STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF ST. JOSEPH

FAMILY COURT PLAN
FOR THE 45TH CIRCUIT COURT
AND THE ST. JOSEPH COUNTY PROBATE COURT

LOCAL ADMINISTRATIVE ORDER

Circuit Court Joint Local Administrative Order 2025-05J

Probate Court Joint Local Administrative Order 2025-03J

Rescinds Circuit Court Joint Local Administrative Order 2003-02J

Rescinds Probate Court Joint Local Administrative Order 2003-01J

FAMILY DIVISION ESTABLISHMENT

I. INTRODUCTION

A. Authority. Pursuant to MCL 600.1011, as amended by 2002 PA 682, each judicial circuit is required to establish a family court plan (FCP or "the Plan"). Supreme Court Administrative Order 2003-2 requires the family court plan to be submitted for approval to the State Court Administrative Office (SCAO) for filing in accordance with the statute and guidelines provided by the SCAO. The chief circuit judge and the chief probate judge shall enter into an agreement establishing how the family division will be operated in the circuit and how the services will be coordinated. The chief judge of the circuit court has the authority to determine the duration of a judge's service pursuant to the family court plan in furtherance of this goal. The Chief Judge shall appoint a Presiding Judge for each of the two division ("Domestic Relations" and "Juvenile and Protective") of the Family Division, after consultation with all the other St. Joseph County Judges (Circuit, Probate and District).

B. Goals. The goal(s) of this FCP are three guiding principles. Continuity, Specialization, and Efficiency. "Continuity" refers to the goal of one judge serving all a particular family's needs whenever possible. "Specialization" means utilizing judges who have experience and specialized expertise in family law matters. "Efficiency" relates to effective docket management, recognizing that speedy resolution of family problems can be as important as judicial expertise or continuity with the same judge. How these three principles will be applied for any given case must be flexible; some cases will call for maximum weight on the "Continuity" factor, while others may need to emphasize "Specialization" or Efficiency".

C. Operation. This FCP supersedes prior plans that have been approved for the operation of the family division. This Plan will be reviewed and revised as necessary, including when family division judicial assignments change, and at least every 2 years, by the chief circuit and chief probate judges to ensure that the Plan meets the statutory requirements and complies with the Family Court Plan Requirements and Guidelines provided by the SCAO. The Circuit Court Administrator will consult with the new Chief Judge (if one is appointed) to determine if any changes are necessary.

II. ADMINISTRATION

This Section shall include:

A. JUDICAL RESOURCES / SERVICE

1. Family Division Judges. All judges assigned to the family division have expressed an interest in overseeing family law cases through the end of their term. St. Joseph County has 4 Judges, each are part of the FCP.

   Probate Judge Kevin Kane handles all Probate matters and all Juvenile/Family matters. He is the primary Family Court Judge. His term of office January 1, 2025, to December 31, 2030.

   Chief Judge Robert K. Pattison handles all the Domestic Cases with children. His term of office January 1, 2025, to December 31, 2030.

   Circuit Judge Paul E. Stutesman handles all the Domestic Cases without children. His term of office January 1, 2025, to December 31, 2030.

   District Judge Jeffrey C. Middleton handles all matters in Family Court that the other judges have conflicts with. His term of office January 1, 2023, to December 31, 2028.

2. Judicial Expertise. Each judge listed above may attend New Judge Orientation as well as continued training consistent with MCJE rules and is encouraged to attend training that informs the position and current skillset. Training opportunities are provided by the Michigan Judicial Institute (MJI), under MCL 600.1019. The Judges assigned to the FCP will comply with

all required training as outlined by the State Court Administrative Office.

3. Judicial Service. All judges in "the Plan" will serve in the family division, under MCL 600.1011(3), where sufficient caseload and judicial resources exists. Probate Judge will serve full time in the family division. Partial assignments are for the two judges that handle domestic cases, one will handle 100% of all domestic cases with children and the other will handle 100% of all domestic cases without children.

B. ASSIGNMENT OF CASES

Cases involving members of the same family (aka "one family-one judge") is defined as "When 2 or more matters within the same jurisdiction of the family division of circuit court involving members of the same family are pending in the same judicial circuit, those matters, whenever practicable, shall be assigned to the judge to whom the first case was assigned." [MCL 600.1023] The term "whenever practicable" is not defined in statute but generally means to the greatest extent possible to further the goals of the family court plan described in section I(B).

1. Case Assignment. Cases are assigned randomly, as provided for under MCR 8.111 or as otherwise provided in accordance with 8.112(B), except for those cases identified to be those of a family member within the jurisdiction of the family court.

The following criteria will confirm for assigning cases under the FCP: Since each division of the Family Court will have one presiding judge, the initial assignment of new cases will be straightforward. New cases will be assigned to the one judge of the Domestic Relations Division if the case involves divorce or ancillary matters, child custody, parenting time, child support, or paternity. Divorces without children may be delegated by the Domestic Relations Division presiding judge to another judge for assignment. If the case involves juvenile offenses, abuse and neglect, status offenders, name changes, adoption, parental consent waivers, personal protection orders, or guardianship/conservatorship (ancillary) then the assignment will be to the one judge of the Juvenile and Protective Division.

2. Definitions.

For purposes of this FCP, the term "family" means: The biological parents and biological children and stepparents and step-children.

For purposes of this FCP, the term "family member" means: Grandparents and other siblings.

For purposes of this FCP, the term "pending" means: The case is active, meaning in the term from case initiation until closing of the case. If there is a closed case, the time frame to assign the same judge shall be five years

3. One Family-One Judge. Cases will be aligned, to the extent possible, after-hours verbal ERPO request by law enforcements or criminal violations of

personal protection orders should go to the Judge that is on call that week per the Judicial Availability Plan. If a Judge is on leave and an Emergency Hearing is requested that shall go to the Judge handling their assignments.

4. Prior Matters. When cases or motions are filed, the clerk's office shall review the case inventory and court records to see if the family, as defined herein, has a prior pending matter, as defined herein.

5. Case Types. The primary case types of the family division are AB, AC, AD, AF, AG, AM, AN, AO, AU, AY, DC, DJ, DL, DM, DO, DP, DS, DZ, EE, EJ, EM, EP, ER, EV, EZ, FH (only felony, non-payment of child support), ID, JA, JG, NA, NB, PH, PJ, PP, PW, TL, UE, UF, UI, UM, UN, VF, and VP.

6. Concurrent Cases. In cases where judges or court staff become aware that any of the four judges is actively involved with a particular family, the judges involved in the multiple cases will decide the consolidation/assignment issues---again using the three criteria of Continuity, Specialization and Efficiency. This will be accomplished at a Conference Committee which shall meet at regular intervals as to assignment issues and on specific cases as needed. The Conference Committee is composed of the presiding judges of the 2 divisions and their designees.

C. REASSIGNMENT OF CASES

1. Disqualifications. Disqualifications will first be handled as described under MCR 8.111(C)(1). Cases must be reassigned first with the court's family division, then within the remaining bench, and finally by SCAO assignment.

2. Transfer. If the Chief Judge makes the determination that the case should be transferred, he will select another Family Division Judge. If a current judge has a successor, the successor will handle the case unless there is a conflict.

3. Dispute. Any dispute on proper reassignment shall be resolved by the chief judge and/or the presiding family division judge, should one be appointed.

D. STAFFING AND FACILITIES

1. Administrative Structure. A family division organizational chart is included as Appendix A.
Each part of the structure of the Family Division will enhance the goals of the Family Court Plan through all family services that are available.

2. Remote Proceedings. Each Judge and Referee will have the discretion of using remote proceedings under MCR 2.408. All hearings that are done via remote proceedings must comply with MCR 2.408.

3. Facilities. Both Court locations will provide meeting rooms for attorney/client meetings. Additionally, the facilities will provide a secure space for family members during proceedings. The Victim Advocate office will assist victims as needed. Court Security at each location will ensure safety in accordance with the local Emergency Action Plan, which has been approved and reviewed by the Security Committee. A review of facility needs, and goals of the Family Court Plan will take place quarterly at Judiciary meetings.

E. RECORDS MANAGEMENT

1. Clerks of the Court. The St. Joseph County Clerk is designated as the Clerk of the Court for the Family Division. The St. Joseph County Probate clerk shall maintain every record created by or filed with the probate court.

2. Plan Development. The County Clerk has been afforded the opportunity to participate in the development of plans for management of court records. Any letter of concurrence or disagreement with the Plan authored by the County Clerk regarding management of court records shall be submitted to the SCAO with the submission of the Family Court Plan for approval.

3. Filing. All filings for the Family Division must adhere to the current filing standards of the St Joseph County Clerk's Office. The County Clerk's Office will follow the procedures in the records management by the State Court Administrative Office. The St. Joseph County Clerk's office located in the courts building is where all filings for the Family Division are received in and stored. The St. Joseph County Clerk's office is also where the public, and the bar e.g. can receive documents, records, and scheduling information.

4. Access Point. The St. Joseph County Clerk's Office is the designated central access point for all counties in the circuit. The St. Joseph County Clerk's office will provide information to the public and the bar as to where to files, documents, records storage, records access and case scheduling information and any other pertinent information.

5. Internal Transfer. The Family Division has JIS for its case management system and OnBase for its electronic documents, staff members can view the electronic file through these systems.

6. Technological Access. As described above.

7. Public Access. This FCP is posted on the court's website and is otherwise publicly available upon request.

April 10, 2025

Robert K. Pattison, Chief Judge

Kevin M. Kane, Probate/Juvenile Judge

Paul E. Stutesman, Circuit Judge

Jeffrey C. Middleton, District Judge

EXHIBIT A

CIRCUIT COURT: FAMILY DIVISION

ORGANIZATIONAL CHART

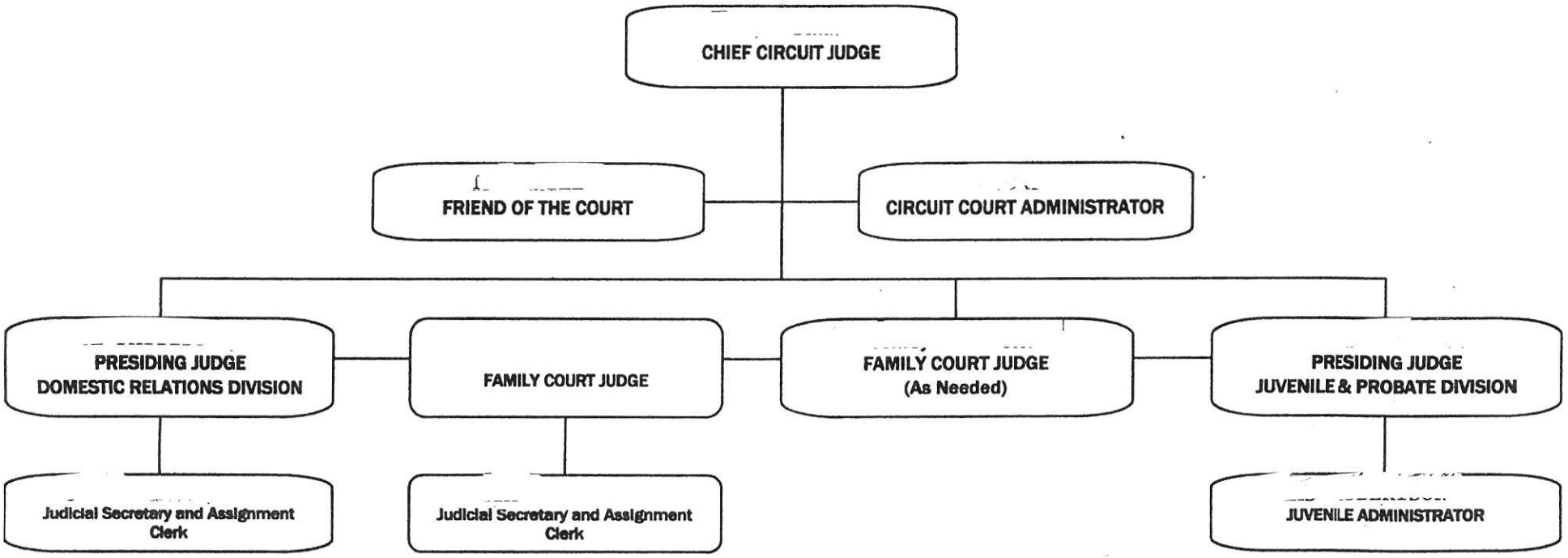


EXHIBIT B

CIRCUIT COURT: FAMILY DIVISION

SERVICE PROVIDERS

