24th JUDICIAL CIRCUIT COURT

AND SANILAC COUNTY PROBATE COURT

Courthouse, 60 W. Sanilac Avenue

Sandusky MI 48471

AMENDED FAMILY COURT PLAN

24th CIRCUIT COURT ADMINISTRATIVE ORDER 2025 -04J

SANILAC CO. PROBATE COURT ADMINISTRATIVE ORDER 2025-02J

This Local Administrative Order rescinds the following:

24th Circuit Court Administrative Order 2022-04J
Sanilac Probate Court Administrative Order 2022-04J

Effective upon approval of the State Court Administrative Office.

The undersigned affirm that the information contained in this plan represents the full agreement of the Judges involved in developing the Amended Family Court Plan.

Dated: 9/3/25

Gregory S. Ross P31377
Chief Judge of the Sanilac County Trial Courts

Dated: 9/15/25

Timothy C. Wrathell P71990
Circuit Court Judge

FAMILY DIVISION ESTABLISHMENT

I. INTRODUCTION

A. Authority

In compliance with the provisions of MCL 600.1011, as amended by 2002 PA 682, and Supreme Court Administrative Order 2003-02, the 24th Circuit Court and Sanilac County Probate Court hereby enacts the annexed Family Court Plan (FCP or "the Plan"), for the operation of the Family Division of the 24th Circuit Court to accomplish the statutory purpose of promoting more efficient and effective services to families and individuals and to ensure that a judge's service in the Family Division shall be consistent with the requirement of developing sufficient judicial experience in family law. The chief circuit judge and the chief probate judge shall enter into an agreement establishing how the family division will be operate 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 judges 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 of the FCP are described below. In addition to the "one family-one judge" requirement, the Family Division services will be coordinated in order to promote more efficient and effective services to families and individuals, with the goal of developing sufficient judicial expertise in family law to properly serve the interests of the families and children whose cases are assigned to that judge resulting constituent and predictability for families.

C. Operation

This FCP supersedes prior plans that have been approved for the operation of the family division. This Plan will 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 judge to ensure that the Plan meets statutory requirements and complies with the Family Court Plan Requirements and Guidelines provided by SCAO. The Chief Judge of the Sanilac County Trial Courts and the Circuit Judge will conduct an annual review of the Family and revise the plan, as necessary.

This plan rescinds the 24th Circuit court Administrative Order 2022-04J, and the Sanilac Probate Court Administrative Order 2022-04J.

II. PLAN REQUIREMENTS

A. ADMINISTRATION

1. Supervisory Authority

The Chief Judge of the Sanilac County Trial Courts, also herein referred to as Supervising Judge, has general supervisory authority over the administration of the Circuit Court including the Family Division. This plan supersedes the prior plan (May, 5, 2022) approved for the operation of the Family Division.

2. Supervision Judge

The Supervising Judge shall have the ultimate authority and responsibility to hire and appoint such managers and administrators as shall be necessary for the administration of justice, including but not limited to a Trial Court Administrator, Friend of the Court, and Juvenile Director, and may delegate to such administrators and mangers such responsibility as provided by law and as the Supervising Judge deems appropriate. The Presiding Judge of the Family Division shall make recommendations to the Chief Judge of the Sanilac County Trial Courts on the hiring and discharge of the staff of the Family Division. The Presiding Judge of the Family Division shall be responsible for the day-to-day operation of the Family Division of the Circuit Court including discipline of Family Division staff. The Chief Judge of the Sanilac County Trial Courts shall participate in the interview process and make recommendations to the Supervising Judge on the hiring and discharge of the staff of the Family Division.

a. The Presiding Judge of the Family Division will be the Circuit Court Judge. The Presiding Judge of the Family Division will advise the Chief Judge of the Sanilac County Trial Courts as to requirements for facilities, budgets and other resource needs, direct the activities of the Friend of the Court, Family Court Administrator, oversee other Family Division Programs and coordinate with the County relative to Juvenile Detention Services. The Presiding Judge may recommend modifications to the case assignment formula and/or the creation of specialized dockets as may be necessary to manage the caseload of the Family Division. The Chief Judge of the Sanilac County Trial Courts shall submit all necessary budget requests to the appropriate funding authorities pursuant to requirements of law.

b. The Court shall be organized in the manner of the following table of organization set forth below and according to the job descriptions of personnel which are included here in.

- The Friend of the Court reports to the Presiding Judge of the Family Division.

- Juvenile staff report to the Presiding Judge of the Family Division through the Trial Court Administrator.
- Agencies providing assistance for matters in the jurisdiction of the Family Division of the Circuit Court will do so through the Trial Court Administrator.

3. Presiding Judge of the Family Division

The Presiding Judge of the Family Division of the Circuit Court is named in Appendix A.

a. The Trial Court Administrator will be under the direction and supervision of the Supervising Judge. However, the Trial Court Administrator shall also be responsible to assist the Presiding Judge of the Family Division in the administration of the Family Division. The Friend of the Court shall report directly to the Presiding Judge of the Family Division. The Juvenile Director shall report directly to the Trial Court Administrator, who will then report to the Presiding Judge of the Family Division. The Supervising Judge shall retain full authority to exercise such power and responsibility with regard to the employment of the assignment clerk/judicial secretary and court recorders or stenographers of the Family Division of the Circuit Court, which shall serve at the pleasure of the Supervising Judge.

b. The Trial Court Administrator shall be the Administrator and the Circuit Court Administrator and Juvenile Register shall be the Assignment Clerks of the Family Division of the Circuit Court.

B. JUDICIAL RESOURCES / SERVICE

1. Duration of Service

The Chief Judge of the Sanilac County Trial Courts shall have the authority and flexibility to determine the duration of a judge's service in the Family Division.

2. Family Division Judges

The 24th Circuit Court shall have at least two judges who will serve in the Family Division, to-wit: the Circuit Court Judge and the Chief Judge of the Sanilac County Trial Courts. All judges assigned to the family division has expressed an interest in overseeing family law cases through the end of their term. A judge serving pursuant to the Family Court Plan shall receive appropriate training as required by the Supreme Court to for development of expertise in family law, and a minimum of 6 years of service is encouraged when setting terms, assigning, or reassigning judicial resources.

a. Gregory Ross
   i. Family Judge Start date- 12/21/2011
   ii. Anticipated term on the Family Division-1/1/2027
   iii. Current term expires- 1/1/2027

b. Timothy Wrathell
   i. Family Judge Start date- 1/1/2021
   ii. Anticipated term on the Family Division-1/1/2027
   iii. Current term expires- 1/1/2027

3. 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. Due to the reduction in judicial positions, it is not possible to have one Judge handle exclusively Family Division matters.

Pursuant to Sanilac County LAO 2022-01J, Honorable Timothy C. Wrathell is assigned divorces with children, divorces without children, non-divorce domestic, personal protection orders and juvenile proceedings, including delinquency, designations, and traffic and Honorable Gregory S. Ross is assigned all adoption proceedings, family division miscellaneous proceedings, and child protection proceedings.

A judge's service pursuant to the Family Court Plan shall be consistent with the goal of developing sufficient judicial expertise in family law to properly serve the interests of the families and children whose cases are assigned to that judge. The minor case types are divided as equally as possible pursuant to the judicial resource allocation spreadsheets provide by SCAO.

4. 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. A judge serving pursuant to the Family Court Plan shall receive appropriate training as required by the Supreme Court that will properly serve the interests of families and children.

C. ANNUAL REVIEW

The Chief Judge of the Sanilac County Trial Courts and Circuit Judge will conduct an annual review of the Family Court Plan and revise the plan, as necessary.

D. BUDGETS

1. When preparing and submitting budgets to the funding unit, the Family Division budget shall be included in the coordinated Circuit Court budget. The Presiding Judges of each unit shall submit separate budgets for the Office of the Friend of the Court; for the office of Juvenile Services and for the Child Care Fund. The Supervising Judge shall separately prepare the budget for operation of those activities of the Circuit Court unrelated to the Family Division, which shall become part of the coordinated Circuit Court budget. The Chief Judge of the Sanilac County Trial Courts shall separately submit the Probate Court budget apart from the Family Division. The County Clerk shall submit a budget for the expenses of that office which result from the Family Division responsibilities either separately or as a part of the overall budget of the County Clerk's office in the discretion of the County Clerk.

2. The Presiding Judge of the Family Division shall have primary responsibility of the development of the budgets for the various units of the Family Division. The Supervising Judge shall have ultimate responsibility for the coordinated Circuit Court budget, and shall have final approval of all elements of the Family Division's budget.

E. ORGANIZATIONAL CHART

An organizational chart reflecting the structure described herein is attached, see Appendix A.

F. JUDICIAL AND CASE ASSIGNMENT

1. Barriers

   Due to the reduction in judicial positions, it is not possible to have one Judge handle exclusively Family Division matters.

2. One Judge Cases

   The One Judge – 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. One Family concept will be implemented as is possible with the current number of judges.

a. Case Assignment

Cases will be assigned according to Sanilac County's Local Administrative Order and cases are assigned randomly, as provided for under MCR 8.111 or 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.

b. Definitions

i. For purposes of this FCP, the term "family" means: Group of persons united by birth, marriage or adoption.

ii. For purposes of this FCP, the term "family member" means family related by law or biology to one parent or same parents.

iii. For purpose of this FCP, the term "pending" means, actions filed but not yet completed adjudicated and/or prior matters, within 18 months of filing, whether active or inactive within the 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 such case was assigned during.

c. One Family-One Judge

To the extent practicable, all matters within the jurisdiction of the Family Division will be assigned to the same judge to further the concept of "one family-one judge." When a matter within the jurisdiction of the Family Division is filed, and a matter involving the same family is pending in the Family Division, the new case will be assigned to the judge assigned to the pending matter.

d. 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.

e. 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(only felony, non-payment of child support), ID, JA, JG, NA, NB, PH, PJ, PP, PW, UE, UF, UI, UM, UN, VF and VP. The ancillary case types are CA, CY, DD, GA, GL, GM, JA, LG, MI, NC, and PO.

f. Concurrent Cases
Cases not otherwise specified in this order may be transferred to a judge upon agreement of the two judges.

3. When a judge's service pursuant to the Family Court Plan ends, the pending cases of that judge will be reassigned to another judge serving pursuant to the Family Court Plan or shall be resolved by that judge.

G. 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
When a judge's service in the family division ends, unresolved cases will be reassigned to another family division judge or assigned to that judge's successor.

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.

H. STAFFING AND FACILITIES

1. Administrative Structure
A family division organizational chart is included as Appendix A. The identified staff listed in this section serve in the family division, and work to advance the goals of this family court plan.

2. Remote Proceedings
Use of video conferencing technology may be allowed in any proceeding provided the party emails the Court and/or Administrator (24) hours in advance and is approved to appear through video conferencing technology, except wherein the testimony of witnesses or presentation of evidence may occur, except in the discretion of the court after all parties have had notice and opportunity to be over the issue (MCR 2.408).

3. Facilities
Child care facilities and supervising parenting locations do not now exist but should be studied. Third floor has (3) private meeting rooms for attorney/client meetings. The Court has quarterly Family Court meetings

and security meetings to consider any type of improvements which can improve the Court for the benefit of all. The Chief Judge of the Sanilac County Trial Courts and Circuit Judge shall review the existing facilities to determine the best ways of meeting the needs of families using the Family Division.

4. Training

The parties hereto agree to make reasonable efforts in cooperation with the Trial Court Administrator, Friend of the Court, Juvenile Director, County Clerk, and staff to provide training to all staff and administrators, both before and after July 1, 2003, regarding matters such as but not limited to job responsibilities, confidentiality, access to records, file management, record protection, retention and destruction, public relations, and cross-training.

5. Administrative appointments

Pursuant to the respective statutes providing that the Friend of the Court and the Juvenile Division are part of the Circuit Court, the Supervising Judge shall appoint the Friend of the Court, and the Juvenile Director, upon the recommendation of the Presiding Judge of the Family Division. The Supervising Judge shall appoint the Trial Court Administrator. The Friend of the Court, Juvenile Director, and Trial Court Administrator shall serve at the pleasure and discretion of the Supervising Judge.

a. The Friend of the Court and the Juvenile Director shall, with the assistance of the Trial Court Administrator, hire their respective staffs and be responsible for the administration of such staff, subject to the recommendation of the Presiding Judges and approval of the Supervising Judge.

b. The Supervising Judge shall hire necessary assignment clerks, secretaries, court stenographers, and court recorders and may seek the advice of the Trial Court Administrator for such purpose. In order that these functions may be carried out in the most economical manner for the taxpayers of the funding unit, the existing Trial Court Administrator and Assignment Clerk shall serve in those capacities for the Family Division, together with any deputies which may be necessarily appointed. Each of such persons so employed shall serve at the pleasure and discretion of the Supervising Judge. When performing services in a Courtroom, such employees are subject to the control of the Judge presiding in the Courtroom.

6. Each entity providing services to families within the jurisdiction of the Family Division shall continue to provide services as they have previously.

7. Agencies currently providing services to the Juvenile Division of the Probate Court or to the current Probate Court for matters which will transfer to the jurisdiction of the Family Division of the Circuit Court, shall provide assistance to the Family Division of the Circuit Court through the Family Division.

8. The Family Counseling Act shall be under the direction of the Family Division of the Circuit Court.

9. Friend of the Court
The Office of the Friend of the Court shall be responsible for making recommendations to the Court and/or the Referee regarding custody, support, visitation, alimony, attorney and guardian ad litem fee reimbursements, service fees, and collections thereof in domestic relations, as provided by law and as directed by the Presiding Judge or the Judge hearing the case and the Trial Court Administrator. The Friend of the Court shall report directly to the Presiding Judge of the Family Division.

10. Juvenile Services
The Office of Juvenile Services shall be within the administrative structure of the Family Division of Circuit Court and will report to the Presiding Judge of the Family Division, and shall be responsible for providing the Judge and/or Referee with recommendations regarding case plans for juvenile delinquents as provided by law, including advice concerning placement, terms of probation and restitution or community service and for supervising such delinquents on probation or in out-of-home replacement and reporting their progress to the Judge and/or Referee as from time to time directed. The Juvenile Director shall report directly to the Presiding Judge of the Family Division.

11. There is no youth detention center in Sanilac County.

12. Court Administrator
The Trial Court Administrator shall assist the Judges and the Referees in the management of the Court, the discharge of their responsibilities to efficient administer justice, including advising the Court on matters regarding budgets, staff management, case flow management, and public relations and shall report directly to the Supervising Judge.

13. Referees

The Supervising Judge shall appoint such Referees for the Office of the Friend of the Court and the Office of Juvenile Services as may be necessary for the efficient administration of justice and subject to available funding. Such Referees shall serve at the pleasure and discretion of the Supervising Judge. Efforts shall be made to cross-train Referees to serve both the Office of the Friend of the Court and the Office of Juvenile Services.

14. Court Recorders and Stenographers

The Supervising Judge may assign recorders or stenographers individually to serve a named Judge or Referee or may in his discretion assign such recorders or stenographers to a pool from which assignments shall be made as directed by the Judges and for the purpose of furthering the goals of economy and efficiency.

15. Employer

The Supervising Judge shall be deemed the employer of all Court personnel for the purposes of negotiating and enforcing labor agreements, and may delegate the responsibility therefore as the Supervising Judge deems appropriate.

16. Security Officer

A Security Officer should be provided by the Circuit Court to the Chief Judge of the Sanilac County Trial Courts when Circuit Court Family Division hearings are being held in the District Courtroom. This Security Officer would be in addition to that provided for the Circuit Courtroom.

I. RECORDS MANAGEMENT

1. Clerks of the Court

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

2. Access Point

The office of the Sanilac County Clerk shall be the central access point to provide the public and bar information regarding the Family Division and related activities such as where to file documents, records, storage, records access, and case scheduling information.

3. Filing

All filings must adhere to the current filing standard of the Sanilac County Clerk's Office. The County Clerk's Office will follow the procedures in the records management by the State Court Administrative Office.

Filings in matters under Domestic Relations of the Family Division shall be completed in the office of the County Clerk located on the second floor of the Sanilac County Courthouse building, 60 W. Sanilac Avenue, Room 203, Sandusky, MI 48471.

Filings in matters under the Juvenile Section of the Family Division shall be completed on the second floor of the Sanilac County Courthouse building, 60 W. Sanilac Avenue, Room 209, Sandusky, MI 48471.

Filings in ancillary matters shall be completed in the office of the County Clerk located on the second floor of the Sanilac County Courthouse building, 60 W. Sanilac Avenue, Room 203, Sandusky, MI 48471.

4. It being provided by the Court Reorganization Act of 1996 that the County Clerk shall maintain all records of the Family Division, and such Office of the County Clerk shall receive for filing, maintain and preserve all records of the Family Division and shall on a timely basis make such records available to the Judge presiding over any matter.
   a. For such purpose, the County Clerk shall obtain such employees as may be necessary to provide and care for files, maintain records or proceedings, swear witnesses, and such other duties as the Judge and the County Clerk may from time-to-time deem necessary and appropriate.
   b. All documents regarding the Family Court Division matters shall be filed at the Office of the County Clerk.

5. The County Clerk shall take possession of and responsibility for, all legal records in possession of the Probate Court of cases which would come before the Family Division, including all closed files of such matters.

6. The parties hereto agree that it is in the best interest of justice and the public that the Family Division of the Circuit Court be provided with adequate funding and resources to provide fair and impartial justice to the public in a timely and efficient manner, and to that end agree to seek the cooperative participation of the Sanilac County Board of Commissioners and the Sanilac County Clerk and their contributions of funding resources necessary to achieve such purpose. It is recognized at a minimum the following needs to be addressed and maintained:

a. Computer links between the current Circuit Court and Probate Court computers and will need cooperation of funding unit to provide enhancements including upgrading the County computer, installation of OSM software, purchase of personal computers, printers, licenses.

7. All Circuit Court Family Division cases heard by the Supervising Judge of the Sanilac County Trial Courts will be in the District Courtroom and all cases heard by the Presiding Judge will be in the Circuit Courtroom.
   a. Either a County Clerk employee or Circuit Court employee will provide certified recording services for such cases, subject to the authority of the Supervising Judge pursuant to H(G)(10).

8. Internal Transfers
   The Family Division has JIS for its case management system. Staff members can view the electronic file through that system.

9. Technological Access
   All judicial officers and court staff shall have appropriate electronic case management access for the family division section(s) they serve.

10. 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.

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

APPENDIX A

Honorable Timothy C. Wrathell shall be the Presiding Judge of the Circuit Court Family Division.

Sanilac County Courts Organizational Chart

