

**STATE of MICHIGAN**

**31st Circuit Court  
St. Clair County Probate Court  
72nd District Court**

**ADMINISTRATIVE ORDER 2015 - C31-1J  
P74-1J  
D72-3J**

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**CASEFLOW MANAGEMENT PLAN**

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**IT IS ORDERED:**

The management of the flow of cases in the trial court is the responsibility of the judiciary. In carrying out that responsibility, the judiciary must balance the rights and interests of individual litigants, the limited resources of the judicial branch, a realistic assessment of the capabilities of other participants in the justice system, and the interests of the citizens of this state in having an effective, fair, and efficient system of justice. Accordingly, this administrative order is issued in accordance with Michigan Supreme Court Administrative Order 2013-12

Administrative Order 2011-1 for the 31<sup>st</sup> Circuit, 72<sup>nd</sup> District, and St. Clair County Probate Court are rescinded.

**A. Goals of the Court**

The Court adopts this Caseflow Management Plan to:

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

**B. Case Processing Time Standards**

The Court adopts the time guideline standards for case processing as set forth in Michigan Supreme Court Administrative Order 2013-12. These guidelines are not intended to supersede procedural requirements in court rules or statutes for specific cases and the court will not dismiss a case for the sole reason that it is likely to exceed the guideline.

### **C. Scheduling Policy**

The Court adopts a scheduling policy whereby all cases or contested matters will be set 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 initiation through post-disposition proceedings by:

1. Appropriate case screening;
2. Scheduling orders and conferences for the purpose of achieving date certainty;
3. Management of discovery and motion practice;
4. Realistic setting of trial dates and time limits.

The court will monitor cases and contested matters to ensure that no case exists where a future action or review date has not been scheduled. Scheduling will be done in accordance with 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 without immediate judicial review.

### **D. Adjournment Policy**

The Court adopts the adjournment policy set forth in MCR 2.503.

### **E. Alternative Dispute Resolution**

The Court promotes the use of alternative means with which to resolve disputes. Litigants will be provided with all available information regarding area dispute resolution and counseling centers. In addition, case evaluation is utilized as appropriate in civil cases pursuant to the Mediation Selection and Assignment Plan and Alternative Dispute Resolution Plans previously adopted by this court.

### **F. Pretrial Scheduling Orders**

Pretrial scheduling orders are issued upon filing of an answer or at the initial pretrial conference. Discovery, mediation, and other case specific management matters are included in the order.

### **G. Settlement or Final Pretrial Conferences**

Every civil 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. 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.

## H. Trial Scheduling and Management

Trial dates will be set at the pretrial conference.

To avoid future scheduling conflicts, attorneys must be able to confirm their trial date availability at the conference.

## I. Monitoring Systems

The Court's case management system will, at a minimum, provide the capability to:

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

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Specific reports that will be available are: cases with no next action date; age of pending cases; number of cases pending over time standards by judge; age of cases at each event; age of cases at disposition; time intervals between events; and exception reports.

Effective Date: July 1, 2015

*Daniel Kelly*

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Hon. Daniel J. Kelly  
Chief Judge

Date: 6-11-15