STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF MONROE

FAMILY COURT PLAN
FOR THE 38th CIRCUIT COURT
AND THE MONROE COUNTY PROBATE COURT

LOCAL ADMINISTRATIVE ORDER
Circuit Court Joint Local Administrative Order 2026-02J
Probate Court Joint Local Administrative Order 2026-02J

Rescinds Circuit Court Joint Local Administrative Order 2013-01J
Rescinds Probate Court Joint Local Administrative Order 2013-01J

FAMILY DIVISION ESTABLISHMENT

I. INTRODUCTION

The passage of Public Act 388 of 1996 created a mandate for trial courts: By July 1, 1997, each judicial circuit's chief probate judge and chief circuit judge were required to create and agree upon a plan outlining how their family court would operate. Thus, Public Act 388 of 1996 created the unified family court system. Subsequently, jurisdictions were required to submit updated plans at a minimum of every two years.

A. Authority

Under MCL 600.1011 (as amended by 2002 PA 682), each judicial circuit was – and is – required to establish a family court plan (FCP or "the Plan").

- Supreme Court Administrative Order 2003-2 requires that the family court plan 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 must 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 shall have the authority to determine, with respect to the judge(s) over whom they have supervisory authority, the duration of a judge's service pursuant to the family court plan in furtherance of this goal.

B. Goals

The 38th Circuit Court, Family Division, includes both a Domestic Relations Section (administered solely by the chief circuit judge), and a Juvenile Section (administered solely by chief probate judge). The Monroe County Probate Court is also administered by the chief probate judge. The chief circuit and chief probate judges seek to:

- assign cases in accordance with the judges' respective areas of expertise and preferences;
- equitably distribute judicial workload;
- maximize scheduling efficiency; and
- realize the "one family, one judge" philosophy for judicial economy and outstanding public service.

C. Operation

This FCP supersedes prior plans that have been approved for the operation of the family division. To ensure that the Plan meets statutory requirements and complies with the Family Court Plan Requirements and Guidelines provided by the SCAO, this Plan will be reviewed and revised as necessary, to wit:

- When family division judicial caseload assignments change;
- At a minimum of 2 years after the date of execution;
- Within thirty days of any change to the identity of a judge serving under this plan;
- Concurrence of the chief circuit judge (currently Judge Mark Braunlich) and chief probate judge (currently Judge Cheryl Lohmeyer).

II. ADMINISTRATION

A. JUDICIAL RESOURCES / SERVICE

1. Family Division Judges

All judges assigned to the family division have expressed an interest in overseeing family division cases (i.e., domestic relations, miscellaneous, juvenile, and adoption), as follows:

- **Chief Circuit Judge Mark Braunlich:** Judge Braunlich's term expires on December 31, 2030. He will serve in the family division through December 2026, unless he elects to transfer to General/Civil Division of Circuit Court. He began his assignment in the Domestic Relations Section, Family Division, in 2014. Also serving as Chief Circuit Judge, Judge Braunlich will serve as the Presiding Judge of the Family Division - Domestic Relations Section. He will be assigned primarily domestic relations cases, along with other Circuit Court case types, as further detailed below.
- **Chief Probate Judge Cheryl Lohmeyer:** Judge Lohmeyer's term expires December 31, 2030. She began her assignment as Presiding Judge of the Juvenile Section, Family Division, in 2014. Judge Lohmeyer will continue to serve as the Presiding Judge of the Family Division - Juvenile Section, as the current Chief Judge of Probate. She is assigned to all probate court case types. Under this Plan, she will also take on circuit court family court matters under the Child Custody Act, Juvenile Code, and Adoption Code, as well as other case types primarily involving children, as further detailed below.
- **Judge Cheryl R. Sweeney- Probate Judge.** Judge Sweeney was appointed to the bench on 11-6-2025 by Governor Whitmer, as a result of the resignation of former judge, Frank L. Arnold. She is assigned to an identical docket as Judge Lohmeyer, and thus is assigned to all probate court case types. Under this Plan, she will also take on circuit court family

court matters under the Child Custody Act, Juvenile Code, and Adoption Code, as well as other case types primarily involving children, as further detailed below.

2. **Judicial Expertise**
   - Each judge listed above has attended, or will attend, New Judge Orientation.
   - Each is also engaged in continued training consistent with Michigan Continuing Judicial Education policies and encouraged to attend training that sharpens his or her relevant skillsets. Training opportunities are provided by the Michigan Judicial Institute (MJI), under MCL 600.1019.
   - The 38th Circuit Court and Probate Court judges will continue to rely upon MJI, the State Bar of Michigan, their judicial associations (i.e., Michigan Judges Association and Michigan Probate Judges Association), ICLE, and other hosts to support their ongoing judicial educations. Each judge will select and attend training that aligns with their docket assignment.
   - Court staff will be provided training relevant to their respective positions offered by MJI, professional associations, and other reputable entities.

3. **Judicial Service**
   - The Circuit Judge (Judge Braunlich) will serve full time in the family division and be assigned primarily to domestic relations case types.
   - Probate Judge 1 (Judge Lohmeyer) will serve concurrently in probate court and in the family division of Circuit Court. She will be assigned half of all probate court cases and half of circuit court cases brought under the Juvenile and Adoption Codes, except as otherwise stated below. She will also be assigned to domestic relations and miscellaneous family court cases.
   - Probate Judge 2 (Judge Sweeney) will serve concurrently in probate court and in the family division of Circuit Court. She will be assigned half of all probate court cases and half of circuit court cases brought under the Juvenile and Adoption Codes, except as otherwise stated below. She will also be assigned to domestic relations and miscellaneous family court cases.

B. ASSIGNMENT OF CASES

Cases involving members of the same family will be assigned according to the "one family, one judge" principle, as follows:

> "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."

[See 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.

Unless otherwise specified in the Plan, case types included within family division assignments 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, , ID, JG, NA, NB, NC, PH, PJ, PO, PP, PW, TL, UE, UF, UI, UM, UN, VF, AND VP. The ancillary case types that are not included in the Plan are CA, CY, DD, FH (only felony non-payment of child support), GA, GL, GM, JA, LG, MI, NC, AND PO in accordance with MCL 600.1021; MCL 400.643(a); MCL 333.5204(4); and MCL 691.1805.

In general, family division cases will be assigned according to this paragraph.

For Chief Circuit Judge Braunlich:

- Domestic relations case types: DC, DO, DP, DS, DZ, UD, UE, UF, UI, UM, UN
- Miscellaneous case types: VP, EP, ER, EV

For Chief Probate Judge Lohmeyer:

- Proceedings under juvenile code: DJ, DL, JG, NA, TL, PJ, EE, EJ, EZ
- Proceedings under adoption code: AB, AC, AD, AF, AG, AN, AO, AU, AY
- Proceedings under miscellaneous: EM, ID, NC, PW, NB, VF

For Judge Sweeney:

- Proceedings under juvenile code: DJ, DL, JG, NA, TL, PJ, EE, EJ, EZ
- Proceedings under adoption code: AB, AC, AD, AF, AG, AN, AO, AU, AY
- Proceedings under miscellaneous: EM, ID, NC, PW, NB, VF

For shared case types:

- Domestic relations: DM
  Braunlich: 50%
  Probate judges: 25% each
- PH (stalking):
  Circuit judges: 20% each
  Probate judges: 20% each
- PP (domestic):
  Braunlich: 100% of all domestic PP cases with a companion cases to a domestic relations case
  Remaining Circuit judges: 25% each of all remaining domestic PP cases
  Probate judges: 25% each of all remaining domestic PP cases
- ERPO (adults):
  Circuit judges: 20% each
  Probate judges: 20% each

- PJ (juvenile): Circuit judges: 0%
  Probate judges: 50% each

- ERPO (juvenile): Circuit judges: 0%
  Probate judges: 50% each

- ERPO after hours: (adult/juvenile) Circuit judges: 20% each
  Probate judges: 20% each

However, under this Plan, if a judge has a *pending* matter involving a family member or members, a new case involving the family will be assigned to realize the one family, one judge principle to the greatest extent practicable. To illustrate, here are three scenarios:

- The circuit judge has a pending divorce case in the domestic relations section of circuit court. Subsequently, their child faces a juvenile delinquency petition in the juvenile section of circuit court. The chief probate judge agrees to be assigned to the delinquency case, notwithstanding the fact that the circuit judge has been assigned to a prior case involving the family, due to her interest and experience in juvenile matters. Only if the jurists agree that it would be practicable for the cases to be heard by the same jurist shall one of the cases be reassigned.

- The chief probate judge has a pending child protection case in the juvenile section of circuit court. The parents commence a divorce action in the domestic relations section, which gets assigned to the circuit judge. The circuit judge agrees to be assigned the divorce case, due to his interest and experience in domestic relations matters. Only if the jurists agree that it would be practicable for the cases to be heard by the same jurist shall one of the cases be reassigned.

- Probate Judge 2 has a pending PPO in the domestic relations section concerning unmarried parents of a minor child. The father subsequently files a paternity action in the domestic relations section. The paternity case will also be assigned to the other Probate Judge.

2. Definitions

A primary objective of the Plan is to assign "pending" cases involving "family members" to the same judge whenever practicable.

For purposes of this FCP, the term "family" means individuals who are related within the first degree of consanguinity (legal spouses, legal parents, legal children) and current step-children.
For purposes of this FCP, the term "family member" means one's legal spouse, legal parent, legal child, and current step-child.

For purposes of this FCP, the term "pending" means a case that has been filed but has not been fully resolved or concluded. For example, DM cases are "pending" until the youngest child is emancipated. Most juvenile and probate cases are "pending" through case closure. Paternity and support cases will be treated as "pending" for two years after they were initially adjudicated (i.e., paternity or support was established), or for two years after any subsequent motion was heard and ruled upon by a judge, whichever is later. The purpose of this provision is to avoid assigning subsequent family division cases to a judge who has had little or no involvement with the family for the past two years.

3. One Family, One Judge

The judges anticipate that assignment of some matters under the "one family, one judge" principle may not be practical or advisable. Thus, the following are examples of when practicality and past practice will govern case assignment:

- After-hours requests for out-of-home placement of delinquent, dependent, or abused or neglected minor children will be covered by the on-call jurist so assigned for that week.
- After-hour requests for hospitalization of an individual requiring treatment under the Mental Health Code will be covered by the Chief Judge of Probate.
- After-hour requests for Extreme Risk Protection Orders will be handled by whomever is assigned to ERPO on-call duty for that week.
- Assignment will be in accordance with the case type table below, unless one of the family division judges has a pending family court case that warrants assignment under the "one family, one judge" principle.

4. Prior Matters

When new cases (i.e., divorce, custody, paternity, support, PPOs, delinquency, dependency, neglect, etc.) are filed, the applicable clerk's office (i.e., Probate, Juvenile, or County Clerk) shall do the following:

- Review the petition or complaint to see whether the petitioner or plaintiff identified a pending family division case;
- Ensure that a confidential case inventory was filed, and if so, review it;
- View available online resources (i.e., AS-400, TCS, JIS);
    - If the clerk who is responsible for assigning the case cannot access another office's case management system, the clerk will ask the person filing the case to identify to whom any "pending" matter involving "the family" or "family members" has been assigned, providing information as to what "pending" means and what family members are applicable, as needed.

5. Concurrent Cases

As indicated in Section (II)(B)(3), case types identified in subsection (4) above will be assigned under the "one family-one judge" concept as those terms are defined herein. When a Family

Division case is filed, the county or juvenile clerk will review the case inventory and court records and will assign the new filing to the judge that has any pending cases involving the family, as defined in subsection (2) above.

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

Complete caseloads will be transferred to a successor judge if there is a judicial vacancy that is later filled. If a complete transfer is not appropriate, the chief circuit and probate judges will collaborate to determine how to disperse any pending cases and will update this Plan accordingly.

3. Dispute

Any dispute on proper reassignment shall be resolved by the presiding judge of the family section in which the case is pending. Thus, disputes regarding domestic relations matters shall be handled by the chief circuit judge, and disputes regarding juvenile matters shall be handled by the chief probate judge.

D. STAFFING AND FACILITIES

1. Administrative Structure

- A family division organizational chart is included as **Appendix A.**
- The Friend of the Court's referees, mediators, and associated staff, and the Juvenile Section's referee, juvenile probation officers, juvenile register, and clerks, provide statutorily required support services to the court so that the court can operate efficiently.
- Each judge serves in his or her area of expertise and in furtherance of the family division goals.
- Administrative responsibilities are as set forth in MCR 8.110 and as follows:
    - Chief Circuit Judge Braunlich
        - The Friend of the Court and all subordinate staff report to the Chief Circuit Court Judge or his designee.
        - Other functions not otherwise specified herein are coordinated and supervised by the Chief Circuit Judge.
    - Chief Probate Judge Lohmeyer
        - The Juvenile Referee, Juvenile/Probate Court Administrator, reports to the Chief Probate Judge.
        - The Deputy Juvenile/Probate Court Administrator reports to the Chief Probate Judge or to the Juvenile and Probate Court Administrator at the chief's direction.

- The Juvenile department, probation officers, court clerks, adoption case manager, and financial manager, all report to the Chief Probate Judge or to the Juvenile/Probate Court Administrator at the chief's direction.
- The Youth Center Director and all subordinate staff report to the Chief Probate Court Judge or to the Juvenile and Probate Court Administrator at the chief's direction.
- The probate department, including the probate register and clerks, report to the Chief Probate Judge or to the Juvenile and Probate Court Administrator at the chief's direction.
- The CASA program is overseen by the Chief Probate Judge.

2. Remote Proceedings

Remote proceedings will be utilized as permitted by Michigan Court Rules (MCR 2.407 and 2.408) and at the discretion of the presiding jurist.

3. Facilities

- Monroe County manages all facilities utilized by the courts including the Family Division. The Family Division of Circuit Court is located within the County Courthouse.
- The Monroe County Youth Center is under the administrative authority of the Monroe Circuit Court - Family Division, Juvenile Section. It is located in a separate location owned by Monroe County.
- Courthouse security is maintained by the county with the exception of the judges' bailiffs, who maintain security within their assigned courtrooms.
- The county maintains the facilities and works with the judiciary to consider any requested improvements as needed.

E. RECORDS MANAGEMENT

1. Clerks of the Court

- The Monroe County Clerk is designated as Clerk of Court for the Family Division, Domestic Relations Section and shall maintain and process those files. In addition, the County Clerk also maintains PPOs and other miscellaneous matters of the family division, except those filed in the juvenile division.
- The Juvenile Court Register, with oversight by the Juvenile and Probate Court Administrator, maintains all files under the Juvenile Code, as well as the following case types: VF (Voluntary Foster Care and), PW (parental waiver), and NB (safe delivery of newborn. The Adoption Case Manager maintains all files under the Adoption Code.

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 may be submitted to the SCAO with the submission of the Family Court Plan for approval.

3. Filing

- The following case types of the Family Division will be filed with the County Clerk, located on the second floor of the Courthouse:
  - Domestic Relations: DC, DM, DO, DP, DS, DZ, UD, UE, UF, UI, UM, UN
  - Miscellaneous Proceedings: EM, ID, NC, PH, PP, PJ, FP.
- These case types will be filed with the Juvenile Department, located on the third floor of the Courthouse.
  - Juvenile: DJ, DL, JG, NA, TL
  - Adoption: AB, AC, AD, AF, AG, AN, AO, AU, AY
  - Miscellaneous: NB, PW, VF

4. Access Point

- The central access point for most records and court information will be the County Clerk's office and the respective websites for the family division judges.
- Inquiries regarding delinquency, child protection, adoption, and miscellaneous cases involving newborns, parental waivers, and voluntary foster care shall be directed to the clerks of the Juvenile Division of 38th Circuit Court.

5. Internal Transfer

When cases are transferred due to reassignment within our jurisdiction, this will be accomplished as follows:

- One Family, One Judge
  - If a case is opened and has a *pending* "companion case" (i.e., a case involving the same family member or members), the judges who are assigned to each case shall consult with one another to determine whether reassignment of the new case to the judge who is assigned to the earlier case is practicable. If it is, the judge *accepting* reassignment shall communicate the decision to the County Clerk or Juvenile Register for reassignment in the requisite case management system and for preparation of an order of reassignment.
- Disqualification
  - A party may file a motion for a judge's disqualification pursuant to MCR 2.003. It must be filed within 14 days of the discovery of the grounds and comply with the procedural requirements set forth in the rule.
  - The judge, on his or her own motion, may suggest or announce his or her disqualification to comply with a judicial canon.
  - The judge rules on the motion, explaining the grounds for entering a disqualification.
  - A decision made by a judge who isn't a chief of his or her own division can be appealed to the presiding judge for that case type (i.e., to the chief judge of circuit for domestic relations matters, and to the chief probate judge for juvenile, adoption, and miscellaneous case types maintained by the juvenile register.

- The reviewing chief judge's decision is final.
- If a judge is disqualified from hearing a case, the case will be reassigned to another family court judge by blind draw.

6. Technological and Public Access

- All 38th Circuit Court - Family Division files are maintained through paper files and relevant information is entered into a case management system that is accessible as permitted by law. The public may inspect documents at the applicable clerk's office, so long as the case file is not "non-public."
- Cases within the domestic relations division may be accessed by court staff through OnBase. They may also be accessed by the public and staff through TCS.
- Non-public files under the Juvenile Code (DL, JG, NA) may be accessed only by written request, and if the judge determines that the requesting party has a legitimate interest in the case. File security is managed with access profiles specific to each employee.
- Non-public files under the Adoption Code may be accessed only as the Code provides, such as when there are proper consents on file by the biological parent(s). No one other than the chief judge and her designees within the juvenile division have access to the files, which are kept in locked filing cabinets.
- This Family Court Plan is posted on the court's website and is otherwise publicly available upon request.
- The Chief Judge of Probate does the following to provide access to proceedings:
  - She posts dockets of her divisions' probate and juvenile matters on her court's website, which is updated regularly. The names of minors and alleged mentally ill persons are not provided; initials are used.
  - Matters of public concern - such as clarity hearings for recall petitions - are generally and publicly accessible in accordance with the Open Meetings Act.
  - The three courtrooms (i.e., those of the two probate judges and juvenile referee) are open to the public without restriction. With the exception of trials, evidentiary hearings, and contempt proceedings, anyone can opt to appear in person or by video conferencing technology. Closed proceedings are not publicly-accessible either in person or by video conferencing, and only interested parties may appear either in person or by video conference.
  - The court does not broadcast by YouTube or post Zoom links for matters that include information that would subject the litigants to having their personal, medical, identifying, children's, or other sensitive matters to be shared with the public.

Another dispute regarding the interpretation of this plan shall be resolved by collaboration of the undersigned.

Respectfully submitted this 12th day of May 2026.

Hon. Mark S. Braunlich (P32926) 5-12-2026
Chief Judge of 38th Circuit Court

Hon. Cheryl E. Lohmeyer (P55710)
Chief Judge of Monroe County Probate Court

Monroe County
38th Circuit Court – Family Division
Organizational Chart
05/12/2026
APPENDIX A

MONROE FAMILY COURT PLAN

