51st Circuit Court Local Administrative Order: 2025-02J

Oceana County Probate Court Local Administrative Order: 2025-01J

Mason County Probate Court Local Administrative Order: 2025-01J

FAMILY COURT PLAN

This Local Administrative Order, once approved, rescinds:

51st Circuit Court Local Administrative Order: 2022-16J
P64 Oceana County Probate Court Local Administrative Order: 2022-12J
P53 Mason County Courts Local Administrative Order: 2022-02J

FAMILY DIVISION ESTABLISHMENT

I. INTRODUCTION

The 51st Judicial Circuit Court is comprised of Mason and Oceana Counties, and one circuit judge serves this circuit. Mason and Oceana Counties each have one probate judge and these judges have been part of the family division.

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 probate judge for each county 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(s) of this FCP are as follows:

1. Developing Subject Matter Expertise for Judges and Staff.
2. Promoting Consistency and Predictability for Families.
3. Improving Efficiency and Timeliness.

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 probate judges for each county to ensure that the Plan meets the statutory requirements and complies with the Family Court Plan Requirements and Guidelines provided by the SCAO.

The FCP will be periodically reviewed and revised as necessary by the Chief Judge. The review process shall include an analysis of judicial resources, case management and any administrative changes that are necessary.

II. ADMINISTRATION

A. Judicial Resources / Service

1. **Family Division Judges**. All judges assigned to the family division are willing to serve in the family division through the end of their term.

   Hon. Jeffrey C. Nellis
   Mason County Probate Court and Presiding Judge for Family Division-Mason County
   Current Term: 1/1/2023 to 12/31/2028
   Judge Nellis began serving in the family court on 1/1/2013 immediately after taking the bench. He has agreed to continue serving in the family division until the conclusion of his term or until the plan is revised.

   Hon. Eric R. Fox
   Oceana County Probate Court and Presiding Judge for Family Division-Oceana County
   Current Term 1/1/2025 to 12/31/2030
   Judge Fox began serving in the family court on 1/1/2025 immediately after taking the bench. He has agreed to continue serving in the family division until the conclusion of his term or until the plan is revised.

   Hon. Susan K. Sniegowski
   51st Circuit Court Judge
   Current Term 1/1/2023 to 12/31/2028
   Judge Sniegowski served in the family division from 1/1/2015 to 7/1/2022. Beginning on 7/1/2022, all family division cases filed in Mason County were assigned to Mason County Presiding Family Court Judge. Beginning on 1/1/1976, all family division cases filed in Oceana County were assigned to the Oceana County Presiding Family Court Judge. Judge Sniegowski has agreed to serve in the family division to hear cases where disqualification of the probate court judge is required.

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 and the Institute of Continuing Legal Education.

3. **Judicial Service.** Judges assigned to the family division do not exclusively preside over family court cases as neither Mason County nor Oceana County has sufficient caseload to require a full-time family court judge. The probate court judge for each county handles 100% of the family division cases, unless disqualified. There are no partial assignments to the family division.

B. ASSIGNMENT OF CASES

Cases shall be assigned to the judges serving in the family division based on MCR 8.111 and pursuant to a separate local administrative order. Cases shall be assigned through the local administrative order based on available judicial resources and particular judicial expertise, and it shall also provide for how cases will be assigned because of disqualification of judges. Pending and new cases shall be assigned under the one judge/one family concept when practicable. When the application of the one judge/one family concept is not practicable, the respective presiding judge of the family division shall assign the case to a judge within the family division pursuant to the separate local administrative order.

The judges designated to serve in the family division shall continue until this plan is revised.

1. 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.

2. *Case Types*. The primary case types of the family division are Adoption Cases (AB, AC, AD, AF, AG, AM, AN, AO, AU, AY), Domestic Relations Cases (DC, DJ, DL, DM, DO, DP, DS, DZ, UE, UF, UM, UN), Personal Protection Orders (PH, PJ, PP and VP) Probate and Family Division Cases (EE, EJ, EM, EP, ER, EV, EZ, FH (only felony, non-payment of child support), ID, JA, JG, NA, NB, , PW) and Victim Forfeiture proceedings (VF). The ancillary case types that may be included in the Plan, if concurrent jurisdiction plans or other court configurations require it are Conservatorships, Guardianships, Mental Illness Proceedings, Protective Orders, and Name Change petitions (CA, CY, DD, GA, GL, GM, JA, LG, MI, NC, and PO).

3. *Concurrent Cases*. All the following cases are assigned to the sole family court judge in each county. Therefore, the manner in which cases are assigned in each County in the family division supports the "one family-one judge" requirements because, by default, there is only one family division judge assigned to hear any of the case types of the family division in each county. In this way, all family division cases are heard by the same judge by default.

C. REASSIGNMENT OF CASES

1. **Disqualifications**. Disqualifications handled pursuant to the separate local administrative order when possible. When reassignment within the Circuit is not possible, disqualifications will be handled by SCAO assignment.

2. **Transfer**. When a judge's service in the family division ends, the pending cases assigned to the judge shall be resolved by that judge. The re-assignment of any caseload of a judge who entirely leaves the bench shall be determined pursuant to the separate local administrative order.

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 for Mason County is included as Appendix A. A family division organizational chart for Oceana County is included as Appendix B. The Referee, ADA, juvenile probation officers, and Friend of the Court provide statutorily required support services to the court so that the court is operating efficiently with each judge serving in their area of expertise and in furtherance of the Family Division goals.

2. **Remote Proceedings**. Michigan Court Rules 2.407 and 2.408 define when the Court may use video conferencing (i.e. Zoom remote hearings). Notice of Hearing providing technical instructions for remote participation is provided by the Court or the moving party. Unless otherwise directed by the Court, Zoom remote hearings are permitted for (a) Pretrial Conferences; (b) Testimonial Proofs for Hearings under MCR 3.210(A)(4) – such as Pro Confesso ("Pro Con") Hearings; (c) Status Conferences; (d) Scheduling Conferences; (e) Juvenile Delinquency Show Cause

Hearings where the juvenile is in detention; and (f) other motions where evidence is not presented.

3. However, pursuant to MCR 2.408(A)(2), unless otherwise allowed at the discretion of the Court, Zoom remote hearings are prohibited for the following hearings: (g) Dispositional Review Hearings; (h) Final Adoption Hearings; (i) Name Change Hearings; (j) Permanency Planning Hearings; (k) Bench Trials and Jury Trials; (l) De Novo Hearings in Domestic cases; (m) Initial Dispositional Hearings in Juvenile/Delinquency and Neglect cases; (n) Adjudication and Disposition Hearing sin Juvenile proceedings; (o) Show Cause Hearings; (p) Juvenile Delinquency hearings (except juvenile Delinquency Show Cause Hearings where the juvenile is currently held in a detention center such as the Ingham County Youth Center); (q) Personal Protection Order ("PPO") Hearings; and (r) All Motion hearings and other hearings where the testimony of witnesses or presentation of evidence may occur.

4. **Facilities.**

Mason County:
All facilities available to the family division of the circuit court are located within the Mason County Courthouse Building. All court clients are required to enter through the basement entrance through a security checkpoint. The County conducts a quarterly review to assess security needs for the entire building and updates to the system are ongoing. There is a conference room available for attorneys to meet with clients.

There is presently no periodic review of facilities or possible improvements. However, the family division has requested that the Mason County Board of Commissioners review the deficiencies of all facilities used in the Mason County court system with a goal of updating all facilities.

Oceana County:
All facilities available to the family division of the circuit court are located within the Oceana County Building. All court clients are required to enter through the front entrance through a security checkpoint. The County conducts a quarterly review to assess security needs for the entire building and updates to the system are ongoing.

There are conference rooms available for attorneys to meet with clients and a separate waiting room where family members gather to wait for proceedings to conclude.

There is presently no periodic review of facilities or possible improvements.

E. RECORDS MANAGEMENT – MASON COUNTY

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

2. **Plan Development**. The Mason 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**. Mason County: Filings in the matters under the Domestic Relations Section of the Family Division shall be completed in the County Clerk's Office located on the first floor of the Mason County Trial Court, 301 East Ludington Avenue, Ludington, MI 49431.

   Filings in the matters under the Juvenile Section of the Family Division shall be completed in the Probate Court Office located on the first floor of the Mason County Trial Court, 301 East Ludington Avenue, Ludington, MI 49431.

   Filings in ancillary matters shall be completed in the Probate Court Office located on the first floor of the Mason County Trial Court, 301 East Ludington Avenue, Ludington, MI 49431.

4. **Access Point.** Circuit Court Services is the central access point to provide the public and the bar information regarding the family division and activities, such as where to file documents, records storage, records access, and case scheduling information.Mason County Information for the public is provided on the county's website at https://www.masoncounty.net/courts/mason-county-trial-court.html

5. **Internal Transfer**. Files are not subject to transfer and do not leave the possession of the Court. Files are not digitized and there is no electronic transfer of files.

6. **Technological Access**. Files are not digitized and there is no access to electronic files available.

7. **Public Access**. This FCP is available to the public upon request.

F. RECORDS MANAGEMENT – OCEANA COUNTY

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

2. **Plan Development**. The Oceana 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**. Oceana County: Filings in the matters under the Domestic Relations Section of the Family Division shall be completed in the Circuit Court Office located on the first floor of the Oceana County Building, 100 State Street, Hart, MI 49420.

   Filings in the matters under the Juvenile Section of the Family Division shall be completed in the Circuit Court Office located on the first floor of the Oceana County Building, 100 State Street, Hart, MI 49420.

   Filings in ancillary matters shall be completed in the Probate Court Office located on the first floor of the Oceana County Building, 100 State Street, Hart, MI 49420.

4. **Access Point.** The Circuit Court Clerk is the central access point to provide the public and the bar information regarding the family division and activities, such as where to file documents, records storage, records access, and case scheduling information. Oceana County Information for the public is provided on the county's website at https://oceana.mi.us/courts-sheriff/

5. **Internal Transfer**. Files are not subject to transfer and do not leave the possession of the Court. Files are not digitized and there is no electronic transfer of files.

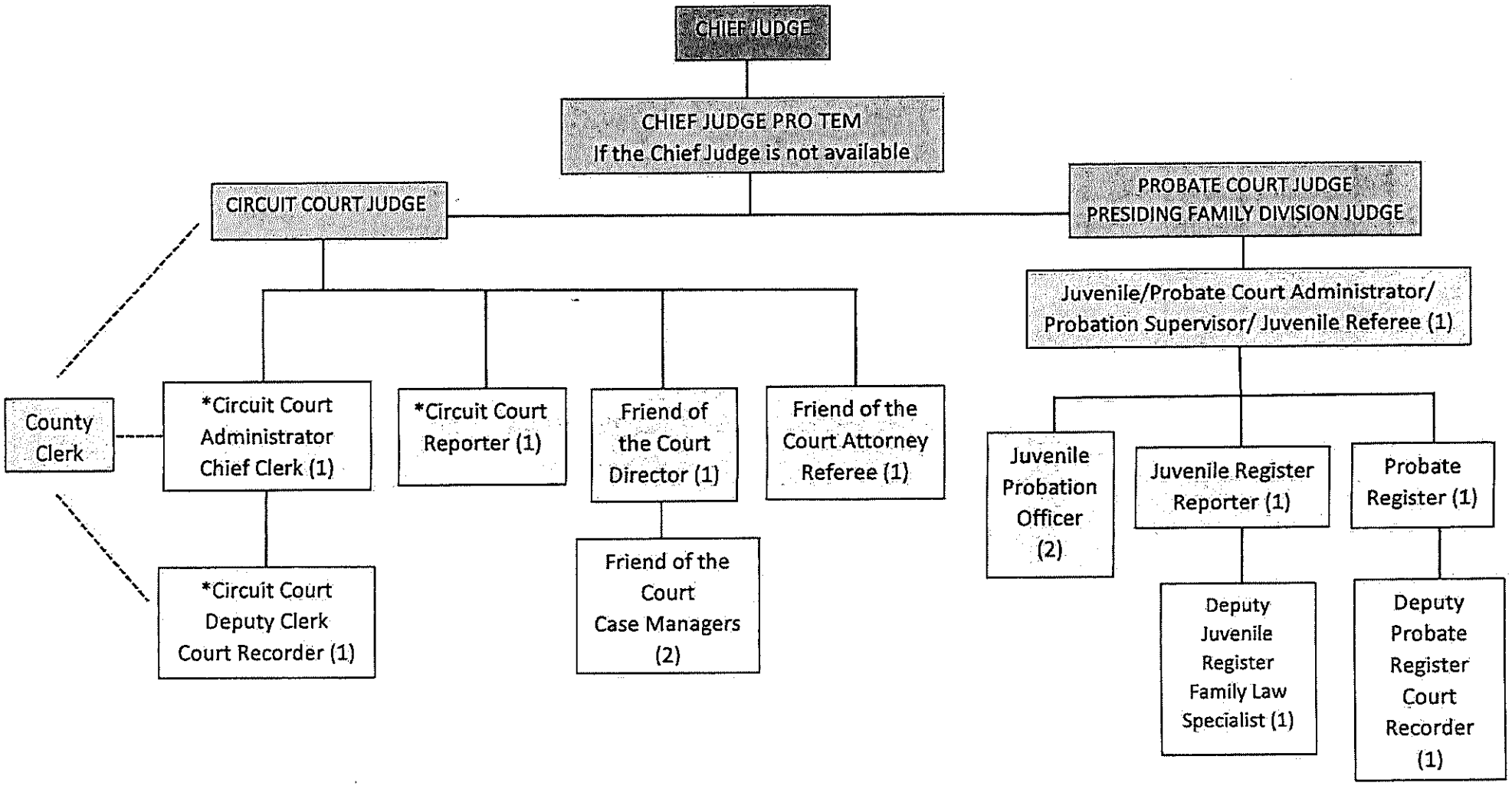
6. **Technological Access**. Files are not digitized and there is no access to electronic files available.

7 **Public Access**. This FCP is available to the public upon request.

Effective Date: May 15, 2025

Date: 5/15/25 Chief Judge of the Miami and Oceana Courts Judge Jeffrey C. Nellis
Signature:

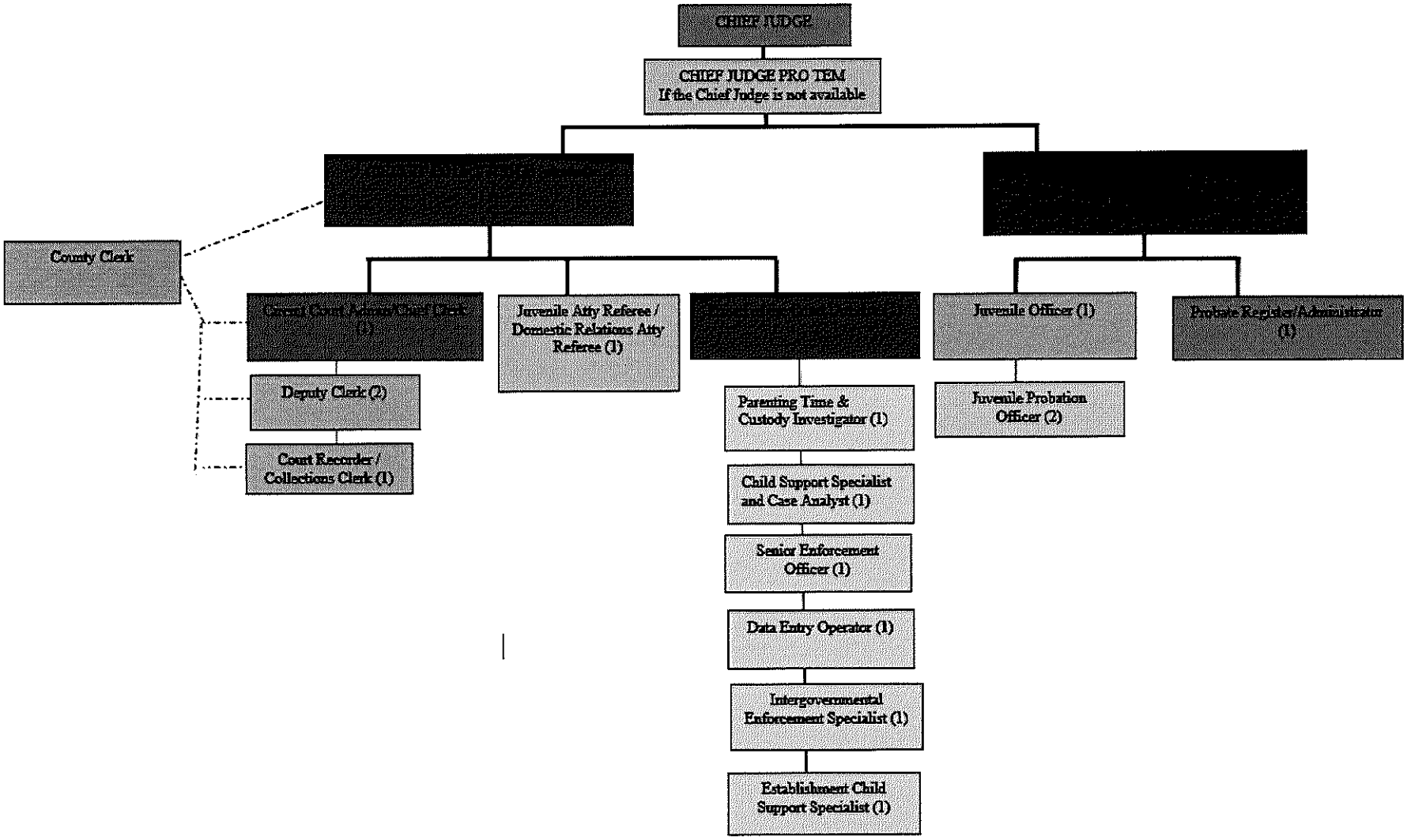
Mason County Family Court Organizational Chart



*Note: The Circuit Court Administrator, Reporter and Deputy Clerk positions all directly report to the Circuit Court Judge and provide support for Circuit Court filings.

Effective 7/1/2025:

Family Court Recording duties are handled by the
Juvenile Register, Deputy Probate Register and Contracted Reporters.



NCTC Organizational Chart Organizational Chart Key

Overall Supervision —Direct Supervision - - -Indirect Supervision