STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

FAMILY COURT PLAN FOR THE 44TH CIRCUIT COURT AND THE LIVINGSTON COUNTY PROBATE COURT

LOCAL ADMINISTRATIVE ORDER

Circuit Court Joint Local Administrative Order 2025-06J

Probate Court Joint Local Administrative Order 2025-05J

Rescinds Circuit Court Joint Local Administrative Order C44 2022-02J

Rescinds Probate Court Joint Local Administrative Order P47 2022-02J

Rescinds District Court Joint Local Administrative Order D53 2022-02J

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 enter into this 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 in alignment with the court's values of fairness, access, integrity and respect. The family division follows the one family-one judge model in order to best serve families with access to information from all relevant files. The FCP assists in maintaining the effective and efficient operation

of the family and provides consistency and predictability for families. This FCP elevates domestic and other family matters to a priority status, giving families the judicial time and attention they deserve.

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. The FCP would be reviewed at the time of judicial re-assignments when a chief judge of the circuit or probate court is appointed by the Michigan Supreme Court.

II. ADMINISTRATION

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.

   In January 1998, the Circuit and Probate Courts of Livingston County entered into an agreement and created the family division of the circuit court.

   All judges assigned to the family division have expressed an interest in overseeing family law cases through the end of their term, consistent with the requirement to develop sufficient expertise in family law. The probate judge and the three circuit judges are assigned to serve in the family division.

   Appendix A lists all judges serving in the family division, including when they started serving in the family division and when their current term expires. Any and all changes will be made by amending said appendix.

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.

   Monthly judicial meetings promote communication and collaboration among judges. Each judge serving in the family division complies with the MCJE rules.

3. Judicial Service. Caseloads and judicial resources in Livingston County require partial assignments of each judge to the family division. The percentage and type of new family division filings assigned to each judge is as follows.

The PJ3 (courtroom 3 – chief probate judge) will serve in the family division and is assigned the following family division cases: 100% of the neglect and abuse docket, 100% of the adoption cases, 20% of the domestic relations cases involving children and the related personal protection orders (PPO) and extreme risk protection orders (ERPO) related to the domestic cases; and 50% of the FOC contempt proceedings. If a neglect and abuse case has a domestic relations case involving the same parties and the same children, the PJ3 shall also handle the domestic relations case. If a neglect and abuse case has a circuit criminal case involving the same parties and/or the same children, the PJ3 shall also handle the circuit criminal case.

The CJ4 (courtroom 4 – chief circuit judge) will serve in the family division and is assigned the following family division cases: 34% of the adult ERPO cases unrelated to a domestic case; 33% of the name change cases; and 100% of parental waiver cases.

The CJ5 (courtroom 5 – circuit judge) will serve in the family division and is assigned the following family division cases: 25% of all domestic relations cases involving children and the related personal protection orders (PPO) and extreme risk protection orders (ERPO) related to the domestic cases; 50% of the divorce cases without children and the related personal protection orders (PPO) and extreme risk protection orders (ERPO) related to those cases; 50% of the FOC contempt proceedings, 33% of the adult ERPO cases unrelated to a domestic case; and 33% of the name change cases.

The CJB (Brighton courtroom – circuit judge) will serve in the Family Division and is assigned the following Family Division cases: 55% of all domestic relations cases involving children and the related personal protection orders (PPO) and extreme risk protection orders (ERPO) related to the domestic cases; 50% of the divorce cases without children and the related personal protection orders (PPO) and extreme risk protection orders (ERPO) related to those cases; 100% of the juvenile delinquency cases, juvenile ERPO (i.e. EE, EJ, and EZ) cases, and juvenile personal protection orders (PPO); 100% of emancipations; 33% of the adult ERPO cases unrelated to a domestic cases; and 34% of the name change 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 those cases identified to be those of a family member within the jurisdiction of the family court.

2. Definitions.

   For purposes of this FCP, the term "family" means: a group of persons related by law or biology to the same parents.

   For purposes of this FCP, the term "family member" means: legal parents and their minor children and when practicable, at the discretion of the court, may also include others involved in the care taking of the children.

   For purposes of this FCP, the term "pending" means: any case over which the family division of the circuit court has current jurisdiction that is currently open, awaiting a final judgment, or is closed but has appeared for a post-judgment motion before a judge or domestic referee regarding custody, parenting time or support within the last twelve (12) months.

3. One Family-One Judge. Describe the process for aligning cases with the "one family-one judge" requirement and define the criteria and process for determining when alignment of cases with the "one family-one judge" requirement is not practicable.

   To the extent practicable, all matters within the jurisdiction of the family division will be assigned to the same judge. Assignment of after-hours verbal extreme risk protection order (ERPO) requests by law enforcement and felony non-payment of child support are not practicable to align with the one family-one court as those cases are assigned to the duty judge on a monthly rotation and may require jail transport.

4. Prior Matters. When cases or motions are filed, the clerk's office, probate register and/or the juvenile register 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, EM, EP, ER, EV, EZ, FH (only felony, non-payment of child support), ID, JG, NA, NB, NC, PJ, PP, PW, TL, UE, UF, UI, UM, UN, VF, and VP. The ancillary case types included in the Plan are CA, CY, DD, GA, GL, GM, LG, and PO.

   Mental Illness Proceedings (MI) and Judicial Admission (JA) case types are not included in the list of ancillary case types and therefore are not included in this Plan. Personal Protection Against Stalking (PH) case type is not included in this plan.

6. Concurrent Cases.
   The clerk opening the case shall review family, civil, probate and juvenile file indexes for other matters, involving members of the same family, pending within the jurisdiction of the family division. If a family judge was involved with the family within the past twelve (12) months, the case will be assigned to that judge (see section II.B.2.). The oldest family court matter found shall determine which family court judge is assigned with the exception of neglect and abuse cases. All pending family matters will be assigned to the judge with the concurrent neglect and abuse matter, regardless of which case type is the oldest matter.

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 and then by SCAO assignment.

2. Transfer. When a judge's service in the family division ends, pending cases will be resolved by the judge assigned as his/her successor.

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 B.

   The utilization of attorney referees, the ADR clerk and the probate register provide additional resources and enhance the goals of the FCP. Attorney referees will be utilized to assist the judges assigned to the Family Division. In addition, services for Alternative Dispute Resolution are provided to assist parties in resolving their issues. Services include

mediation and facilitative information gathering conferences designed to reduce conflict between parties at the onset of divorce proceedings. Both programs emphasize the goal of parties working together to resolve their issues amicably and in the best interests of their family. The probate register maintains ancillary case files and conducts conferences with fiduciaries to ensure compliance with their statutory duties.

2. Remote Proceedings. Each judge and referee will have the discretion of using remote proceedings under MCR 2.408. All hearings conducted remotely must comply with MCR 2.408.

3. Facilities. The Judicial Center facility in Howell, MI houses all courtrooms except one circuit courtroom which is currently located in Brighton, MI. The Judicial Center also houses the juvenile division referee hearing room. The FOC office and the domestic relations referee hearing rooms are located in the nearby Law Center. The circuit courtroom in Brighton, MI originated as a district courtroom. The limited security infrastructure, location and available resources necessitates an allocation of specific dockets.

   The Livingston County Board of Commissioners completed the present court facilities in the summer of 2000. The Law Center was remodeled in 2002. Maintenance of these facilities is regularly performed.

E. RECORDS MANAGEMENT

1. Clerks of the Court. The Livingston County Clerk is designated as the Clerk of the Court for domestic relations, personal protection order files and ERPOs. The juvenile division is designated to maintain all juvenile records, including abuse and neglect, delinquency and adoption files. The probate register shall maintain every record created by or filed with the probate court.

2. 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.

3. Filing. All filings are made and all records are kept at the Judicial Center. Family Court documents are filed at the county clerk's office, circuit division, the juvenile court office, or the probate court office, all located at the Judicial Center. The county clerk's circuit division is the central access point to provide the public and the bar association with information regarding access to the courts and court-related activities. The court instituted an electronic records and document management system for all

domestic filings in January 2016 and all probate filings in 2023 to provide for greater efficiencies between the courts, attorneys, and the public.

4. Access Point. Information regarding the family division, including the County Clerk's Office, can be found on the Livingston County website www.milivcounty.gov. Information regarding filing, storage and access to records can also be obtained from the County Clerk, central services, juvenile division and probate clerk's offices. The courts utilize JIS Trial Court Services case management program and provide online access to public case information, including scheduling and registers of actions.

5. Internal Transfer. The courts continue to maintain paper files, OnBase electronic document management for domestic and probate filings, and JIS electronic case management records. Staff members may obtain files from file rooms or view registers of action via the case management system. County Clerk and juvenile division staff transport files to the family division judge located in Brighton MI.

6. Technological Access. Judges, referees and all family division staff have access to the electronic case management system, JIS, and OnBase electronic documents, as needed.

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

Effective Date: July 14, 2025

IT IS SO ORDERED:

Date: 7/9/2025

Hon. Matthew J. McGivney, Chief Judge of Circuit & District Courts

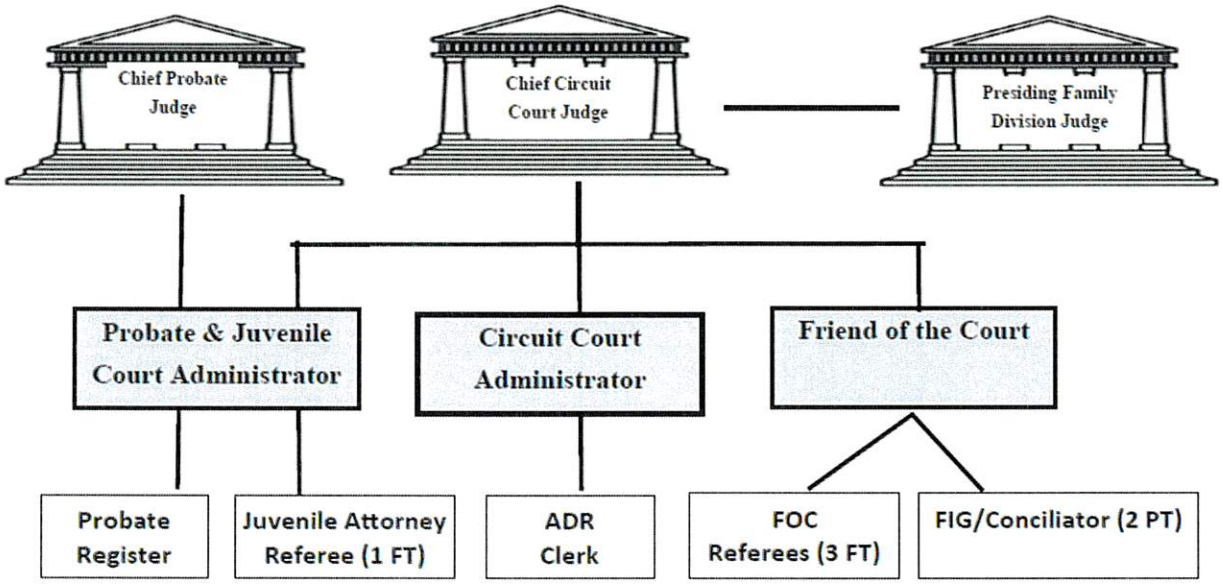
Date: 7/9/2025

Hon. Miriam A. Cavanaugh, Chief Judge of Probate Court

APPENDIX A

The probate judge and three circuit court judges are assigned to serve in the family division. The probate judge assigned to the family division is Chief Judge Miriam A. Cavanaugh (PJ3). Hon. Judge Cavanaugh has served in the family division since 2013, and her current term expires December 2030. The circuit judges assigned to the family division are Chief Judge Matthew J. McGivney (CJ4), Hon. L. Suzanne Geddis (CJ5) and Hon. Susan Longsworth (CJB). Chief Judge Matthew J. McGivney has served in the family division since July 2019, with his current term ending December 2028. Hon. L. Suzanne Geddis has served in the family division since 2005, with her current term ending December 2026. Hon. Susan Longsworth has served in the family division since April 2024, with her current term ending December 2030.

APPENDIX B


Chief Probate Judge
Chief Circuit Court Judge
Presiding Family Division Judge
Probate & Juvenile Court Administrator
Circuit Court Administrator
Friend of the Court
Probate Register
Juvenile Attorney Referee (1 FT)
ADR Clerk
FOC Referees (3 FT)
FIG/Conciliator (2 PT)