

**STATE OF MICHIGAN  
13th Judicial Circuit  
FAMILY COURT PLAN**

**A. Introduction and General Provisions**

This plan is imposed by the State Court Administrative Office for the 13<sup>th</sup> Judicial Circuit, after the Chief Circuit Judge and Chief Probate Judges were unable to agree on a plan for operation of the family division of the circuit court. This family court plan is required by MCL 600.1011, as amended by 2002 PA 682, and is herein referred to as the “family court plan” or “the plan”.

The 13<sup>th</sup> Circuit Court is made up of the counties of Grand Traverse, Antrim, and Leelanau.

The Chief Judge of the Circuit Court has supervisory authority over the administration of the family division of the 13<sup>th</sup> Circuit Court.

Judge Phillip Rodgers, Chief Circuit Judge; Judge Thomas Power, Circuit Judge; and Judges David Stowe, Norman Hayes, and Joseph Deegan, Chief Probate Judges shall serve in the Family Division as specified in this plan. Judge Stowe is appointed the Presiding Judge of the Family Division in Grand Traverse County, Judge Hayes is appointed the Presiding Judge of the Family Division in Antrim County, and Judge Deegan is appointed the Presiding Judge of the Family Division in Leelanau County.

A judge’s service in the family division will require the continued development of judicial expertise in family law. All five judges have expertise in family law, both from the bench and from prior private practice. The judges shall continue to develop that expertise by regular participation in training offered through the Michigan Judicial Institute and other providers.

The judges serving in the family division will meet every 3 months, at minimum, to address administrative and operational issues affecting the family division and to communicate on family law issues.

The judges serving in the family division will meet every 6 months with the SCAO Region IV Administrator to review the imposed family division plan.

This plan supersedes all prior plans that have been approved for the operation of the family division of the 13<sup>th</sup> Circuit Court.

## **B. Judicial Resources and Service.**

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 5 judges serving in the family division have been identified in paragraph A., above. In addition to the judges, the court has available two attorney referees and two non-attorney referees.

It is not practical for the judges serving in the family division to serve full time. The circuit judges have judicial responsibilities in civil and criminal cases for the circuit in addition to family cases. The probate judges have judicial responsibilities for probate court cases in the county in which they serve.

Probate judges serving pursuant to this plan have the same power and authority as a circuit judge in family division matters within the county of the 13<sup>th</sup> Circuit Court in which they serve pursuant to Section A, in addition to the powers and authority of a judge of the probate court.

Referees will be utilized to the extent permitted by statute and court rule. Attorney referees will be cross-trained to enable them to hear both domestic relations and juvenile cases as permitted by statute and court rule. The court will regularly review the functions of referees to ensure that they are utilized appropriately.

## **C. Assignment of Cases.**

The probate judges in Antrim and Leelanau Counties, the Probate Judges will be assigned all family cases in their counties. The probate judges will be available for assignment by the State Court Administrator to the Grand Traverse County family division as necessary.

In Grand Traverse County, the Probate Judge will be assigned all family cases which were formerly within the jurisdiction of the Probate Court, half of the cases of divorces involving children, and personal protection order cases involving children.

In Grand Traverse County, the circuit judges will be assigned all family cases involving divorces without children, half of the cases of divorces involving children, and all personal protection orders not involving children.

The court will implement the one family/one judge concept. Where there is a subsequent filing of a case involving the same family that was involved in a prior case, the judge handling the prior case shall be assigned that and all subsequent cases involving the same family; except that in Grand Traverse County, when a domestic relations case is assigned to a circuit judge and a subsequent juvenile

case involving the same family is filed, the case will be reassigned to the presiding family division judge.

In the event of a disqualification of a judge in Grand Traverse County, the case will be assigned by the SCAO to one of the remaining available circuit and probate judges.

In the event of a disqualification of the presiding family division judge in Antrim or Leelanau County, one of the circuit judges will be assigned by lot to hear the case.

#### **D. Administration**

##### **1. Staff Coordination.**

Staff currently serving in each unit of the family division, i.e. friend of the court, juvenile court, secretarial-clerical, court administrators, and court reporting will continue to function in the same manner as they currently do. Staff have extensive experience in their assigned functions.

##### **2. Supervisory Responsibility.**

The Chief Circuit Court Judge has supervisory authority of the administration of the family division and shall supervise the circuit court administrator, court reporter, and the personnel of the Friend of the Court in all three Counties. The Presiding Judges shall directly supervise the personnel of the Juvenile Division. The Friends of the Court and Juvenile Court Officers or Administrators will continue to supervise the personnel in their respective departments on a day to day basis.

##### **3. Budget**

The court will continue to prepare, submit, monitor, and report budgets as was established in the prior family division implementation plan.

The chief judge and presiding judges shall consult regarding budget issues.

##### **4. Scheduling**

Initial scheduling of domestic relations cases will be done centrally. In the event that a case requires rescheduling, the judge who is assigned to the case is responsible for rescheduling it.

The chief judge, in conjunction with all judges serving in the family division, will develop a decentralized scheduling procedure for implementation within 12 months of the imposition of this plan.

An organizational chart of the Family Division will be developed by the court and submitted for attachment to this plan.

#### **E. Records Management**

All filings will occur in the same manner as established in the prior family division implementation plan. It was determined that there was insufficient space or personnel to accommodate a transfer of files or filing.

The County Clerk's office is the central access point in each county to provide the public and bar information regarding the family division cases. Friend of the court, juvenile staff, and probate court staff will assist the Clerk's office, as necessary, in providing such information.

The county clerks in all three counties will work with other court staff to coordinate full implementation of a computer system which links all family cases and accommodates mandated state reporting. The court will continue to cooperate in developing electronic solutions to records issues.

The county clerks will be provided with a copy of this plan to afford the clerks the opportunity to participate in the development of this plan for management of court records.



**Michigan Supreme Court  
State Court Administrative Office**

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Lansing, Michigan 48909

Phone (517) 373-0130

John D. Ferry, Jr., State Court Administrator

July 1, 2003

Hon. Philip E. Rodgers, Jr.  
Chief Judge  
13<sup>th</sup> Circuit Court  
328 Washington St.  
Traverse City, MI 49684

Hon. David L. Stowe  
Chief Judge  
Grand Traverse Co. Probate Court  
400 Boardman St.  
Traverse City, MI 49684

Hon. Norman R. Hayes  
Chief Judge  
Antrim County Probate Court  
205 Cayuga  
Bellaire, MI 49615

Hon. Joseph E. Deegan  
Chief Judge  
Leelanau County Probate Court  
Courthouse  
Leland, MI 49654

Dear Chief Judges Rodgers, Stowe, Hayes, and Deegan:

Enclosed is the family court plan for the 13<sup>th</sup> Circuit Court developed by the State Court Administrative Office for implementation, effectively immediately. This plan was developed pursuant to Supreme Court Administrative Order 2002-3 in view of the fact that you were unable to submit an agreed upon plan by July 1, 2003.

Should you agree to amendments to the plan, you may submit them to the State Court Administrative Office for approval and filing.

Please contact me or Regional Administrator James Covault if you should have any questions.

Sincerely,

John D. Ferry, Jr.

cc: Chief Justice Maura D. Corrigan  
Hon. Thomas G. Power  
James Covault  
Nial Raaen  
William Newhouse