

STATE OF MICHIGAN



**SAGINAW COUNTY TRIAL COURT
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CHIEF DISTRICT JUDGE**

A.T. FRANK

DARNELL JACKSON

**PATRICK J. MCGRAW
CHIEF PROBATE JUDGE**

DAVID D. HOFFMAN

BARBARA L. METER

MANVEL TRICE III

M. RANDALL JURRENS

Local Administrative Order

10 th Circuit Court	2025-02J
Saginaw Probate Court	2025-01J-

Rescinds Local Administrative Order Numbers

10 th Circuit Court	2024-04J
Saginaw Probate Court	2024-02J

FAMILY COURT PLAN FOR THE 10TH JUDICIAL CIRCUIT COURT

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. This court has a multi-judge family division and the chief judge has selected a presiding judge to serve in that capacity. See Appendix A for further detail.

- B. **Goals.** The goal(s) of this FCP are described below. This plan has been drafted to assign cases to Judge's in the family division based on their subject matter expertise, access to file information, and to maximize the efficiency of the Family Division while also ensuring that Judge's assigned to service in the Family Division have an interest in serving and have developed judicial expertise in family law.
- 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. This plan will be automatically reviewed when there is a new judicial appointment or election to the Probate or Circuit Court to address judicial practice preference, expertise, and to appropriately manage caseloads.

II. ADMINISTRATION

A. JUDICIAL 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. There are two judges assigned 100% to the Family Division:

1. Judge Brittany A. Dicken (Circuit Court Judge)- term expires January 1, 2029- assignment began January 1, 2023.

2. Judge Barbara Meter (Probate Court Judge)- term expires January 1, 2027- assignment began January 1, 2015.

There are two judges with partial assignments to the Family Court to assist with ancillary case types and disqualifications:

1. Judge Patrick McGraw (Chief Probate Court Judge) – term expires January 1, 2031, assignment began December 1, 1999.

2. Judge Julie A. Gafkay (Chief Circuit Court Judge)- term expires January 1, 2031, assignment began January 1, 2025.

Due to the size of the family division docket, it is not practical for one judge to handle the docket in its entirety. Therefore, Saginaw County has divided the docket between a Circuit Court Judge and a Probate Court Judge with the Circuit Court handling the domestic case types and the Probate Court handling the abuse and neglect and juvenile case types. This arrangement allows for each Judge to apply their specific judicial expertise in the subject area. The Circuit Court Judge has ample prior experience in family court, including working as the Friend of the Court Director and Circuit Court Referee. The Probate Court Judge was a former prosecutor, thus placing her in a better position to handle the criminal juvenile case types and the abuse and neglect cases. This division also supports the one-family-one-judge concept, whereby every domestic case filed in the County gets the same judge, providing convenience and consistency to the family, and every juvenile gets the same judge for each offense or when parents have multiple children involved in abuse and neglect cases. Further, having two Judges with partial assignments to the Family Court allows for streamlined processes for disqualifications and docket assistance for ancillary case types.

- i. **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. Saginaw County primarily relies on MJI and ICLE to provide judicial education and training that aligns with the Judge's docket.
- ii. **Judicial Service.** All judges in "the Plan" will serve full time in the family division, under MCL 600.1011(3), where sufficient caseload and judicial resources exists. All other Circuit Judges and Probate Judges will be available for assignment of these case types when there is a recusal from the Judge's under this plan. The Family Division shall be divided into two sections:
 1. The Domestic Relations Section consists of all the following case code types: DC, DJ, DL, DM, DO, DP, DS, DZ, EE, EJ, EP, ER, EV, EZ, PH, PJ, PP, PW
 - a. The office of the Friend of the Court is a part of the Domestic Relations Section.
 - b. The Circuit Court Judge identified in Addendum A shall be responsible for 100% of the Domestic Relation Section assignments, except for disqualifications or reassignments under the "one-family-one-judge" policy and with the

exception of the PPO related case types (PH, PJ, PP, PW) which are assigned to Judge Julie A. Gafkay for purposes of docket management and expertise.

2. The Juvenile Section consists of all of the following case code types: AB, AC, AD, AF, AG, AM, AN, AO, AU, AY, EM, ID, JA, JG, NA, NB, TL, UE, UF, UI, UM, UN, VF, and VP
 - a. The Probate Court Judge identified in Addendum A shall be responsible for 100% of the Juvenile Section assignments, except for disqualifications or reassignments under the “one-family-one-judge” policy.

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).

- iii. **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.

- iv. **Definitions.**

For purposes of this FCP, the term “family” means: a group of persons united by birth, marriage, or adoption.

For purposes of this FCP, the term “family member” means: a party sharing a common child, spouse or parent with another party.

For purposes of this FCP, the term “pending” means: pre-judgment cases awaiting final determination.

- v. **One Family-One Judge.** To the extent possible, matters within the jurisdiction of the Family Division may be assigned to the same judge to further the concept of “one-family-one-judge”. When reassignment is not practical due to judicial caseload, expertise, or other limiting circumstances, the judges who have cases involving the same parties will openly

communicate about the pending actions to ensure a cohesive and consistent approach is taken with the family. ERPO requests by law enforcement will be handled by the on-call judges in district court but will be transferred to the Circuit Court Judge identified in this plan after initial determination.

- vi. **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.
- vii. **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, ID, JG, NA, NB, PH, PJ, PP, PW, TL, UE, UF, UI, UM, UN, VF, and VP. The ancillary case types that are not included in this Plan are CA, CY, DD, GA, GL, GM, JA, LG, MI, NC, and PO.
- viii. **Concurrent Cases.** Cases not otherwise specified in this order may be transferred to a judge upon agreement of the judges.

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 the case assignment order is modified, the Chief Judge will determine how to disperse any pending cases if a complete caseload transfer is not appropriate.
3. **Dispute.** Any dispute on proper reassignment shall be resolved by the presiding family division judge.

D. STAFFING AND FACILITIES

1. **Administrative Structure.** A family division organizational chart is included as Appendix A.

The Chief Probate Court Judge has supervisory authority over the administration of the 10th Circuit Court- Juvenile and Family Division.

- The presiding Judge of the 10th Circuit – Juvenile and Family Division, Barbara L. Meter, is responsible for all day-to-day operations of the Juvenile and Family Division, including

supervision of the Administrator and Juvenile Court Referees.

- The 10th Circuit Juvenile and Family Division Administrator, Todd Borders, under the supervision of the Presiding Judge, is responsible for the day-to-day supervision and fiscal responsibility of the budgets of the Court.
- The Detention Superintendent, Diedre Tyler, under the supervision of the Juvenile and Family Court Administrator, is responsible for the day-to-day operation of the Court-operated Detention Facility.

The Chief Circuit Court Judge has final supervisory authority over the administration of the 10th Circuit Court- Family Division.

- The presiding Judge of the 10th Circuit – Family Division is responsible for all day-to-day operations of the Family Division, including supervisory authority over the Friend of the Court.
- The Friend of the Court Director is responsible for day-to-day Friend of the Court operations, Friend of the Court fiscal responsibility and budgets, and supervisory authority over the 10th Circuit Court Referees.
- The 10th Circuit Court Administrator is responsible for the day-to-day supervision and fiscal responsibility of the budgets of the Court.

2. **Remote Proceedings.** Remote proceedings may be utilized as permitted by the Michigan Court Rules, specifically MCR 2.408 and the presiding hearing officer.
3. **Facilities.** The Circuit Court and the Juvenile Family Court are located in two separate facilities located roughly 7 miles apart. The county owns and operates a separate youth detention center attached to the Juvenile Court. The sheriff's department provides security for the facility. At both facilities, the courtrooms have secured access for court employees and attorneys who are granted access to the secure workspaces. The distance between the two buildings and the separate filing systems at each facility interfere with the ability of the Court to assign cases consistent with one-family-one-judge when the cases involve both a Juvenile and Domestic case type. The Court will continue to periodically review how to improve these facilities to better serve the goals of the family court plan.

E. RECORDS MANAGEMENT

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

5. **Plan Development.** The County Clerk has been afforded the opportunity to participate in the development of plans for the management of court records.
6. **Filing.** All 10th Circuit Family Division Domestic case pleadings shall be filed in the office of the Circuit Court Clerk. All Juvenile Family Division cases shall be filed in the office of the Juvenile Court Clerk.
7. **Access Point.** The Central Access Point for the 10th Circuit Family Division is 111 S. Michigan Ave. Saginaw, MI 48602. The Central Access Point for the Juvenile and Family Division Court is 3360 Hospital Rd. Saginaw, MI 48603. Information for the public is provided on the county's website www.saginawcounty.com
8. **Internal Transfer.** Any file transfers necessary will be done by the Clerks of the applicable courts utilizing either electronic or paper transfer procedures of the Clerk's.
6. **Technological Access.** All judicial officers and court staff shall have appropriate election case management access for the Family Division section(s) they serve.
7. **Public Access.** This FCP is posted on the court's website and is otherwise publicly available upon request.

Effective Date

This plan shall take effect upon approval of the State Court Administrative Office.

Date: 6/11/2015


Hon. Julie A. Galkay, Chief Judge Circuit Court

Date: 6/11/2015


Hon. Patrick J. McGraw, Chief Judge Probate Court

Attachment A
10TH Circuit – Family Court
Judges

Juvenile and Family Division

Hon. Barbara L. Meter, Probate Judge, **Presiding Judge of the 10th Circuit – Juvenile and Family Division**

Todd Borders, Court Administrator, 10th Circuit – Juvenile and Family Division
Administrator

Diedre Tyler, Detention Superintendent, 10th Circuit – Juvenile and Family Division
Director

Hon. Patrick McGraw, **Chief Probate Judge**

Family Division

Hon. Brittany Dicken, 10th Circuit Court Judge, **Presiding Judge of the 10th Circuit – Family Division**

Hon. Julie A. Gafkay, **10th Circuit Court Chief Judge**

ORGANIZATIONAL CHART 10TH CIRCUIT COURT – FAMILY COURT

