

# State of Michigan

Circuit Judges  
Michael J. Beale  
Jonathan E. Lauderbach  
District Judges  
Stephen P. Carras  
John H. Hart  
Probate Judge  
Dorene S. Allen



Jerome M.P. Kole  
Trial Court Administrator  
(989) 837-6595  
(989) 837-6596 Fax  
jkole@co.midland.mi.us

Midland County Courthouse  
301 W. Main Street  
Midland, Michigan 48640-5183

42<sup>nd</sup> Circuit Court Administrative Order 2007- [05]  
Midland County Probate Court Administrative Order 2007- [04]

## ORDER ADOPTING FAMILY COURT PLAN

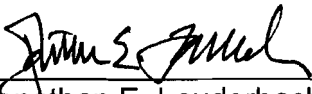
### IT IS ORDERED

This administrative order is issued in accordance with 2002 Public Act 682. The purpose of this order is to adopt the Family Court Plan appended to this Order upon approval by the State Court Administrative Office.

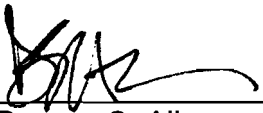
This Order and Plan supersedes and rescinds 42<sup>nd</sup> Circuit Court Administrative Order 2007-01 and Midland County Probate Court Administrative Order 2007-01.

This Order is Effective January 1, 2008.

12/4/07  
Date

  
Jonathan E. Lauderbach  
Chief Judge (Effective January 1, 2008)  
42<sup>nd</sup> Circuit Court

December 4, 2007  
Date

  
Dorene S. Allen  
Chief Judge  
Midland County Probate Court

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## FAMILY COURT PLAN

### A. General

1. This Plan shall be referred to as the "Midland County Family Court Plan" (hereinafter "Plan") and is adopted to ensure the development of expertise in family law.
2. The Chief Judge of the 42<sup>nd</sup> Circuit Court, Judge Jonathan E. Lauderbach, shall have supervisory authority over the administration of the Family Division of the 42<sup>nd</sup> Circuit Court.
3. The Chief Judge of the Midland County Probate Court shall have supervisory authority over the administration of the Midland County Probate Court.
4. The Chief Judge of the 42<sup>nd</sup> Circuit Court and the Chief Judge of the Midland County Probate Court shall review this Plan on a periodic basis.
5. This Plan supersedes and rescinds 42<sup>nd</sup> Circuit Court Administrative Order 2007-01 and Midland County Probate Court Administrative Order 2007-01.

### B. Judicial Resources/Services

1. The Chief Judge of the 42<sup>nd</sup> Circuit Court shall have the authority and flexibility to determine the duration of a judge's service in the Family Division.
2. The Judges who shall serve under this Plan are:

Jonathan E. Lauderbach, Chief Judge, 42<sup>nd</sup> Circuit Court  
Dorene S. Allen, Chief Judge, Midland County Probate Court  
Michael J. Beale, Judge, 42<sup>nd</sup> Circuit Court

3. The presiding judge of the Family Division shall be Judge Michael J. Beale.
4. The presiding judge of the Juvenile Division shall be Judge Dorene S. Allen.
5. Of necessity, these assignments are not "full-time" as defined by the Report of the Family Court Division Task Force. The Courts will divide their jurisdictional resources as required to hear all cases under their respective jurisdictions. That cannot be accomplished with "full-time" service in the Family Division.

C. Assignment of Cases

All cases shall be assigned pursuant to Local Administrative Order.

D. Administration


1. The Judges of the Family Division, as well as the Judges of the 75<sup>th</sup> District Court, have created a Judicial Council with overall administrative control of the courts of Midland County. (A copy of the Family Division organizational chart is attached hereto and made a part hereof.)
2. The Judicial Council has designated a Trial Court Administrator who is responsible for coordination of staff and administration of the Courts, including the budget process.
3. The Trial Court Administrator shall review the existing facilities available to the Courts under this Plan on a periodic basis. Reviews shall consider the Courts needs including provision of places for child care during hearings or other meetings; places for supervised parenting time; places for attorney/client meetings; ways to limit danger of injury to court employees, the public, and records; and safe access to facilities during non-traditional hours.
4. The Family Division operates a youth detention facility and day treatment program, known as the "Juvenile Care Center." Daily management of that facility shall be the responsibility of the Deputy Administrator of the Juvenile Care Center (Juvenile Care Center Director). That individual shall report to the Trial Court Administrator. The Chief Judge of the Midland County Probate Court shall have exclusive supervisory authority over the Trial Court Administrator in regards to this facility.
5. The Family Division oversees the Office of the Friend of the Court. Daily management shall be the responsibility of the Director of the Friend of the Court. That individual shall report to the Trial Court Administrator. The

Chief Judge of the 42<sup>nd</sup> Circuit Court shall have general supervisory authority over the Trial Court Administrator in regards to this operation.

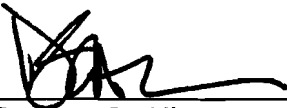
E. Records Management.

1. Court documents shall be filed under this plan as follows:
  - a. All juvenile pleadings (DL and NA) shall be filed with the Court at the Clerk's window on Level B.
  - b. All PPO proceedings involving adult respondents shall be filed with the Court at the Clerk's window on Level 2.
  - c. All PPO proceedings involving juvenile respondents shall be filed with the Court at the Clerk's window on Level B.
  - d. Family Division miscellaneous proceedings, including adoption, shall be filed at Level B, except for Adult PPO's.
  - e. All other proceedings under this order shall be filed with the Court at the Clerk's window on Level 2.
2. Information relating to the operations of the Family Division can be received by contacting the Trial Court Administrator.
3. The County Clerk for the County of Midland has had an opportunity to participate in the development of the plan. Specific opportunities have included comments on Records Management.

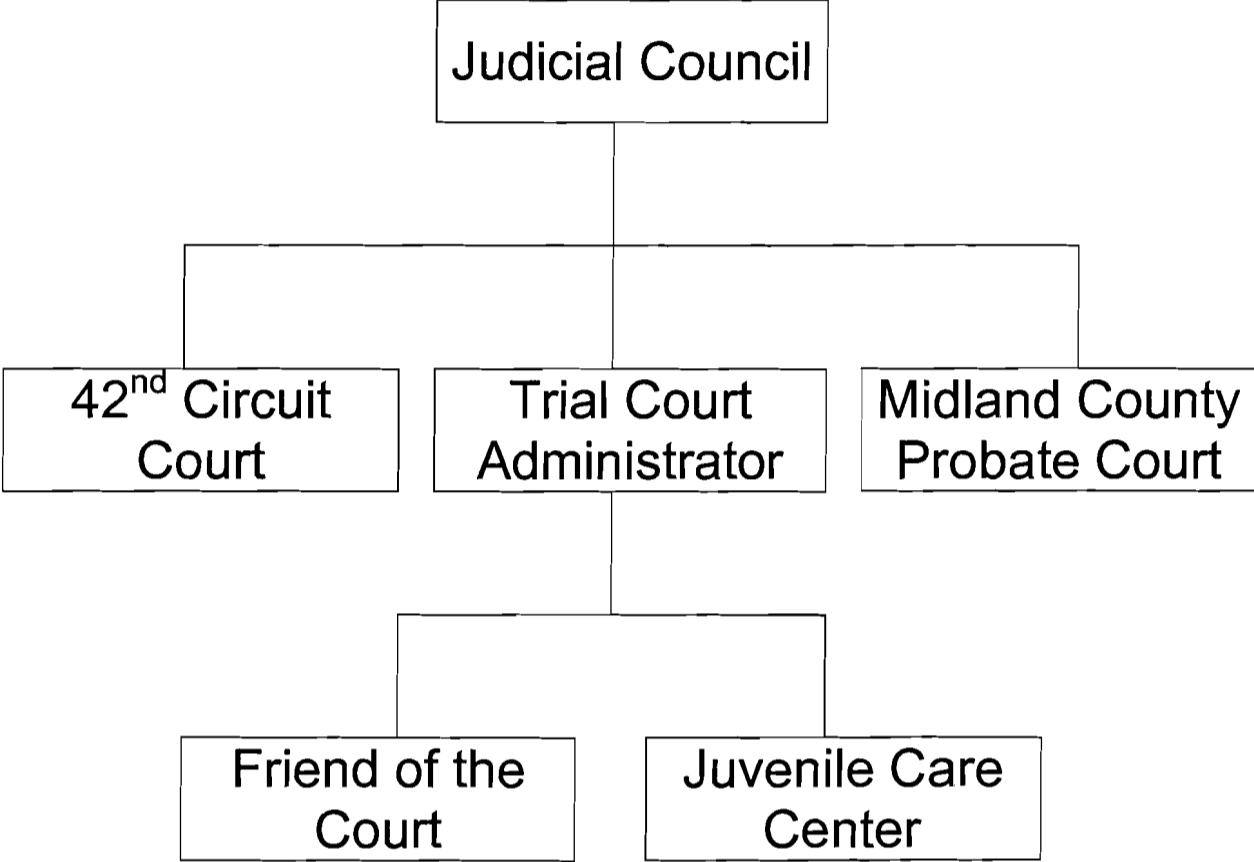
12/4/07  
Date

  
Jonathan E. Lauderbach  
Chief Judge (Effective January 1, 2008)  
42<sup>nd</sup> Circuit Court

December 4, 2007  
Date

  
Dorene S. Allen  
Chief Judge  
Midland County Probate Court

# Family Division Midland County



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42<sup>nd</sup> Circuit Court Administrative Order 2008-01

## CASE ASSIGNMENT ORDER

This Order is Effective March 1, 2008.

### IT IS ORDERED:

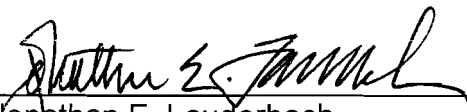
Cases filed within the Midland County 42<sup>nd</sup> Circuit Court shall be assigned as follows:

1. All Delinquency and Neglect cases shall be assigned to Judge Dorene S. Allen.
2. Family Division miscellaneous proceedings, excluding Adult PPO's, and including adoptions, name changes, safe delivery of newborns, emancipation of minors, infectious diseases, parental waivers, guardianships, conservatorships and mental illness proceedings shall be assigned to Judge Dorene S. Allen.
3. All Personal Protection Orders involving Respondents under the age of eighteen shall be assigned to Judge Dorene S. Allen.
4. All Civil Division cases shall be assigned as follows: 50% to Judge Jonathan E. Lauderbach and 50% Judge Michael J. Beale, to be determined by lot, except asbestos cases, which shall be assigned to Judge Michael J. Beale.
5. All Appeals to the Circuit Court shall be assigned as follows: 50% to Judge Jonathan E. Lauderbach and 50% to Judge Michael J. Beale, to be determined by lot.
6. All Criminal Division cases shall be assigned as follows: 50% to Judge Jonathan E. Lauderbach and 50% to Judge Michael J. Beale, to be determined by lot.
  - i. However, if a prior criminal action assigned to a judge is pending, or the defendant is on probation, subsequent criminal cases involving the same defendant shall be assigned to that judge.

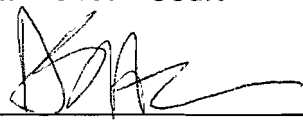
7. All Personal Protection Orders involving Respondents who have attained the age of eighteen shall be assigned as follows: 50% to Judge Jonathan E. Lauderbach and 50% to Judge Michael J. Beale, to be determined by lot.
  - i. However, if a prior adult PPO action involving a party has been assigned to a judge, all subsequent PPO cases involving the same party shall be assigned to that judge.
  - ii. Further, if a Domestic Relations case is pending involving the same parties, the PPO case shall be assigned to the same judge hearing the Domestic Relations case.
  
8. All Domestic Relations Cases shall be assigned as follows: 50% to Judge Jonathan E. Lauderbach, 50% to Judge Michael J. Beale, to be determined by lot.
  - i. Should a Neglect and abuse or Juvenile Delinquency action occur at any time during the pendency of a Domestic Relations case, and that Neglect and abuse or Juvenile Delinquency action has been assigned to Judge Dorene S. Allen, the Domestic Relations case shall also be assigned to Judge Dorene S. Allen.
  - ii. If a Personal Protection Order case is pending and/or the adult PPO remains in effect, the Domestic Relations case shall be assigned to the same judge hearing the PPO.
  
9. If the 42<sup>nd</sup> Circuit Court Family Division judges are disqualified or recused, the Chief Judge of the Circuit Court will refer the case to the State Court Administrator for assignment to another judge.

This Local Administrative Order supersedes and rescinds 42<sup>nd</sup> Circuit Court Administrative Order 2007-06.

2/20/08  
Date

  
Jonathan E. Lauderbach  
Chief Judge  
42<sup>nd</sup> Circuit Court

February 20, 2008  
Date

  
Dorene S. Allen  
Chief Judge  
Midland County Probate Court