

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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FAMILY COURT PLAN FOR THE 49TH JUDICIAL CIRCUIT COURT

49TH CIRCUIT COURT (MECOSTA AND OSCEOLA COUNTIES)
ADMINISTRATIVE ORDER NO. 2010-01J

18TH PROBATE COURT (MECOSTA AND OSCEOLA COUNTIES)
ADMINISTRATIVE ORDER NO. 2010-01J

ORDER ADOPTING FAMILY COURT PLAN

In accordance to 2002 Public Act 682; it is hereby ordered that the attached Family Court Plan is adopted.

It is further ordered that Local Administrative Order 2007-01J(C49) and Local Administrative Order 2007-01J(PD18) are rescinded.

Introduction

This Family Court Plan is submitted pursuant to MCL 600.1011 and Supreme Court Administrative Order 2003-02.

A judge's service in the family division shall be consistent with the requirement of developing sufficient judicial expertise in family law.

1. General

This Plan shall be referred to as the Family Court Plan for the 49th Judicial Circuit.

The Chief Judge of the Circuit Court is the Chief Judge of the Family Division and, as such, has final authority over the administration of the Family division of that division.

After consultation with the judges serving in the Family Division, the Chief Judge of the Circuit Court appoints Judge Marco S. Menezes, Chief Judge of the 18th Probate District, to serve as the Presiding Judge of the Family Division.

The Chief Circuit Judge and Chief Probate Judge shall periodically review and revise this plan as necessary.

This plan supercedes any prior plans of this Circuit that have been approved for operation of the Family division.

2. Judicial Resources and Services

The Chief Judge of the Circuit Court has the authority and flexibility to determine the duration of a judge's service in the Family Division. The following judge is designated to serve in the Family Division: Judge Marco S. Menezes.

3. Assignment of Cases

Cases shall be assigned to the judges serving in the Family Division based on MCR 8.111 and pursuant to a separate local administrative order. Cases shall be assigned through said local administrative order based on the judicial resources available and particular judicial expertise.

The local administrative order regarding case assignments will also provide for how cases will be assigned as a result of disqualification of judges.

Family cases currently assigned to Judge Ronald C. Nichols and Judge Scott P. Hill-Kennedy that, pursuant to the administrative order regarding the assignment of such cases, fall into a category or case type that are assigned to Judge Marco S. Menezes shall be assigned to Judge Marco S. Menezes on the effective date of this Plan and any implementing administrative orders.

Pending and new cases shall be assigned under the one judge/one family concept, when practicable.

The judges designed to serve in the Family Division shall continue to do so until this plan is revised.

When a judge's service in the Family Division ends, pending cases will be reassigned to another Family Division judge.

5. Administration

The Chief Judge has final supervisory authority over the administration of the Family Division of the Circuit Court.

The Presiding Judge of the Family Division is responsible for the day-to-day operations of the Family Division of the Circuit Court. This includes the responsibility for the administration, staffing, policy and supervision of the Mecosta/Osceola Counties Friend of the Court and all Juvenile staff.

The administrative structures, including coordination of staff and supervisory responsibilities and the budget process are pursuant to the attached organizational chart.

6. Records Management

Given staffing and facilities limitations, the County Clerks for the counties of Mecosta and Osceola have agreed to fulfill their responsibilities as Clerks of the Circuit Court in their respective counties as such relate to the Family Division of the Circuit Court as follows.

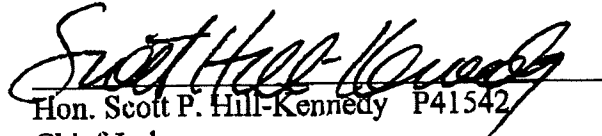
Case filings which, prior to January 1, 1998, were required to be filed with the county clerk shall continue to be so filed. Case filings which, prior to January 1, 1998, were required to be filed with the juvenile division of the probate court shall continue to be so filed. Since all filings in the juvenile division made after January 1, 1998 are considered to be circuit court filings, the Clerks for the counties of Mecosta and Osceola counties have agreed to provide limited deputization as deputy county clerks to the circuit court employees serving in the juvenile division for the limited purposes of receiving, filing storage and other official handling of the files and records of that division.

The files of the juvenile division shall continue to be retained and stored in the secure area of the respective county buildings/court houses they have historically been retained/stored, even though they shall be considered to be files of the Circuit Court.

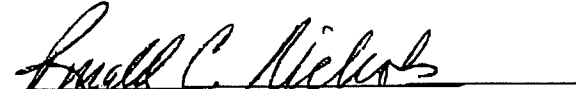
The office of the Circuit Court Clerk is the central access point to provide the public and the bar information regarding the family division and related activities, such as where to file documents, records storage, records access and case scheduling.

The county clerks have been afforded the opportunity to participate in the development of this plan for the management of court records.

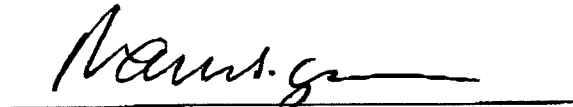
Date: 1/29/10


Hon. Scott P. Hill-Kennedy P41542
Chief Judge,
49th Judicial Circuit

Date: 2-2-10


Hon. Ronald C. Nichols P35639
Chief Judge Pro Tem

Date: 2/2/10


Hon. Marco S. Menezes P43539
Chief Judge,
18th Probate District

ORGANIZATIONAL CHART
49TH JUDICIAL CIRCUIT COURT

FAMILY COURT DIVISION OF THE CIRCUIT COURT

