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*State of Michigan, St. Joseph County  
45<sup>th</sup> Judicial Circuit Court  
St. Joseph County Probate Court  
3-B District Court*

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ST. JOSEPH COUNTY  
ADMINISTRATIVE ORDER

45<sup>th</sup> Judicial Circuit 2015-02J  
3B Judicial District 2015-06J  
75<sup>th</sup> Judicial Probate 2015-01J

Rescinds Local Administrative Order 45<sup>th</sup> Circuit 2011-01,  
3B District 2011-03 and 75<sup>th</sup> Probate 2011-01.

**CASEFLOW MANAGEMENT PLAN**

**IT IS ORDERED:**

This administrative order is issued in accordance with Michigan Supreme Court Administrative Order 2013-12.

**A. Goals of the Court**

The court adopts the following Caseflow Management Plan to:

1. Expedite the disposition of all cases in a manner consistent with fairness to all parties and what is permissible under law;
2. Minimize the uncertainties associated with processing cases;
3. Ensure equal access to the adjudicative process for all litigants.

**B. Case Processing Time Guidelines**

The court adopts this plan to comply with the time guidelines as set forth in Administrative

Order 2013-12.' The court will not dismiss a case for the sole reason that it is likely to exceed the guideline.

**C. Scheduling Policy**

The court will schedule all cases or contested matters in a manner that minimizes delay for the parties and that reduces the possibility of adjournment of scheduled events. The court will control all cases from case initiation through post-disposition proceedings by:

1. Appropriate case screening;
2. Scheduling conferences and orders for the purpose of achieving date certainty;
3. Management of discovery and motion practice;
4. Realistic scheduling of all court events.

The court will monitor all cases and contested matters to ensure that no case exists for which a future action or review date has not been scheduled. The court will schedule all cases pursuant to the time guidelines set forth in Administrative Order 2013-12. The court will not permit a case or contested matter to remain on this court's docket in excess of the guidelines set forth in this local administrative order without immediate judicial review.

**D. Adjournment Policy**

The court strictly adheres to MCR 2.503. All adjournments must be approved by the Judge.

**E. Alternative Dispute Resolution (ADR)**

The court encourages alternative means to resolve disputes. Litigants will be provided with information regarding area dispute resolution, counseling centers, mediation and case evaluation, etc. Civil cases in the 45<sup>th</sup> Circuit will be referred to the court's ADR Plan. Cases referred to ADR shall remain open.

**F. Pretrial Scheduling Orders**

Circuit:

- a. Upon receiving an Answer(s) to the Complaint in civil cases, the case will be set for pretrial and which time deadlines are established, including ADR, settlement and trial dates.

- b. Following the defendant's bind-over in criminal cases, the case will be set for a settlement/status conference and trial date.

District:

- a. Upon receiving an Answer(s) to the Complaint in civil cases, an Interim Pretrial Scheduling Order will be issued by the court. Cases are reviewed after 35 days for issuance of a Trial Order. The Trial Order will contain a notice of Pretrial Conference or Settlement Conference, set 30 days from the date of the Trial Order, if deemed advisable by the assigned judge. 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. Following a criminal arraignment, a probable cause conference is set not less than 7 days or more than 14 days after arraignment and a preliminary examination is set not less than 5 days or more than 7 days following the probable cause conference.

Probate:

- a. Upon receiving notification that a Probate case is contested, either by written objection being filed, motion hearing being held, or verbal notice being given on the record, the case shall be set for pretrial conference, ideally within approximately 30 days of such objection/contest.
- b. As soon as possible, after the pretrial conference, other scheduling deadlines and dates shall be established, including but not limited to mediation (if applicable), case evaluation (if applicable), settlement conference, and trial dates, using the "Pretrial Stipulation and Order".

#### **G. 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 and conducted in accordance with MCR 2.401.

#### **H. Trial Scheduling and Management**

Circuit Court:

Trial dates are set at either pretrial or status conference date. No trial will be

adjourned without approval of the Judge.

District Court:

Trial dates are scheduled at either Pretrial or status hearing dates. Trial dates will be scheduled in a manner that minimizes adjournments for scheduling conflicts and ensures trial date certainty.

Probate Court:

Trial dates are scheduled after the completion of the pretrial conference using "Pretrial Stipulation and Order" as the mode for notice. No trial will be adjourned without approval of the Judge.

## **I. Monitoring Systems**

The court's case management system will:

1. Monitor case progress;
2. Generate reports for measuring pending inventory and measuring compliance with the time guidelines.

Specific reports that will be available from the case management system are: cases with no next action date, age of pending cases, number of cases pending beyond time standards by judge, age of cases at each event, age of cases at disposition, time intervals between events, and exception reports.

Date:

8/3/15



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Signature of Chief Judge