

FORTY-NINTH JUDICIAL CIRCUIT OF MICHIGAN

COUNTIES OF MECOSTA AND OSCEOLA



Honorable Scott Hill-Kennedy
Chief Circuit Judge

Honorable Ronald C. Nichols
Chief Circuit Judge Pro tem

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Administrative Order 2009-04
MECOSTA COUNTY AND OSCEOLA COUNTY

APPOINTMENT OF DOMESTIC RELATIONS ATTORNEY REFEREE

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 49th Circuit Court appoints David Paul Oostdyk as attorney referee. The referee's contact information is:

Name	DAVID PAUL OOSTDYK
Bar Number	P-56621
Court Address	400 ELM PO BOX 508 BIG RAPIDS MI 49307
Phone Number	231-592-0115
E-mail Address	oostdykd@michigan.gov

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. David Paul Oostdyk
 - A. Will serve at the pleasure of the chief judge of the circuit court.
 - B. Has taken 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 David Paul Oostdyk 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. Increase or decrease of spousal support.

The following types of domestic relations motions shall be initially heard by a circuit court referee:

A. Establishment and modification of custody, parenting time, child support, and medical support

B. Establishment of spousal support

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.

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, support, medical support, parenting time

Orders modifying support when custody does not change

^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.

Orders implementing income withholding

Orders establishing spousal support

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:

Date:

11/24/09


Chief Circuit Court Judge