



## BARRY COUNTY TRIAL COURT

Vicky L. Alspaugh  
Circuit Judge  
220 West State Street  
Hastings, MI 49058  
(269) 945-1286

William M. Doherty  
Chief Judge  
206 West Court Street, Ste. 302  
Hastings, MI 49058  
(269) 945-1390

Michael L. Schipper  
District Court Judge  
206 West Court Street, Ste. 202  
Hastings, MI 49058  
(269) 945-1404

---

### LOCAL ADMINISTRATIVE ORDER 2025-6

#### BARRY COUNTY TRIAL COURT – FAMILY DIVISION PLAN

Rescinds Local Administrative Order 2019-2, Family Court Plan

---

#### 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 Judge, after consulting with all judges serving in the Family Division, will establish how the family division will be operated in the circuit and how the services will be coordinated. The Chief Judge 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(s) of this FCP are to provide for the operation of the Barry County Family Division within the consolidated Barry County Trial Court, and to promote efficient case management while providing consistent, predictable service to families.
- C. Operation. This FCP supersedes all prior plans that have been approved for the operation of the Family Division. This FCP will be reviewed and revised by the Judicial Council as necessary every two years and when Family Division judicial assignments change to ensure that it meets the statutory requirements and complies with Family Court Plan Requirements and Guidelines provided by the SCAO. Judicial Council meets monthly under the supervision of the Chief Judge.

#### II. ADMINISTRATION

- A. JUDICIAL RESOURCES / SERVICE  
Family Division Judges. All of the judges of the Barry County Trial Court (identified in the Appendix) have expressed an interest in overseeing family law cases through the end of their

term. Cases will be assigned pursuant to Local Administrative Order 2019-1, Assignment of Cases. Due to caseload and judicial resources, none of the judges will serve exclusively in the Family Division.

The Chief Judge will have the authority to determine the duration of each judge's service in the Family Division.

1. 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. Barry County relies upon MJI to support judicial education. Furthermore, the court utilizes additional resources such as the Institute of Continuing Legal Education (ICLE), Friend of the Court Bureau for family law, Michigan Judges Association, Michigan Probate Judges Association, and the Referee Association of Michigan. The rest of the court staff is provided with training opportunities offered by the family division associations, MJI, and local or state entities.
2. Judicial Service. All judges in "the Plan" will serve in the family division, under MCL 600.1011(3), in accordance with Local Administrative Order 2019-1, Assignment of Cases.

#### 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 cases in the Family Division will be assigned pursuant to the SCAO approved Local Administrative Order 2019-1, Assignment of Cases.
2. During Allocation of Judicial Caseload, the Judge leaving the Family Division shall complete all pending motions, trials, and dispositions until an order is entered and the issues are resolved. All other open cases on the departing Judge's docket will be assigned to the incoming Judge pursuant to the Allocation of Judicial Caseload or Local Administrative Order 2019-1, Assignment of Cases.
3. One Family-One Judge. The Barry County Trial Court adheres to the "one family-one judge" requirement of MCL 600.1023. A judge who has already been assigned to a pending (pre-disposition) Family Division case within a family, shall be assigned to

any new cases in the Family Division involving that same family, whenever practicable. Exceptions to this requirement include:

- i. After-hour verbal Extreme Risk Protection Orders (ERPO) requests by law enforcement.
  - ii. Criminal court proceedings involving violations of personal protection orders.
  - iii. Situations where the assigned judge is unavailable.
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. Due to caseload and judicial resources, none of the judges will serve exclusively in the Family Division. The Chief Judge, after consulting with all other judges, will have the authority to determine the duration of each judge's service in the Family Division.

Case type assignments:

- a. The Probate Judge will be assigned to the following case types: AB, AC, AD, AF, AG, AM, AN, AO, AU, AY, EE, EJ, EM, EP, ER, EV, EZ, ID, NB, NC, PW, VF, DJ, DL, JG, NA, PJ, CA, CY, DD, GA, GL, GM, JA, LG, MI, NC, and PO.
  - b. The District Judge, on occasion, may hold final adoption hearings and will be assigned the felony non-support cases.
  - c. The Circuit Judge will be assigned to Family Division Domestic Relations cases including case types DC, DM, DO, DP, DS, DZ, UD, UE, UF, UI, UM, and UN, Personal Protection case types PH, PP, and VP.
  - d. If the Probate Judge has conflict cases, they will be referred to the Circuit Judge and, if (s)he is unable to hear the case due to conflict, it will be referred to the District Judge.
  - e. If the Circuit Judge has conflict cases, they will be referred to the Probate Judge and, if (s)he is unable to hear the case due to conflict, it will be referred to the District Judge.
  - f. The Circuit or District Judge will preside over Family Division proceedings whenever it is necessary to hear time-sensitive cases in the absence of the Probate Judge. The Probate Judge will notify the Circuit Judge or District Judge of any such need as soon as possible.
6. Concurrent Cases. Any Family Division case assigned to the Circuit Judge will be reassigned to the Probate Judge if there is a pending case with a family member, as defined in this FCP, before the Probate Judge.

#### 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. Transfer of open cases will occur upon filing of a pleading requiring a court hearing or court order, or upon the request of the judge assigned to a new matter.
3. Dispute. Any dispute on proper reassignment shall be resolved by the Chief Judge.

#### D. STAFFING AND FACILITIES

1. Administrative Structure. A family division organizational chart is included as Appendix A. The administrative component of the Trial Court centers in the Judicial Council. The Council is comprised of the Probate Judge, Circuit Judge, District Judge, Trial Court Administrator, and two Deputy Court Administrators. Each member has an equal vote on all policy decisions, e.g. management of staff, computer development, cross-training, facilities, ADA, utilization of administrators, scheduling, relations with the funding units, collective bargaining development, and implementation of operational policies etc. The governance of the Council is by consensus, and the Chief Judge rules only on those issues that require decisions if consensus cannot be achieved.

Additional critical positions within the Family Division and their roles within the FCP are as follows:

- a. Quasi-Judicial Officers. Two quasi-judicial officer positions are utilized within the Family Division. One is assigned primarily to Family Division cases including child custody and support hearings, delinquency proceedings including preliminary hearings, probation violation hearings, and review hearings, and child protection hearings including emergency removal hearings. The other quasi-judicial officer position serves as a backup to the Family Division quasi-judicial officer. The duties of the quasi-judicial officers are outlined in Local Administrative Order 2024-4 and 2024-5 and Local Administrative Order 2025-2 and 2025-4. The quasi-judicial officers work closely with the judges to ensure consistent, timely management of cases within the Family Division.
  - b. Alternative Dispute Resolution. One Chief Court Services Specialist is designated as the ADR Coordinator to manage the ADR mediator and evaluator lists. The availability of multiple providers ensures timely ADR service for domestic relations cases.
  - c. Friend of the Court (FOC). Both professional and support staff within the FOC work to ensure consistent, predictable service for families.
  - d. Juvenile Probation Officers. Four juvenile probation officers/caseworkers probation officers provide case management, treatment, and supervision for youth and families under the jurisdiction of the Family Division.
2. Remote Proceedings. The Barry County Trial Court adheres to the requirements outlined in MCR 2.408.

3. Facilities. The Barry County Trial Court is housed within two separate buildings. The Circuit Judge's courtroom is within the Historic Courthouse, and both the Probate Judge's and District Judge's courtrooms are within the Courts and Law Building.
  - a. Both buildings provide ample space for attorney/client meetings, caseworker/client meetings, and treatment group facilitation.
  - b. Both buildings utilize a single public entrance and Court Screeners who utilize magnetometers to prevent weapons and contraband from entering either court building.
  - c. The Court Security Committee meets quarterly to assess security needs, including but not limited to facility improvements.
  - d. Barry County does not have a juvenile detention facility.

#### E. RECORDS MANAGEMENT

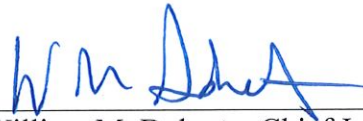
1. Clerks of the Court. The Trial Court Administrator is Clerk of the Circuit Court, Family Division in Barry County pursuant to the Partnership Agreement between the Barry County Trial Court and the Barry County Clerk. Barry County Court Specialists within the Barry County Trial Court shall maintain every record filed in the Circuit Court, Family Division under the supervision of the Trial Court Administrator.
2. Plan Development. The Partnership Agreement assigned all Circuit Court functions to the Trial Court effective September 23, 2024.
3. Filing.
  - a. Delinquency, Child Protection, Adoption, and Family Division Miscellaneous proceedings are filed and maintained in Probate Court.
  - b. Domestic Relations, Child Custody, Child Support, ERPO, and Personal Protection proceedings are filed and maintained in Circuit Court.
  - c. Access to Records is governed by Local Administrative Order 2025-5, Access, Inspection, Reproduction, and Creation of Court Records.
  - d. Court Specialists serve under oath and are authorized to certify copies of records in the Family Division.
4. Access Point. Inquiries regarding the Domestic Relations, Child Custody, Child Support, ERPO, and Personal Protection proceedings, including but not limited to where to file documents or how to obtain records, shall be directed to the Circuit Court clerks.

Inquiries regarding the Delinquency, Child Protection, Adoption, and Family Division Miscellaneous proceedings, including but not limited to where to file documents or how to obtain records, shall be directed to the Probate/Family Division clerks.
5. Internal Transfer. Files are transferred from court to court in person by Trial Court

personnel as needed. Implementation of MiFile in the Family Division will allow files to be moved electronically.

6. Technological Access. The Barry County Information & Technology department works closely with the Trial Court Administrator to ensure that court recording, videoconferencing, and electronic filing technology are available for utilization in Family Division court proceedings.
7. This FCP is posted on the court's website and is otherwise publicly available upon request.

May 20, 2025



---

William M. Doherty, Chief Judge

**APPENDIX**

<b><u>Judges</u></b>	<b><u>Court Assignments</u></b>	<b><u>Term Ends</u></b>
William M. Doherty	Probate and Family Division	December 31, 2030
Vicky L. Alspaugh	Circuit and Family Division (Domestic Relations)	December 31, 2026
Michael L. Schipper	District Division	December 31, 2030

# Barry County Trial Court Circuit, District & Probate/Family Division

