences in domestic relations cases. The Court must review and may either approve or modify the Referee's scheduling.
- Settlement conferences in domestic relations cases.
- This provision does not apply.
- 5. Recommendations for certain orders by the Domestic Relations Referee shall be given interim effect pending a judicial hearing on a timely objection or pending the twenty-one (21) day waiting period as authorized by MCR 3.215(g):^a
 - Orders establishing custody
 - Orders establishing support
 - Orders establishing parenting time
 - Orders modifying support when custody does not change
 - Orders implementing income withholding
 - This provision does not apply.
- 6. Except as limited by subrules MCR 3.215 (G)(2) and (G)(3), the recommended order of a Domestic Relations Referee shall be given interim effect (pending a judicial hearing) only upon an order of the Court issued in the same case.

Effective Date: May 1, 2009



Virgil C. Smith, Chief Judge
Third Circuit Court

Date: May 14, 2010

^a MCR 3.215 (G)(2) provides that the court may not give interim effect to a referee's recommendation for an order for incarceration, an order for forfeiture of any property, or an order imposing costs, fines or other sanctions.

MCR 3.215 (G)(3) provides that the court may not by administrative order give interim effect to a referee's recommendation for an order that falls within MCR 3.215 (G)(2), that changes a child's custody, that changes a child's domicile, or that would render subsequent judicial consideration of the matter moot.

If the court issues an administrative order that gives interim effect to a referee's recommended order, the court must notify the parties of its interim effect by including a notice, under a separate heading, within the referee's recommended order. The notice should be printed in 12-point-or-larger boldface type.