STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF DELTA

FAMILY COURT PLAN (FCP) FOR THE 47th CIRCUIT COURT AND THE DELTA COUNTY PROBATE COURT

LOCAL ADMINISTRATIVE ORDER

Circuit Court Joint Local Administrative Order 2025–05J

Probate Court Joint Local Administrative Order 2025–01J

Rescinds Circuit Court Joint Local Administrative Order 2017 – 03J

Rescinds Probate Court Joint Local Administrative Order 2017 – 01J

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 goals of this FCP include, but are not limited to, the efficient delivery of judicial services and the guarantee of due process rights to families within the jurisdiction of the Family Court. This shall be achieved by ensuring that the judge presiding over a given case shall have access to information from all relevant files, shall possess expertise in the subject matter and shall operate the court efficiently. These services, together with adherence to the one-family-one-judge principle, shall afford consistency and predictability for the benefit of 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.

In the event of a successor judge wishing to serve under the FCP, said judge shall qualify for service under the FCP subject to the goals, expertise and other requirements established within the FCP.

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. Said judges include:

John B. Economopoulos, 47th Circuit Court, Delta County

Anticipated Term on Family Bench: Duration of FCP

Start of Family Division Service: Upon election, January 1, 2017

Expiration of Current Term: December 31, 2028

Perry R. Lund, Delta County Probate Judge

Anticipated Term on Family Bench: Duration of FCP

Start of Family Division Service: Upon election, January 1, 2019

Expiration of Current Term: December 31, 2030

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. The FCP judicial education resources on-hand which properly serve the interests of families and children include, but are not limited to, a county-funded legal research database and library, the use of electronic legal database resources for up-to-date access to current case law, statutory amendments, court rules, administrative rules and other resources, and the adherence to all MCJE mandates with an emphasis on family law matters.

3. Judicial Service. All judges in FCP will serve full time in the family division, under MCL 600.1011(3), where sufficient caseload and judicial resources exists. For any partial assignment the Plan must disclose the percentage of new filings by case type assigned to each judge.

4. The chief judge of the circuit court shall have supervisory authority over the administration of the family division of the circuit court. The circuit and probate judges serving pursuant to this plan are listed herein. Pursuant to MCL 600.1011(3), a judge's service 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 chief judge shall have the authority and flexibility to determine the duration of a judge's service pursuant to the family court plan in furtherance of this goal.

5. Pursuant to MCL 600.1021(3), the judge from the probate court shall have the same power and authority as the circuit judge in the family division within the county, in addition to all the power and authority of a judge of the probate court.

6. The judge from the probate court shall have direct day-to-day responsibilities and authority for coordination of staff, budget preparation and processing, and facilities management for those cases assigned in a local administrative order for the assignment of cases in the family division.

7. The judge from the circuit court shall have direct day-to-day responsibilities and authority for coordination of staff, budget preparation and processing, and facilities management for those cases assigned in a local administrative order for the assignment of cases in the family division.

8. There shall be a presiding judge of the family division appointed by the chief circuit judge upon consultation with the assigned probate judge. The Delta County probate judge is appointed as presiding judge of the family division.

9. The FCP shall be reviewed and revised periodically, as necessary, by the chief circuit judge and the chief probate judge and shall be submitted for approval by the supreme court pursuant to MCL 600.1011(7).

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: Individuals related by law or biology to one another.

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

   For purposes of this FCP, the term "pending" means: A matter with a designated family division case code which requires entry of an order or other court action to resolve an outstanding motion, petition or similar request from a party with standing.

3. One Family-One Judge. The one-family-one-judge principle is practicable when applied with consideration to judicial workload, expertise, familiarity with families and other relevant matters. The application of the one-family-one-judge principle is not practicable when the due process rights of families may be compromised by the untimely and inefficient handling of family division cases due to caseload demands. Such demands may arise from inequitable assignments between the two family-division courts under the current three-judge construct which includes a District Court handling cases within its own non-family-division jurisdiction. Such demands may also arise in the event of the future elimination of Delta County's District judgeship and the resulting added duties which may substantially affect one of the remaining courts more than the other.

With respect to after-hours verbal ERPO requests and alleged criminal violations of personal protection orders, law enforcement officials have been furnished with judicial contact information to aid with undertaking their duties. From time to time, given the emergency circumstances that may arise, the only available judge may not be the judge with whom the matter would normally be assigned. This is anticipated and deemed acceptable, given the nature of such requests and that greater duty to act in accordance with the timelines required during such emergencies.

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, EM, EP, ER, EV, EZ, FH (only felony, non-payment of child support), ID, JA, JG, NA, NB, PH, PJ, PP, PW, TL, UE, UF, UI, UM, UN, VF, and VP. The ancillary case types that may be included in the Plan, if concurrent jurisdiction plans or other court configurations require it are CA, CY, DD, GA, GL, GM, JA, LG, MI, NC, and PO.

   The family division case type/code assignment in effect is contained within the current LAO.

6. Concurrent Cases. The assignment procedures established above support the alignment of a given family to a given judge by consolidating minor/juvenile case assignments to one judge and non-minor/non-juvenile cases to the other.

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. Each judge under this FCP shall, to the extent practical, fully resolve any pending cases prior to the cessation of their service in the family division. Any unresolved cases shall be assigned to the successor family division judge, so qualified to serve, under the FCP.

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.

D. STAFFING AND FACILITIES

1. Administrative Structure. A family division organizational chart is included as **APPENDIX B**. The positions listed below help advance the goals of the court's Family Plan:

a. CIRCUIT COURT JUDGE/PROBATE COURT JUDGE: Undertakes judiciary, administrative and supervisory duties in accordance with assignment of responsibilities outlined within the organizational chart. This includes, but is not limited to, fulfilling assigned family division duties pursuant to any current LAO.

b. REFEREE: Undertakes family division docket in accordance with the current LAO and performs duties under the direct supervision of the Chief Judge.

c. FRIEND OF THE COURT: Administrates support, parenting time, custody and other matters consistent with statutory duties while directly supervising friend of the court staff in their functions.

d. FRIEND OF THE COURT STAFF: Undertakes direct point-of-contact with families in reference to support, parenting time, custody and access to the Court system. Staff also handles court reporting, scheduling, form production and other related duties under the direct supervision of the friend of the court and for the purpose of assisting families.

e. CIRCUIT COURT ADMINISTRATOR: Works under the direct supervision of the 47th Circuit Court Judge. Undertakes scheduling, court reporting, caseload management and serves as a point of contact with families when needed. Supervises circuit court staff. Serves as point of contact with SCAO in reference to all matters concerning the 47th Circuit Court and, when applicable, the Chief Judge.

f. CIRCUIT COURT STAFF: Clerk serves as point of contact for families who reach out to the circuit court and directs individuals according to their needs. The court reporter communicates with attorneys and families as necessary to ensure that hearings proceed productively. Also handles court reporting duties on the record and document preparation as needed.

g. FAMILY DIVISION/JUVENILE SERVICES ADMINISTRATION: Serves under the direct supervision of the probate judge. Undertakes scheduling, court reporting, and serves as a point of contact with families when needed. Supervises the probate court staff.

h. JUVENILE SERVICES STAFF: Clerks serve as point of contact for families who reach out to the probate court/family division and direct individuals according to their needs. Act as court reporters and communicate with attorneys and families as necessary to ensure that hearings proceed productively. Also handle court reporting duties on the record and document preparation as needed.

2. Remote Proceedings. The family division maintains compliance with MCR 2.408 and other remote proceedings requirements with the implementation of video-conferencing technology within each family division courtroom, to wit: the circuit courtroom, the probate courtroom and the domestic relations referee courtroom.

3. Facilities. The courthouse wherein the family court operates is equipped with facilities to further the goals of the family plan, to wit: attorney-client conference rooms and meeting rooms, both of which can also be used for the short-term placement of children under parental/adult supervision during hearings. The circuit and probate courtrooms are equipped with emergency mechanisms to protect those within the courtroom from dangers that may erupt beyond the courtroom. Courthouse and courtroom safety are evaluated on a regular basis through quarterly safety meetings and more frequent meetings/actions when circumstances so require.

E. RECORDS MANAGEMENT

1. Clerks of the Court. The Delta County Clerk is designated as the Clerk of the Court for the Family Division. The Delta County probate clerk 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. The office of the County Clerk shall be the designated place for the filing of family division documents by the public and the bar and for records storage, records access and case scheduling information. As such, they shall receive and file documents in cases for which the assigned judge has supervisory control except for those files held exclusively by the probate judge's office. For cases which the probate judge has supervisory control, the County Clerk shall direct the public and the bar to the appropriate family division office. The County Clerk shall continue to maintain files involving cases assigned to the circuit judge.

4. Access Point. The office of the County Clerk shall be the central access point for the public and the bar to provide information regarding access to the family division. The County Clerk and deputies shall advise the public and bar where to file documents, how records are stored, how records may be accessed, and the date and time of hearings.

5. Internal Transfer. All files and documents that require internal transfer shall be securely handled/processed in accordance with the Michigan Court Rules.

6. Technological Access. The County Clerk shall accommodate the requests of family division judges and referees for electronic access to all case materials pertaining to this plan in timely fashion and in accordance with all applicable security requirements by which they are bound to abide.

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

APPENDIX A

JUDGES SERVING IN THE FAMILY DIVISION OF THE 47TH CIRCUIT COURT:

Honorable John Economopoulos, 47th Circuit Court
Honorable Perry R. Lund, Delta County Probate Court

PRESIDING FAMILY DIVISION JUDGE:

Honorable Perry R. Lund, Delta County Probate Court

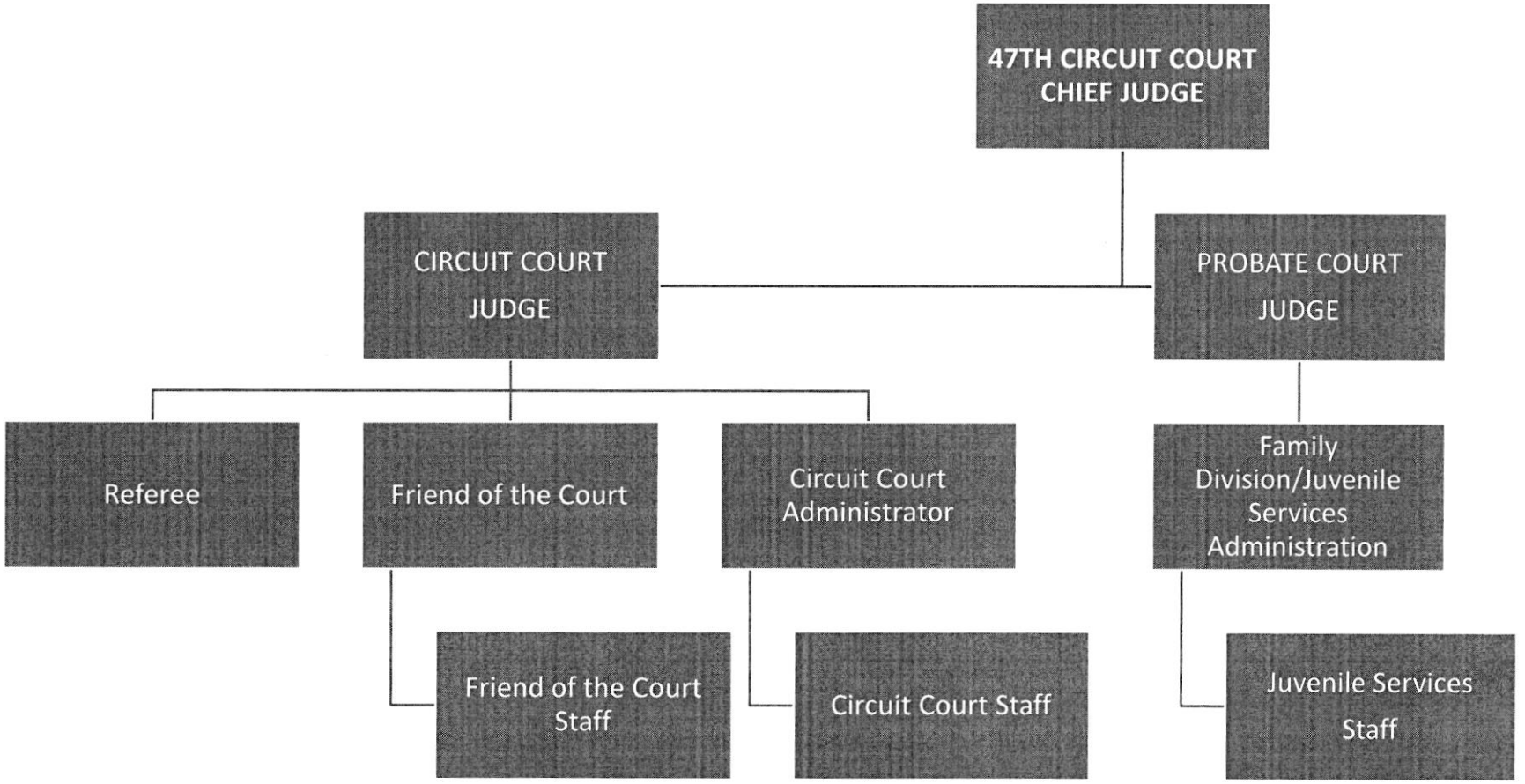
REFEREE SERVING IN THE FAMILY DIVISION OF THE 47TH CIRCUIT COURT:

Referee Andrew L. Hayse

FRIEND OF THE COURT:

Nicholas Rossell

47TH CIRCUIT COURT FAMILY DIVISION - APPENDIX B



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ORDER ADOPTING FAMILY COURT PLAN

IT IS ORDERED:

This Administrative Order is issued in accordance with MCL 600.1011. The purpose of this Order is to adopt the Family Court Plan appended to this Order upon approval by the State Court Administrative Office.

Dated: 7-18-2025

Hon. John B. Economopoulos
Chief Judge, Delta County