Order

Michigan Supreme Court
Lansing, Michigan

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

March 26, 2014

ADM File No. 2004-04

Administrative Order No. 2014-6

Adoption of Concurrent Jurisdiction Plan
for the 43rd Circuit Court, the 4th District Court,
and the Cass County Probate Court

Administrative Order No. 2003-1 and MCL 600.401 *et seq.* authorize Michigan trial courts to adopt concurrent jurisdiction plans within a county or judicial circuit, subject to approval of the Court.

The Court hereby approves adoption of the following concurrent jurisdiction plan effective immediately:

- The 43rd Circuit Court, the 4th District Court, and the Cass County Probate Court.

The plan shall remain on file with the state court administrator.

Amendments to concurrent jurisdiction plans may be implemented by local administrative order pursuant to MCR 8.112. Plan amendments shall conform to the requirements of Administrative Order No. 2003-1 and MCL 600.401 *et seq.*

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 26, 2014

Clerk



CASS COUNTY CONCURRENT JURISDICTION PLAN APPLICATION

A. APPLICANT SUMMARY

1. Applicant	43rd Judicial Circuit Court, Cass County Cass County Probate Court 4th District Court, Cass County	
Address:	60296 M-62	
	Cassopolis, MI 49031	
2. Contact Person:	Carol Montavon Bealor	Title: Court Administrator
Address:	60296 M-62	
	Cassopolis, MI 49031	
Fax:	269-445-4435	
Email:	carolb@cassco.org	

3. Concurrent Jurisdiction Type

[X] Circuit, Probate, and District Court Jurisdictions

[ ] Circuit and Probate Court Jurisdictions

[ ] Circuit and District Court Jurisdictions

[ ] District and Probate Court Jurisdictions

4. Signatures:

Michael E. Dodge 10/24/13

Honorable Michael E. Dodge — Date signed
Circuit Court Judge

Susan L. Dobrich 10/24/13

Honorable Susan L. Dobrich — Date signed
Probate Court Judge

Stacey A. Rentfrow 10-24-13

Honorable Stacey A. Rentfrow — Date signed
District Court Judge

B. PLAN DESCRIPTION

Subject to the approval by the Michigan Supreme Court and subject to the limitations set forth in 2002 PA 678 as amended by 2012 PA 338, a plan of concurrent jurisdiction is adopted by the Judges of Cass County.

This plan of concurrent jurisdiction provides for exercise of power and jurisdiction as follows:

a) The Circuit Court and Circuit Court Judge may exercise the power and jurisdiction of the Probate Court.

b) The Circuit Court and Circuit Court Judge may exercise the power and jurisdiction of the District Court.

c) The Probate Court and Probate Court Judge may exercise the power and jurisdiction of the Circuit Court.

d) The Probate Court and Probate Court Judge may exercise the power and jurisdiction of the District Court.

e) The District Court and District Court Judge may exercise the power and jurisdiction of the Circuit Court.

f) The District Court and District Court Judge may exercise the power and jurisdiction of the Probate Court.

C. CERTIFICATION OF PLAN APPROVAL

Adoption of this plan by the Judges of the 43rd Judicial Circuit Court, the Probate Court and the 4th District Court of Cass County, Michigan is evidenced by the respective Judges' signatures herein.

D. PROPOSED JUDICIAL RESOURCE ALLOCATION & ADMINISTRATION

1. CONCURRENT JURISDICTION PLAN GOALS

The anticipated benefits that will be realized through the adoption of this plan include:

a. Judicial Resources: making the best use of Judges, Magistrates and Referees

i. Greater flexibility in assigning Judges and quasi-judicial officers to cases

ii. Reduce redundant judicial and quasi-judicial activities

iii. Ability to consolidate related matters

iv. Ability to assign judicial resources based on need and workload

v. More equitable distribution of workloads

vi. Improve flexibility in covering absences and disqualifications

b. Governance and Decision Making: how the Courts will be governed and how decisions will be made

i. Continue implementation of the Judicial Council to approach governance and decision making in a more unified manner focusing on cooperation and collaboration between the Courts

ii. Improve communication among Judges, quasi-judicial officers and administrative staff

iii. Improve communications with funding unit

iv. Ensure that decision making considers the needs of all Court units

v. Reduce competition between Court units for resources

vi. Improve cooperation and teamwork

c. Administration and Fiscal Control: more effective design of administrative structure

    i. Enable assignment of support staff based on need

    ii. Reduce duplication and redundancy of administrative activities

    iii. Increase uniformity of budgeting and financial reporting

    iv. Increase coordination and effectiveness of collections

    v. Maximize utilization of staff, facilities and capital resources

    vi. Improve utilization of courtrooms

    vii. Standardize rules, policies and procedures

    viii. Create opportunities for planning, innovation and self-evaluation

d. Information Systems: how the Court can best use or improve technology

    i. Improve integration of case management systems

    ii. Improve public access to Court information

    iii. Achieve timely reporting of required data

    iv. Explore technology innovations such as electronic imaging with a goal of integrating technologies that can increase productivity and efficiency while also eliminating redundancy

e. Case Management: Manage case processing more effectively and efficiently

    i. Reduce delay and duplication

    ii. Minimize unnecessary appearances by and inconveniences to litigants, witnesses, and attorneys

    iii. Increase use of alternative dispute resolution programs

iv. Continue exploring alternate Court programs including but not limited to programs already existing in Cass County such as Family Treatment Court, Sobriety Court, Adult Treatment Court, and Swift and Sure Sanctions Probation Program

v. Improve compliance with time guidelines

2. JUDICIAL RESOURCES

a. The Judicial Council will continue to review the issue of case assignment to ensure cases are timely heard while also taking into consideration that there is an equitable distribution of caseloads.

b. The Judicial Council will also review and address special situations such as unexpected or unusual increases in caseload or the unexpected unavailability of a particular Judge. The Judicial Council will review the increase and/or decree of caseloads and the assignments of judicial resources.

c. Except as otherwise provided for in this plan or determined hereafter by the Judicial Council, cases will be assigned to the Courts as if this plan had not been adopted.

d. Circuit Court: The Circuit Court and Circuit Court Judge may exercise the power and jurisdiction of:

i. the Probate Court;

ii. the District Court.

e. Circuit Court/Family Division: The current Family Court Plan, as it may be amended from time to time, is hereby incorporated by reference.

f. Probate Court: The Probate Court and Probate Court Judge may exercise the power and jurisdiction of:

i. the Circuit Court;

ii. the District Court.

g. District Court: The District Court and District Court Judge may exercise the power and jurisdiction of:

   i. the Circuit Court;

   ii. the Probate Court.

h. Special situations: notwithstanding the assignments set forth herein, all Judges will be available to sit in all divisions of the Court if a special need arises and the Judges shall regularly communicate regarding any such need.

i. Appeals from Disqualification rulings shall be assigned on a rotating basis between the remaining qualified Judges.

j. Special assignments: Nothing in this plan limits the authority of the State Court Administrative Office to assign any Judge(s) for temporary or emergency service in any Court.

3. QUASI-JUDICIAL RESOURCES

   a. Magistrates, bailiffs, referees, law clerks, and administrators shall be authorized to act outside of their respective primary Courts to carry out this plan. Each shall assist the other Courts as directed in a spirit of collaboration and cooperation.

   b. The Judicial Council shall review the needs of each Court on a periodic basis to ensure that quasi-judicial resources are being used in the most expeditious and effective manner to meet the needs of the Courts and the spirit and goals of this plan.

4. COURT GOVERNANCE AND ADMINISTRATION

   a. COURT GOVERNANCE: The 43rd Judicial Circuit Court, the Probate Court, and the 4th District Court are separate and distinct. However, in furtherance of the goals stated within this plan, governance shall be accomplished by consensus of the Judicial Council.

      Consensus is defined as acceptance of the decision and support for the decision by all members of the Judicial Council, not as unanimity of

agreement. If any member of the Judicial Council cannot agree to support a decision, no decisions shall be made, unless it is necessary to do so because of a requirement by state law or administrative order of the Supreme Court, or due to exigent circumstances.

The Judicial Council shall be comprised of the Circuit Court Judge, the Probate Court Judge, the District Court Judge, the Probate Registrar, the Juvenile Financial Officer, the County Clerk, the District Court Administrator and the Court Administrator. Additional attendees may be asked to participate from time to time or on a regular basis as determined necessary to carry out the goals of the Judicial Council. The Judicial Council shall meet monthly at times and locations determined by the council. Although only sitting Judges shall be voting members on the council, active participation by other council members in an advisory basis shall be encouraged to ensure a broad spectrum of input into decisions and issues relating to Court governance.

b. ADMINISTRATOR: This plan contemplates the retention of two court administrators: one for District Court and one for Circuit Court/Family Court/Probate Court. However, the Judicial Council will affirmatively review and act on opportunities to reduce costs and increase efficiency.

   Attached is an organizational chart of the Courts under this plan.

5. HUMAN RESOURCES

   a. Except as otherwise provided, this plan contemplates retention of the current employment status (union, nonunion, benefits, etc.) of each Court's staff.

   b. Although employees will continue to be primarily employed by their respective Courts, all employees are expected to cooperate with the goals set out by this plan and to work cooperatively. This is a formalization of what is already occurring. The goal is to have work environment of collaboration and cooperation.

6. BUDGET AND FISCAL MANAGEMENT

   a. The Judicial Council shall coordinate preparation and presentation of budgets. The Judicial Council will review requests by Courts for additional staffing before the annual budget review of the County.

   b. The Judicial Council shall coordinate initiatives for improvement of Court operations through appropriate use of existing and developing technologies, including exploring such technology projects as imaging and e-filing.

   c. The Judicial Council shall coordinate collections initiatives and activities, in order to provide efficient and robust enforcement of all of the Courts' financial assessments.

7. FUNDING UNIT

   a. The Judicial Council shall liaison with the County to carry out the goals and initiatives set forth in this plan.

   b. The Judicial Council shall work collaboratively and cooperatively with the County to ensure efficient and effective management of the Court systems.

8. RECORDS MANAGEMENT

   a. The records of the Circuit Court, Probate Court, and District Court shall continue to be maintained by the respective Court staff in the same manner as the method employed for record management before adoption of this plan.

   b. The ongoing county imaging project shall continue to be explored and pursued to improve the county's records management system.

9. INFORMATION SYSTEMS

   a. The Courts will collaborate and cooperate with the county Information Systems Department to plan for further improvement and enhancement of the existing system.

b. This effort will include exploring more flexible information systems and options including the ongoing county imaging project which is being actively pursued at this time.

10. FACILITIES AND INFRASTRUCTURE

a. This plan does not contemplate any changes to facilities or infrastructure (including security, courtroom utilization, court hours, records maintenance, or location of support activities).

b. The Judicial Council, with input from the Sheriff, will be responsible for establishing and reviewing security policies for the Law & Courts Building.

c. The standardized hours of operation shall continue.

d. The Judicial Council will continue to be mindful of judicial and Court staff needs as well as the needs of the public and review on a period basis any issues related to the Court facilities and infrastructure.

11. JURY MANAGEMENT

a. Jury management is already consolidated in Cass County.

b. This plan contemplates continuing the consolidated jury management system overseen by the Cass County Clerk.

c. The Judicial Council will continue to explore ways to increase jury efficiencies and to minimize inconvenience to Cass County citizens.

12. EXTERNAL RELATIONS AND ACCESS TO JUSTICE

a. In developing this plan, Courts have sought input from a broad spectrum of stakeholders.

b. This plan has been submitted to the local funding unit for a review of the plan's financial implications at least 30 days prior to submission for approval, pursuant to Administrative Order 2003-1.

c. Upon adoption of this plan, persons and entities will be informed of changes in Court policies, procedures and processes through a presentation to the Cass County Board of Commissioners, press releases to various media, posting on the Cass County website, and email notification to members of the Cass County Bar Association.

13. TRAINING

a. Training will continue to be a priority since the successful implementation of this plan contemplates appropriate training and support for judicial and Court support staff.

b. SCAO, MJI, Association training events, and in-house trainings will continue to be utilized for judicial and Court support staff.

14. PLANNING PROCESS

a. This plan was developed over a period of time and it will continue to evolve and be refined as different aspects of the plan are implemented.

b. The Judicial Council will continue to seek input from a variety of stakeholders to ensure that this plan takes into account the community's needs as a whole.

15. AMENDMENT/TERMINATION

a. Except as otherwise allowed or required by law, this plan may be amended in whole or in part upon a majority vote of the Circuit Court, Probate Court and District Court Judges of Cass County.

16. EFFECTIVE DATE

a. This plan shall be effective 91 days after it is approved by the Michigan Supreme Court.

CERTIFICATE OF APPROVAL

43RD JUDICIAL CIRCUIT COURT, CASS COUNTY

The undersigned Judge does hereby approve and adopt the foregoing concurrent jurisdiction plan.

Michael E. Dodge 10/24/13

Honorable Michael E. Dodge Date
Circuit Court

CERTIFICATE OF APPROVAL

CASS COUNTY PROBATE COURT

The undersigned Judge does hereby approve and adopt the foregoing concurrent jurisdiction plan.

Susan L Dobrich 10/24/13

Honorable Susan L. Dobrich Date
Probate Court

CERTIFICATE OF APPROVAL

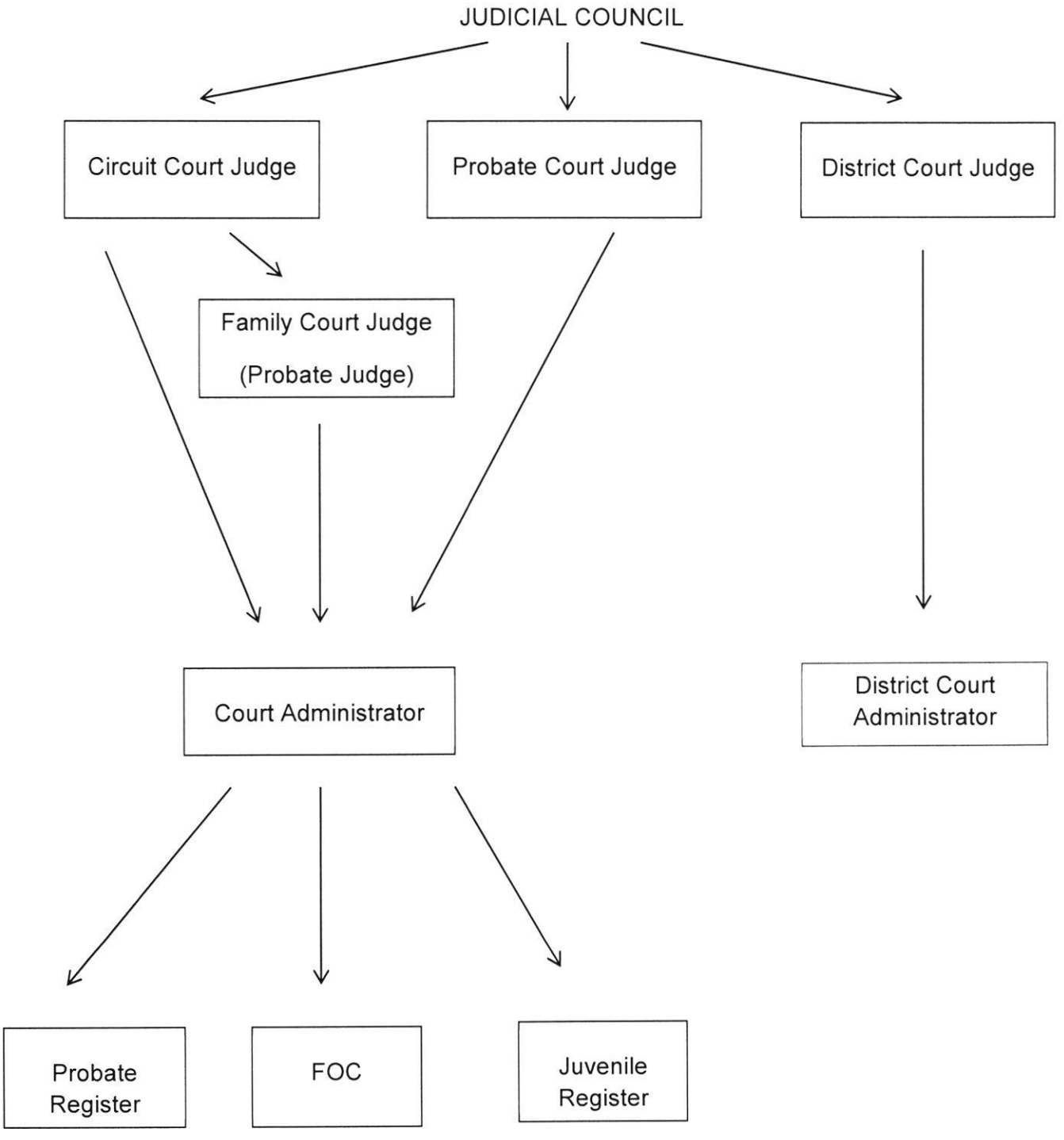
4th DISTRICT COURT, CASS COUNTY

The undersigned Judge does hereby approve and adopt the foregoing concurrent jurisdiction plan.

Stacey A Rentfrow 10-24-13

Honorable Stacey A. Rentfrow Date
District Court

CASS COUNTY JUDICAL COUNCIL ORGANIZATIONAL CHART



Zimbra **carolb@cassco.org**

Cass Concurrent Jurisdiction Plan

From : Region5 Info <region5-info@courts.mi.gov> Mon, Apr 21, 2014 03:20 PM

Subject : Cass Concurrent Jurisdiction Plan

To : carolb@cassco.org, donnad@cassco.org, nancyb@cassco.org, naomic@cassco.org, sued@cassco.org

Cc : Deborah Marks <MarksD@courts.mi.gov>, Region5 Info <Region5-Info@courts.mi.gov>

Cass Concurrent Jurisdiction Plan
C43 2014-02J
D04 2014-01J
P14 2014-01J

Your plan for concurrent jurisdiction, approved by the Michigan Supreme Court to be effective XX, has been given the above local administrative order numbers. Future revisions of the plan may be approved by the SCAO Regional Administrator provided that those revisions do not substantially alter the plan or change the participating courts. The revised plan must be submitted as an LAO and rescind the current LAO.

Jill Booth
Region V Administrator
Michigan State Court Administrative Office
P.O. Box 30048
Lansing, MI 48909
517-373-8679

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