



WILLIAM C. McCONICO
CHIEF JUDGE

State of Michigan
36th District Court
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LOCAL ADMINISTRATIVE ORDER 2021-07

STATE OF MICHIGAN
THIRTY-SIXTH DISTRICT COURT

SUBJECT: CASE ASSIGNMENTS

This Local Administrative Order rescinds and replaces Local Administrative Order 2018-04.

This Local Administrative Order, issued in accordance with Michigan Court Rules 8.110 and 8.111, sets forth the method to be used for assigning cases within the 36th District Court.

IT IS SO ORDERED:

1. All cases in which a 36th District Court Judge is a party shall be assigned to the Chief Judge for reassignment by the State Court Administrative Office.

CIVIL DIVISION

GENERAL CIVIL

1. General Civil (GC) and Miscellaneous Civil (GZ) cases shall be assigned sequentially at case initiation to the judges assigned to the Civil Division.
2. If one of two or more actions arising out of the same transaction or occurrence has been assigned to a judge, the other action or actions must be assigned to that judge.
3. If an action arises out of the same transaction or occurrence as a civil action previously dismissed or transferred, the action must be assigned to the judge to whom the earlier action was assigned.
4. General Civil (GC) cases involving Property Tax or Income Tax with the City of Detroit as the Plaintiff shall be assigned to judge(s) assigned to hear this docket.

LANDLORD-TENANT

1. Landlord-Tenant (LT) and Land Contract Summary Proceedings (SP) cases shall be assigned sequentially at case initiation to the judges assigned to the Landlord-Tenant Division.

2. If two or more actions are filed during a single transaction, the first case will be assigned sequentially at case initiation and the other actions must be assigned manually to that same judge.
3. For the purpose of administrative efficiency, Landlord-Tenant (LT) filings are not to exceed fifty (50) filings by the same law firm during a single transaction. If the same law firm has additional Landlord-Tenant (LT) filings that exceed (50) filings, the law firm may file the additional Landlord-Tenant filings in a new single transaction on the same day, and may continue to do so throughout the day, but as a new transaction.

SMALL CLAIMS

1. Small Claims (SC) cases shall be assigned to the magistrate assigned to the small claims docket at case initiation and are subject to mediation prior to the proceeding.
2. Cases that cannot be resolved through mediation shall proceed directly to the magistrate's docket on the same day.
3. All Demand and Orders for Removal from Small Claims shall be assigned sequentially to the judges assigned to the Civil Division.
4. Small Claims appeals from the magistrate shall be assigned to the judge(s) assigned to hear this docket.

TRAFFIC/CRIMINAL DIVISION

FELONY

The following sets forth the method used for assignment of Extradition/Detainer (EX), Felony Criminal (FY), Felony Traffic (FT), and Felony Drunk (FD) cases.

1. Felony cases excluding Pre-Exam, Homicide, Domestic Violence, Child Abuse, Elder Abuse, Human Trafficking, and Criminal Sexual Conduct cases (as designated by the Prosecutor's Office) will be assigned sequentially at case initiation to the judges assigned to the Criminal Division.
2. The same judge must preside over all pending felony cases of a defendant. A pending case is one in which the judge has not signed an order binding the defendant over to the Circuit Court.
3. The same judge shall be assigned a new case when the defendant has an outstanding bench warrant from a preliminary examination.
4. The same judge shall be assigned all pending cases when there are multiple defendants.
5. A reissued warrant on a previously dismissed case shall be manually assigned to the judge who dismissed the earlier case.
6. The Felony Non-Support cases (MCL 750.161 and 750.165), will be assigned at case initiation to judges in the Criminal Division assigned to hear each of these dockets.

7. Pre-Exam, Homicide, Domestic Violence, Child Abuse, Elder Abuse, Human Trafficking, and Criminal Sexual Conduct cases will be assigned at case initiation to the judge(s) assigned in the Criminal Division assigned to hear these cases.

MISDEMEANOR

1. Ordinance Misdemeanor Drunk Driving (OD), Ordinance Misdemeanor Criminal (OM), Ordinance Misdemeanor Traffic (OT) and Statute Misdemeanor Traffic (ST) cases shall be assigned at case initiation to the judges assigned to the Traffic/Criminal Division based on the defendant's last name, excluding those cases designated in 2, 3, 4, and 5.
2. For the purpose of administrative efficiency, all Statute Misdemeanor Drunk Driving (SD) shall be assigned at case initiation to judges assigned to the Traffic/Criminal Division to hear this docket.
3. For the purpose of administrative efficiency, all (SM) cases shall be assigned at case initiation to judges assigned to the Traffic/Criminal Division to hear this docket, excluding the cases designated in 4.
4. For the purpose of administrative efficiency, all (SM) domestic violence cases shall be assigned at case initiation to the judge in the Traffic/Criminal Division assigned to hear this docket.
5. For the purpose of administrative efficiency, all violations issued by the Southwest Detroit Police Department precinct, shall be assigned at case initiation to the judge assigned to the Traffic/Criminal Division assigned to Community Court.

CIVIL INFRACTION – TRAFFIC, NON-TRAFFIC and PARKING

1. For contested Ordinance Civil Infraction Traffic (OI), Statute Civil Infraction Traffic (SI), Ordinance Civil Infraction Non-Traffic (ON), Statute Civil Infraction Non-Traffic (SN), Statute Parking (SK) and Ordinance Parking (OK) violations, (excluding Parking Violation Bureau violations), issued by law enforcement agencies that are not participating in Online Plea Hearings or the Pre-Hearing Conference Docket shall be assigned to the magistrate designated to hear informal hearings.
2. For contested Ordinance Civil Infraction Traffic (OI), Statute Civil Infraction Traffic (SI), Ordinance Civil Infraction Non-Traffic (ON), Statute Civil Infraction Non-Traffic (SN), Statute Parking (SK) and Ordinance Parking (OK) violations (excluding Parking Violation Bureau violations) issued by participating law enforcement agencies where the driver indicates a desire to participate in the Online Plea Program, the case shall be assigned to the magistrate assigned to hear that docket. For a driver that does not wish to participate in the Online Plea Program or for violations not disposed of at the Online Plea Hearing, the case shall be assigned to the magistrate designated to hear informal hearings.
3. For contested Ordinance Civil Infraction Traffic (OI), Statute Civil Infraction Traffic (SI), Ordinance Civil Infraction Non-Traffic (ON), Statute Civil Infraction Non-Traffic (SN), Statute Parking (SK) and Ordinance Parking (OK) violations (excluding Parking Violation Bureau violations) issued by participating Law Enforcement Agencies where the driver indicates a desire to participate in a pre-hearing conference, the case shall be placed on

the Pre-Hearing Conference Docket, but not assigned to a judge. For a driver that does not wish to participate in the pre-hearing conference or for violations not disposed of at the pre-hearing conference, the case shall be assigned to the magistrate designated to hear informal hearings.

4. All contested Violation Bureau Ordinance Parking (OK) violations shall be assigned to the magistrate assigned to hear that docket.
5. All requests for formal hearings on (OI, SI, ON, SN, OK, and SK) shall be assigned to judges assigned to the Traffic/Criminal Division to hear this docket.
6. All civil infraction appeals from the district court magistrate shall be assigned to the judges assigned to the Traffic/Criminal Division to hear this docket.

DISQUALIFICATION, TRANSFER OR REASSIGNMENT OF CASES

If a judge is disqualified or for other good cause cannot undertake an assigned case, a written Order of Disqualification stating the reason shall be submitted to the Chief Judge for approval and internal reassignment sequentially among the judges in the respective division unless otherwise specified, or for assignment by the State Court Administrative Office, if all judges are disqualified.

Effective Date: Upon approval of the State Court Administrative Office.

Dated: 8-11-2021

William C. McConico
William C. McConico
Chief Judge

Date Approved by SCAO: 08-17-2021