STATE OF MICHIGAN

54TH JUDICIAL CIRCUIT COURT

HON. AMY GRACE GIERHART
CIRCUIT COURT JUDGE

440 NORTH STATE STREET
CARO, MICHIGAN 48723

(989) 672-3720

TUSCOLA COUNTY FAMILY COURT PLAN

FOR THE 54TH CIRCUIT COURT

AND THE TUSCOLA COUNTY PROBATE COURT

LOCAL ADMINISTRATIVE ORDER

54TH Circuit Court Joint Local Administrative Order 2026 -01 J

Tuscola County Probate Court Joint Local Administrative Order 2026 -01 J

Rescinds 54th Circuit Court Joint Local Administrative Order 2025-02J
Rescinds Tuscola Probate Court Joint Local Administrative Order 2025-02 J

FAMILY DIVISION ESTABLISHMENT

This Family Court Plan supersedes prior plans approved for the operation of the Family Division.

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). 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.

B. GOALS

The goal of this FCP is to provide a "one family-one judge" approach. This will provide subject matter expertise, access to information from all relevant files, efficient court operation, as well as consistency and predictability for families.

C. OPERATION

The 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. Further, if there is a change in the actual judge serving as assigned family division judge, there should be a review of the Plan.

II. ADMINISTRATION

A. JUDICIAL RESOURCES/SERVICE

1. Family Division Judge. Except in instances of recusal, the presiding Family Division Judge shall be known as Honorable Nancy L. Thane P38918. Judge Thane has been the presiding Family Division Judge effective January 1, 2013 with an anticipated conclusion date of December 31, 2030. Honorable Nancy L. Thane agrees to be appointed as the Family Division Judge.

2. Judicial Expertise. Honorable Nancy L. Thane attended new judges' school in January 2013, as well as continued her training consistent with MCJE rules. Continuing training opportunities will be fulfilled through the Michigan Judicial Institute (MJI) under MCL 600.1019, as well as other accredited programs required and recognized for accreditation within the MCJE, including but not limited to the areas of domestic relations, child welfare cases, and juvenile justice.

3. Judicial Service. The designated presiding family division judge will serve full time in the family division, under MCL 600.1011(3), where sufficient caseload and judicial resources exist. If there is a need for any partial assignment, the Plan must disclose the percentage of new filings by case type as assigned to each judge.

B. ASSIGNMENT OF CASES

Cases involving members of the same family is defined as "when two 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 MCR 8.112(B), except for those cases identified to be those of a family member within the jurisdiction of the family court.

2. One Family-One Judge. All family court cases and personal protection order cases shall automatically be assigned to the presiding family division judge. This satisfies the "one family-one judge" concept and provides efficiency for all.

3. 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, JA, JG, NA, NB, PJ, PH, PP, PW, TL, UE, UF, UI, UM, UN, VF, and VP. The presiding Family Court Judge, being the Probate Judge, will also hear ancillary case types which are automatically assigned to the Probate Judge: CA, CY, DD, GA, GL, GM. JA, LG, MI, NC and PO.

   FH (felony non-payment of child support) and ID case types will be heard and handled by the Circuit Court Judge.

4. Concurrent jurisdiction. With the assignment of all family court cases and personal protection order cases assigned to the presiding family division judge, who is the Probate Judge, concurrent jurisdiction is achieved.

C. REASSIGNMENT OF CASES

1. Disqualifications. Disqualification will first be handled as described under MCR 8.111. Cases must be reassigned to the remaining bench and then by SCAO assignment.

2. Transfer. Upon the presiding family division judge's service ending, any unresolved cases will be reassigned to another judge.

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. The judge's clerical staff includes the Probate Register and a Deputy Probate Register/Family Court Clerk. A court chart of authority is attached. It provides that the clerical staff answer directly to the Probate Judge. The clerical staff schedules all family court cases, including providing notice of hearings as well as tracking for case flow reporting.

   There is currently no referee division.

   The Friend of the Court Director answers directly to the Chief Judge. The Friend of the Court staff consists of seven employees who answer directly to the Friend of the Court Director. The Friend of the Court is responsible for enforcing the payment of money for the support of children and to enter orders governing the custody and parenting time of those children. Friend of the Court employees appear before the Family Division Judge for hearings as needed.

   The Chief Juvenile Probation Officer answers directly to the Court Administrator. The three Juvenile Probation Officers and the academy teacher answer directly to the Chief Juvenile Probation Officer. The probation department is responsible for overseeing youths placed under the supervision of the Court to ensure court orders are being followed. They also develop and implement in-home programs for youths on their caseloads. The probation officers appear before the Family Division Judge for juvenile delinquency hearings.

   All court employees are ultimately overseen by the Chief Judge.

2. Remote Proceedings. Pursuant to MCR 2.408, the Court allows for remote proceedings upon the completion of a request. A request form is located on the Court's website. It is in the discretion of the Court to permit remote hearing based upon the nature of the hearing.

3. Facilities. Family Court hearings are held in the Probate Courtroom. There are two conference rooms adjacent to the courtroom. Family Court pleadings are filed with the Clerk's Office located in close proximity to the courtroom. Jury trials for family court are held in the Circuit Court

courtroom and coordinated with the Circuit Court jury trials. An additional off-site jury room may be available.

E. RECORDS MANAGEMENT

1. Clerk of the Court. The Tuscola County Clerk is designated as the Clerk of the Court for the Family Division. The Tuscola 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. Family Court pleadings are filed with the County Clerk. The Clerk maintains and processes all pleadings, including access and storage. The Clerk provides access for filing both within the courthouse, as well as with a "walk up" window.

4. Access point. The public and the bar are allowed access to files through the County Clerk. Cases are scheduled by the Probate Court staff and placed upon the public docket, which may be accessed through the website.

5. Technological Access. The County Clerk accepts filings by email through a specific email address. All family court filings are contained in a hardcopy file as well as on an electronic filing system (OnBase). Judges have access to the electronic filing system.

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

Dated: 07-24-26

Honorable Amy Grace Gierhart, Chief Judge

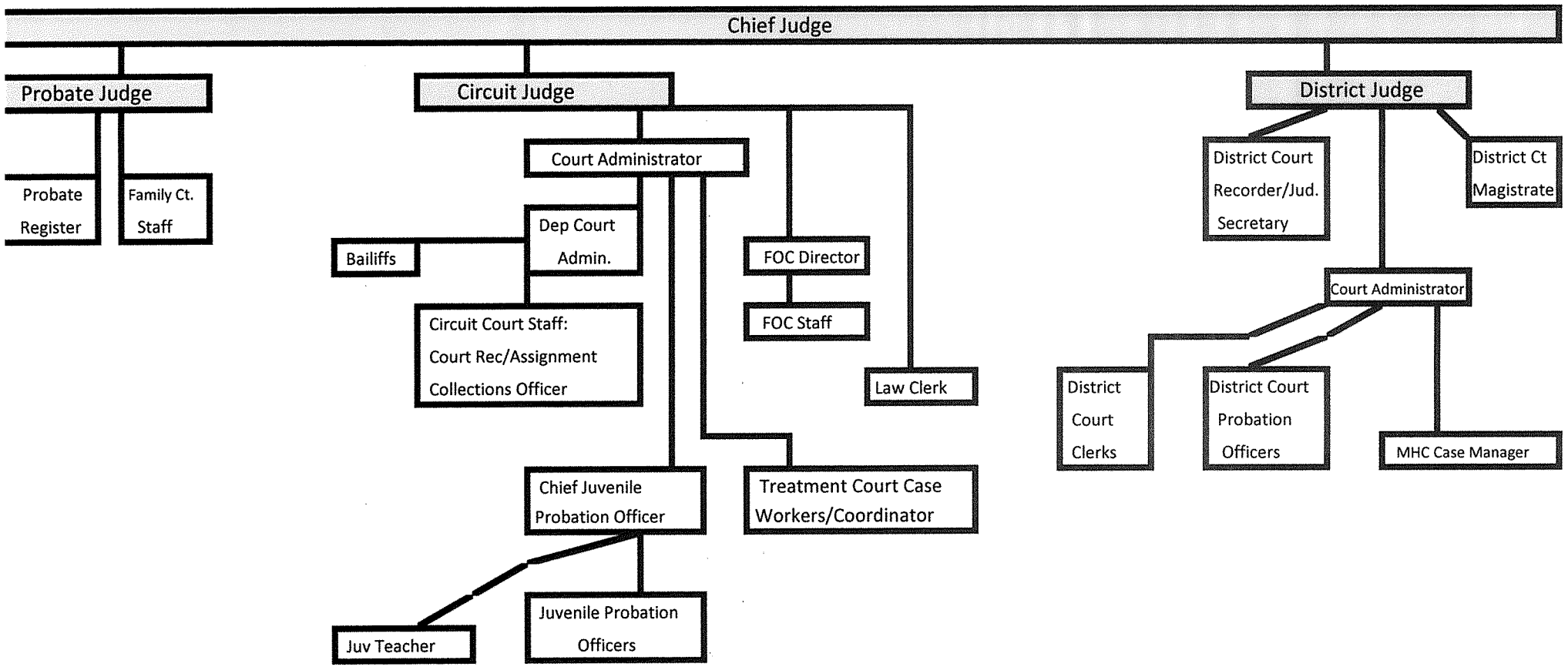
Dated: 7-24-26

Honorable Nancy L. Thane, Probate Judge

Dated: 7-24-26

Jodi Fetting, Tuscola County Clerk

Tuscola County Courts Organizational Chart



Effective 05-12-2025