STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF MECOSTA & OSCEOLA

FAMILY COURT PLAN
FOR THE 49TH CIRCUIT COURT
& 18TH POBATE COURT DISTRICT

LOCAL ADMINISTRATIVE ORDER
Circuit Court Joint Local Administrative Order 2025-01J

Probate Court Joint Local Administrative Order 2025-01J

Rescinds Circuit Court Joint Local Administrative Order 2024-03J

Rescinds Probate Court Joint Local Administrative Order 2024-02J

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 that in addition to the "one family-one judge" requirement, subject matter expertise, access to information from all relevant files, efficient court operation, and consistency 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 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.

II. ADMINISTRATION

This Section shall include:

A. JUDICAL 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.
   - Judge Tyler Thompson, 18th Probate Court District, Presiding Judge, Family Division,
     - November 2016-present
     - No anticipated expiration of term
   - Kimberly L. Booher, Chief Judge, Chief Circuit Judge, 49th Circuit
     - January 2015 – Present
     - Anticipated term expiration – December 31, 2026
   - Amy C. Clapp, 49th Circuit Court
     - August 2022 – present
     - No expected expiration of term

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.

3. Judicial Service. All three judges will serve part-time in the family division. Judge Thompson shall cover 100% of all non DO, non DJ, non ID and non FH cases. Judge Clapp and Judge Booher will each cover 50% of the DO, DJ, ID, and FH 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 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 said local administrative order based on the judicial resources available and particular judicial expertise. The local administrative order regarding case assignments will also provide for how cases will be assigned as a result of disqualification of judges.

2. For purposes of this FCP, the term “family” means: a basic social unit consisting of parents and their children, considered as a group, whether dwelling together or not.

   For purposes of this FCP, the term “family member” means: mother, father, daughter, or son of the same family as defined in this FCP, above.

   For purposes of this FCP, the term "pending” means: not yet resolved.

3. One Family-One Judge. This court will align cases with the “one family-one judge” requirement except when not practicable such as (but not limited to) after-hours verbal ERPO requests by law enforcement or criminal violations of personal protection orders.

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. 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, EP, ER, EV, EZ, FH (only felony, non-payment of child support), ID, JG, NA, NB, PH, PJ, PP, UE, UF, UI, UM, UN, VF, and VP. The ancillary case types that are not included in the Plan are BR, EM, JA, NC, and PW. These matters are handled solely by the probate court as if they are probate matters. TL is not a part of the family plan.

6. Concurrent Cases. These assignment procedures support the “one family-one judge” requirements with concurrent cases. For example, paternity cases with concurrent NA, DL, or DJ cases.

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. When a judge's service in the family division ends, unresolved cases will be reassigned to another family division judge, that judge's successor, or will be resolved by that judge prior to leaving the family division.

3. Dispute. Any dispute on proper reassignment shall be resolved by the chief judge and/or the presiding family division judge.

D. STAFFING AND FACILITIES

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

2. Remote Proceedings. The courts and this Plan shall comply with *MCR 2.408*.

3. Facilities. The court facilities are further described in this court's 2023 Amendment of Concurrent Jurisdiction Plans.

E. RECORDS MANAGEMENT

1. Clerks of the Court. The Mecosta & Osceola County Clerks are designated as the Clerk of the Court for the Family Division. The Mecosta & Osceola Couty Juvenile Court Administrators shall maintain every record created by or filed with the probate / juvenile court.

2. Plan Development. The County Clerks have been afforded the opportunity to participate in the development of plans for management of court records. They were afforded the opportunity to submit a letter with the plan and have elected not to do so.

3. Filing. AB, AC, AD, AF, AG, AM, AN, AO, AU, AY, BR, DJ, DL, EM, JA, JG, NA, NB, NC, PJ, PW, and VF cases shall be filed with the probate/juvenile court. All other family court cases shall be filed with the county clerk (Clerk of the Court.)

4. Access Points. The public may access family court case information by coming in person to the courthouse to the window of the office responsible for retention of documents as noted in E3, above.

https://www.mecostacounty.org/government/courts.php

https://www.osceola-county.org/residents/county_departments/probate_and_family_court_1/index.php

6. Technological Access. This court is continuously working with county IT staff as funds are available to update technological access to its documents.

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

06/13/2025

Kimberly L. Booher
Chief Judge, 49th Circuit Court

06/13/2025

Tyler Thompson
Presiding Judge, Family Division

APPENDIX A
FAMILY COURT STRUCTURE

Presiding Judge – Family Division, Tyler Thompson, 18th Probate Court District

Chief Circuit Judge & Chief Judge, Kimberly L. Booher, 49th Circuit Court

Circuit Judge, Amy C. Clapp, 49th Circuit Court

Referee & Friend of the Court, David Oostdyk
The referee and Friend of the Court manages the FOC offices and staff, and is an attorney-referee who is responsible for the initial hearings on cases related to custody, support, parenting time, & paternity.

Mecosta County Family Court Administrator, Julie Wallace, Mecosta County
Osceola County Family Court Administrator, Heather Streicher, Osceola County
The family court administrator is responsible for supervising juvenile probation officers and managing the budget and files for all matters related to juvenile delinquency, abuse and neglect, personal protection matters related to minors, and adoption. The administrator manages all staff who are under the authority of the probate court judge

Mecosta County Probate Register, Valerie Robbins, Mecosta County
Osceola County Probate Register, Katrina Small, Osceola County
The probate register is responsible for managing the files and staff for all matters related to name changes, all guardianships, all conservatorships, parental waiver cases, emancipations, and mental health matters.