

# The 40th District Court

27701 JEFFERSON AVE.  
ST. CLAIR SHORES, MI 48081

**Joseph Craigen Oster**  
CHIEF JUDGE

**Mark A. Fratarcangeli**  
DISTRICT JUDGE

Telephone: (586) 445-5280  
Fax: (586) 776-5403

**Carolyn A. Povich**  
Court Administrator



## LOCAL ADMINISTRATIVE ORDER 40<sup>TH</sup> District Court LOCAL ADMINISTRATIVE ORDER 2015 - 3

Rescinds Local Administrative Order 2012-01

### **CASEFLOW MANAGEMENT PLAN**

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 of all litigents.

#### **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 guidelines.

**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 game 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.

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

The court encourages alternative means to resolve disputes. Litigants will be provided with information regarding area dispute resolution and counseling centers. Cases referred to ADR shall remain open.

**F. Pretrial Scheduling Orders**

The court prepares Scheduling Orders at the time of pretrial, specifying scheduling and/or completion dates for discovery, motions, case evaluations, final settlement conferences, and jury instructions.

**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 in accordance with MCR 2.401.

**H. Trial Scheduling and Management**

Traffic and criminal trials are scheduled as soon as possible. Attorneys are consulted regarding scheduling once an appearance is filed. Trials are scheduled at the time of the pretrial. Civil trials are scheduled at time of pretrial, generally 60-90 days after pretrial to give all parties sufficient notice.

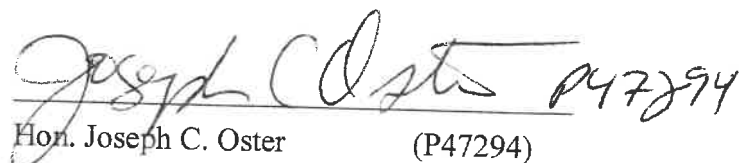
**I. Monitoring Systems**

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 report.

Dated: 7-9-15

  
Hon. Joseph C. Oster (P47294)  
Chief Judge, 40<sup>th</sup> District Court