

**LOCAL ADMINISTRATIVE ORDER
2005-1**

Case Allocation

IT IS ORDERED:

This administrative order is being adopted in accordance with the Michigan Supreme Court Administrative Order 2003-1 and MCL 600.401. Effective January 1, 2005. There is hereby created within the Isabella County Trial Court a family division, civil division, criminal division, and appellate division.

1. The Circuit Judges shall handle the following matters:
 - a. Judge Paul H. Chamberlain
 - i. Family Division: Domestic relations without children.
 - ii. Civil Division: All trials; general civil (no limit); other statutory duties including appointment authority.
 - iii. Criminal Division: All jury trials and felony non-jury trials.
 - iv. Appellate Division: All except conflict.
 - b. Judge Mark H. Duthie
 - i. Family Division: All personal protection orders; paternity; 50% domestic relations; 25 % juvenile delinquencies, neglect and termination.
 - ii. Civil Division: Criminal forfeitures; claim and delivery; other statutory duties including appointment authority.
 - iii. Criminal Division: felony cases up to trial; felony jury trials-conflict overflow; prelim-overflows; license restoration; misdemeanor jury trials.
 - iv. Appellate Division: By assignment.
2. The Probate Judge shall handle the following matters:
 - a. Judge William T. Ervin

- i. Family Division: 50% domestic relations with children; adoptions; all guardianships; all conservatorships; 75% juvenile delinquencies, neglect & termination; estates (wills & trusts); parental consent waivers; and mental commitments.
 - ii. Civil Division: Election commission; drain appeals; other statutory duties including appointment authority.
 - iii. Criminal Division: Juvenile drug court; juvenile traffic; domestic violence through trial by assignment when defendant already involved in case in the family division.
 - iv. Appellate Division: By assignment.
3. The District Judge shall handle the following matters:
 - a. Judge William R. Rush
 - i. Family Division: Weddings.
 - ii. Civil Division: Landlord/tenant; small claims; civil forfeitures and foreclosures; other statutory duties including appointment authority.
 - iii. Criminal Division: All video arraignments; adult drug court; preliminary exams; misdemeanor prior to trial; non-jury misdemeanor trials; all traffic, except juvenile.
 - iv. Appellate Division: By assignment.

When a Judge has original jurisdiction within a division all ancillary jurisdiction shall be assigned to the presiding judge in the original case. Within the appellate division Judge Chamberlain shall hear all appeals unless a conflict exists whereupon, the case will be assigned within the appellate division to the other Judges by blind draw.

Statutory appointment authority given to any Judge of any Court within Isabella County shall remain with the Judge designated by statute.

This Order rescinds Local Administrative Order 1997-2, Case Allocation.

Date:

Hon. Paul H. Chamberlain
Chief Judge