STATE OF MICHIGAN

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32ND CIRCUIT COURT
for
GOGEBIC AND ONTONAGON COUNTIES
MICHAEL K. POPE, CIRCUIT COURT JUDGE
SUSAN M. MITCHEM, Trial Court Administrator

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FAMILY DIVISION PLAN

32ND CIRCUIT COURT – GOGEBIC AND ONTONAGON COUNTIES
Local Administrative Order 2025-05J

GOGEBIC COUNTY PROBATE COURT
Local Administrative Order 2025-01J

ONTONAGON COUNTY PROBATE COURT
Local Administrative Order 2025-01J

Rescinds Circuit Court Local Administrative Order 2018-05J
Rescinds Circuit Court Local Administrative Order 2018-06
Rescinds Probate Court Local Administrative Order 2018-03J
Rescinds Probate Court Local Administrative Order 2018-01J

ORDER ADOPTING FAMILY COURT PLAN

IT IS ORDERED:

This administrative order issued in accordance with 2002 Public Act 682. The purpose of this order is to adopt the new Family Court Plan appended to this Order upon approval by the State Court Office.

DATED: June 4, 2025
MICHAEL K. POPE, Circuit Judge and Chief Judge

DATED: 6/4/2025
ANNA R. TALASKA, Gogebic County Probate Judge

DATED: 6-3-25
MICHAEL D. FINDLAY, Ontonagon County Probate Judge

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. This plan has been designed to ensure and maximize the efficient operation of the Family Division of the 32nd Circuit, while addressing the legislative intent of consolidating family matters for the benefit of litigants and maintaining the mission of the Judiciary of the State of Michigan to provide fair, effective and responsive forums for the resolution of family matters. This plan has been designed to ensure that a judge's service in the family court is consistent with the requirement to develop 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. In the event that the identity of one or more family division judges change, the addendum to this order will be updated identifying all serving judicial officers.

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.

The judge of the circuit court has supervisory authority over the administration of the family division of the 32nd Circuit Court. The judge of the circuit court has the authority and flexibility to determine the duration of a judge's service in the family division.

The 32nd Circuit judge, the Gogebic County probate judge and the Ontonagon County probate judge shall serve in the family division as specified in this plan. After consultation, the Gogebic County probate judge is appointed the presiding judge of the family division in Gogebic County and the Ontonagon County probate judge is appointed the presiding judge of the family division in Ontonagon County.

The three (3) judges serving in the family division have been identified in paragraph 1 above and are listed in Appendix A.

2. Judicial Expertise. A judge's service in the family division will require the continued development of judicial expertise in family law. All new judges will attend New Judge Orientation. All current judges have expertise, both from the bench and from prior private practice. The judges shall continue to develop that expertise by regular

participation in training consistent with MCJE rules and are encouraged to attend training that informs the position and current skill set offered by the Michigan Judicial Institute (MJI), under MCL 600.1019 or other providers.

3. Judicial Service. It is not practicable for judges serving in the family division to serve full time. The circuit judge has judicial responsibilities in civil and criminal cases for the circuit in addition to family cases. The probate judges have judicial responsibilities for probate and district court cases in the county in which they serve. The probate judges will be assigned 100% of cases under the juvenile code and adoption code, along with 100% of cases under Family Division-Miscellaneous Proceedings.

4. Probate judges serving pursuant to this plan have the same power and authority as a circuit judge in family division matters within the county/circuit in addition to the powers and authority of a judge of the probate court.

B. ASSIGNMENT OF CASES

1. Assignment of cases requires the recognition of MCR 8.111, or as otherwise provided in accordance with MCR 8.112(B).

2. In Gogebic County, the probate judge be assigned all proceedings under the Juvenile Code (DJ, DL, JG, NA, PJ, TL), Adoption Code (AB, AC, AD, AF, AG, AM, AN, AO, AU, AY), Family Division – Miscellaneous Proceedings (EM, ID, NB, NC, PH, PP, PW, VF, VP) and Family Division – Ancillary Proceedings (DA, DE, DH, PE, TR, TT, TV, CA, CY, DD, GA, GL, GM, LG, PO,JA, MI, BR, CZ [if filed in probate], ML). The circuit judge shall be assigned all other family division cases (DC, DM, DO, DP, DS, DZ, EE, EJ, EP, ER, EV, EZ, UE, UF, UI, UM, UN, FH).

   In Ontonagon County, the probate judge shall be assigned all proceedings under the Juvenile Code (DJ, DL, JG, NA, PJ, TL), Adoption Code (AB, AC, AD, AF, AG, AM, AN, AO, AU, AY), Family Division – Miscellaneous Proceedings (EM, ID, NB, NC, PH, PP, PW, VF, VP) and Family Division – Ancillary Proceedings (DA, DE, DH, PE, TR, TT, TV, CA, CY, DD, GA, GL, GM, LG, PO,JA, MI, BR, CZ [if filed in probate], ML). The circuit judge shall be assigned Extreme Risk Protection Order matters (EE, EJ, EP, ER, EV, EZ) and FH. The probate judge shall be assigned all other family division cases (DC, DM, DO, DP, DS, DZ, UE, UF, UI, UM, UN).

   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 herein.

   When reassignment of a pending matter is required, the family clerk will prepare an order for reassignment to be signed by the Chief Judge.

3. 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: the case is pre-judgment or actively being litigated with a judge. The lookback period for case assignment is limited to two years.

4. One Family-One Judge. Cases shall be assigned as designated herein, unless there is a new or ongoing NA case. If there is a pending or newly filed NA case, any active/pending domestic case shall be transferred to the judge assigned to the NA matter. If the NA case is filed during a pre-judgment domestic case, the domestic matter shall be transferred to the judge assigned to the NA case as soon as practicable. The judges may agree on another arrangement as needed for the specifics of the case. PPOs will be assigned to the same judge if they involve the same parties. Cases assigned prior to the effective date of this order shall retain the current assignment, unless reassignment is agreed upon by the two judges.

5. 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.

6. 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, NC, PH, PJ, PP, PW, TL, UE, UF, UI, UM, UN, VF, and VP. Ancillary case types are DA, DE, DH, PE, TR, TT, TV, CA, CY, DD, GA, GL, GM, LG, PO, JA, MI, BR, CZ (if filed in probate), and ML.

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

D. STAFFING AND FACILITIES

1. Administrative Structure. A family division organizational chart is included as Appendix B. The referee, juvenile probation officers and the Friends of the Court provide statutorily required support services to the court so that the court is operating efficiently.

   The Friends of the court and personnel thereof are under the jurisdiction, control and supervision of the Chief Judge of the Circuit Court.

2. Remote Proceedings. Remote proceedings are utilized in compliance with MCR 2.408 and other remote proceeding requirements.

3. Facilities.
   - Gogebic County: The family division is housed in the Gogebic County Courthouse. The Gogebic County Sheriff's Office provides security for the facility and the courtrooms. The county maintains the facilities and works collaboratively with court administration to perform repairs and consider any requested improvements as needed.
   - Ontonagon County: The family division is housed in the Ontonagon County Courthouse. The Ontonagon County Sheriff's Office provides security for the facility and the courtrooms. The county maintains the facilities and works

collaboratively with court administration to perform repairs and consider any requested improvements as needed.

E. RECORDS MANAGEMENT

1. The Gogebic and Ontonagon County clerks are designated as Clerks of the Court for the Family Division. Each probate clerk shall maintain every record created by or filed with the probate court.

2. Plan Development. The County Clerks have been afforded the opportunity to participate in the development of plans for management of court records. The courts will continue to cooperate with the clerks in future issues concerning record management and will reach agreements as necessary. 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. Family division documents shall be filed in each county clerk's office. Juvenile documents shall be filed in the juvenile court. Each office/court is responsible for storage, record access and case scheduling information of their respective jurisdiction.

4. Access Point. The County clerk's office is designated as the central access point for each county to provide the public and bar information regarding the family division and related activities including where to file documents, records storage, records access and case scheduling information, including online information. The staff of the juvenile courts and the probate judges shall assist the clerks' offices, if necessary, in providing such information.

5. Technological Access. The Gogebic and Ontonagon County clerks and juvenile offices currently utilize the same computer system which links all family cases and accommodates state reporting. The courts will continue to cooperate in maintaining and updating the computer system.

6. 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 32ND CIRCUIT COURT

Hon. Michael K. Pope, Chief Judge, 32nd Circuit Court

- Took the bench January 2016. Current term ends January 2027.

Hon. Anna R. Talaska, Gogebic County Probate Judge and Presiding Family Division Judge

- Took the bench January 2019. Current term ends January 2031.

Hon. Michael D. Findlay, Ontonagon County Probate Judge and Presiding Family Division Judge

- Took the bench January 2025. Current term ends January 2031.

APPENDIX B

32ND JUDICIAL CIRCUIT
FAMILY COURT FLOW CHART

