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**55<sup>th</sup> JUDICIAL DISTRICT COURT  
CASEFLOW MANAGEMENT PLAN**

JAMES P. HUGHES  
REGIONAL ADMINISTRATOR  
REGION 2

2004-02

**IT IS ORDERED:**

This administrative order is issued in accordance with Michigan Supreme Court Administrative Order 2003-7, effective January 1, 2004.

**GOALS OF THE COURT:**

The 55<sup>th</sup> Judicial District Court adopts the following Caseflow Management Plan to expedite the litigation process and reduce any delays during case processing.

**CASE PROCESSING TIME STANDARDS:**

The Court adopts time standards for case processing as follows:

**A). CIVIL PROCEEDINGS:**

- 1. **General Civil:** 90% of all general civil and miscellaneous civil cases should be adjudicated within 273 days from date of case filing; 98% within 364 days; and 100% within 455 days except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.
- 2. **Summary Civil:** 100% of all small claims, landlord tenant and land contract actions should be adjudicated within 126 days from the date of case filing except for those cases where the jury is demanded, actions should be adjudicated within 154 days from the date of case filing.

**B). FELONY, MISDEMEANOR, EXTRADITION and FUGITIVE HEARINGS:**

- 1. **Misdemeanor:** 90% of all statute and ordinance misdemeanor cases, including drunken driving and misdemeanor traffic should be adjudicated within 63 days from the date of first appearance, 98% within 91 days; and 100% within 126 days.
- 2. **Felony and Extradition/Detainer:** 100% of all preliminary examinations in felony, felony drunk driving, and felony traffic and extradition/detainer cases should be commenced within 14 days of arraignment unless good cause is shown.

**C). CIVIL INFRACTION PROCEEDINGS:** 90% of all civil infraction cases, including traffic, non-traffic and parking cases should be adjudicated within 35 days of the date of filing; 98% within 56 days; and 100% within 84 days.

**D). MATTERS SUBMITTED TO THE JUDGE:**

Matters under submission to a judge or judicial officer should be promptly determined. Short deadlines should be set for presentation of briefs and affidavits and for the production of transcripts. Decisions, when possible should be made from the bench or within a few days of submission. In extraordinary cases, a decision should be rendered no later than 35 days after submission.

**SCHEDULING POLICY:**

The Court adopts a scheduling policy whereby all cases or contested matters will be set in a manner that minimizes delay for the parties and that reduces the possibility of adjournment of set times. This includes early and continuous control of all cases from case initiation through post-disposition through the use of:

1. appropriate case screening;
2. scheduling orders and conferences for the purpose of achieving date certainty;
3. management of discovery and motion practice;
4. realistic setting of trial dates and time limits; and
5. court control of adjournments in compliance with MCR 2.503(B) for the purpose of achieving date certainty.

Cases and contested matters will be continually reviewed to ensure that no case exists for which a future action or review date has not been set by the Court. If a defendant personally appears for a Small Claims or Traffic Informal, a future hearing date is set and the defendant noticed before leaving the court.

**ADJOURNMENT POLICY:**

The Court adheres to the following adjournment practices:

**PRETRIALS:** Unless the Court allows otherwise, a request for an adjournment must be by verified and written motion based on good cause shown; or stipulation of opposing party. All requests for adjournment will be decided by the judge or his or her designee. Adjournments granted will be classified and tracked based on the reason given.

**TRIALS OR HEARINGS:** Such proceedings can only be adjourned by the court

for good cause shown.

**INFORMAL HEARINGS:** Informal hearings may be adjourned upon the request from either party as long as the request is made three weeks before the scheduled hearing. The request must be made in writing for judicial review and will only be granted for extraordinary circumstances or emergency situations. The judicial officer determines if good cause was shown before approval for adjournment is granted.

### **ALTERNATIVE DISPUTE RESOLUTION:**

The Court promotes the use of alternative means with which to resolve disputes. Litigants will be offered Alternative Dispute Resolution when ordered by the Judge. The Court also provides mediation services on small claims matters with support from mediators from Cooley Law School and Michigan Dispute Resolution Center. Parties are offered these services prior to a hearing scheduled with the court.

### **PRETRIAL SCHEDULING ORDERS:**

The Court provides pretrial notices to all defendants at arraignment of the pretrial date or next scheduled action to all parties involved in the pretrial phase of case processing.

#### **A. SETTLEMENT OR FINAL PRETRIAL CONFERENCES:**

Every action that is not disposed of through mediation, case evaluation, or other means, will be scheduled for a settlement conference in accordance with MCR 2.401. Persons with authority to settle the case, including the parties to the actions, agents of the parties, representatives of lien holders, or representatives of insurance carriers shall be present at the conference, or with approval of the Court, immediately available at the time of the conference via telecommunications.

#### **B. TRIAL SCHEDULING AND MANAGEMENT:**

Trial dates shall be set and defendants noticed at the conclusion of the pretrial conference. To avoid future scheduling conflicts, attorneys must be able to confirm their trial date availability at the conference.

### **MONITORING SYSTEM:**

The case management system of the Court will, at a minimum, provide the capability to:

1. monitor case progress;
2. generate various reports for measuring pending inventory, delay, activity,

and scheduling practices; and

- 3. generate reports showing compliance with time guidelines.

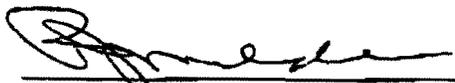
The following reports are made available from the case management system in order to effectively monitor the caseflow of cases in District Court:

- \*Pending Inventory*
- \*Caseload*
- \*Speedy Trial*
- \*14DEF/Warrant (tickler)*
- \*Bond Forfeiture (tickler)*
- \*Extension (tickler)*
- \*Unknown Bonds (tickler)*
- \*Scheduling Reports (hearing type and case type)*
- \*Lack of Progress/Service*

**J. Implementation**

The implementation of this Plan will assist the 55<sup>th</sup> District Court with adhering to the recommended caseflow guidelines as ordered by the Michigan Supreme Court in Administrative Order 2003-7.

Date: December 20, 2004

  
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 Pamela J. McCabe, Chief Judge