

STATE OF MICHIGAN



ISABELLA COUNTY TRIAL COURT

300 NORTH MAIN STREET

MT. PLEASANT, MICHIGAN 48858

TEL. (989) 772-0911 FAX (989) 772-7337

HON. PAUL H. CHAMBERLAIN
CHIEF JUDGE
KERRI R. CURTISS
COURT ADMINISTRATOR

HON. WILLIAM T. ERVIN
TRIAL JUDGE
HON. MARK H. DUTHIE
TRIAL JUDGE
HON. ERIC R. JANES
TRIAL JUDGE

CASEFLOW MANAGEMENT PLAN
Local Administrative Order 2015-4

Rescinds Local Administrative Order 2011-1.

IT IS ORDERED:

This administrative order is issued in accordance with Michigan Supreme Court Administrative Order 2013-12.

A. Goals of the Court

The court adopts the following Caseflow Management Plan to:

1. Expedite the disposition of all cases in a manner consistent with fairness to all parties and what is permissible under law;
2. Minimize the uncertainties associated with processing cases;
3. Ensure equal access to the adjudicative process for all litigants.

B. Case Processing Time Guidelines

The court adopts this plan to comply with the time guidelines as set forth in Administrative Order 2013-12. The court will not dismiss a case for the sole reason that it is likely to exceed the guideline.

C. Scheduling Policy

The court will schedule all cases or contested matters in a manner that minimizes delay for the parties and that reduces the possibility of adjournment of scheduled events. The court will control all cases from case initiation through post-disposition proceedings by:

1. Appropriate case screening;
2. Scheduling conferences and orders for the purpose of achieving date certainty;
3. Management of discovery and motion practice;
4. Realistic scheduling of all court events.

The court will monitor all cases and contested matters to ensure that no case exists for which a future action or review date has not been scheduled. The court will schedule all cases pursuant to the time guidelines set forth in Administrative Order 2013-12. The court will not permit a case or contested matter to remain on this court's docket in excess of the guidelines set forth in this local administrative order without immediate judicial review.

D. Adjournment Policy

The court strictly adheres to MCR 2.503.

E. Alternative Dispute Resolution (ADR)

The court encourages alternative means to resolved disputes. Litigants will be provided with information regarding area dispute resolution and counseling centers.

The ADR Plan identifies those areas and/or cases where mediation, if offered would be beneficial, given the purpose and goals of ADR and the court, to all parties. It was determined in the research process that it was essential for this Court to address the increasing and high number of civil cases being filed in District Division pertaining specifically to general civil, small claims, and landlord/tenant cases. Under consideration was the potential and overall impact of mediation services whether provided voluntarily or involuntarily, would have on the caseload of the District Division. More importantly overall consideration was given to resolving disputes in the most efficient and effective manner. Worthy of additional consideration was the existence of a high number of Pro Se litigants where it was determined that traditional court procedures may create an unequal forum for resolution of disputes when one side has attorney representation or is fully familiar with the law and court procedures.

We use ADR in three specific areas: small claims cases that involve collection actions by agencies with trained employees; general civil cases where representation is present for only one party; and landlord/tenant cases where landlords are represented and the tenant is not, especially in a jurisdiction with a high volume of rental properties and student environment, in all situations placing the Pro Se litigants at a disadvantage. The use of facilitative mediation would make these proceeding more equal and balanced in resolving disputes while at the same time addressing the District Division caseload within those areas where mediation will have both short and long term impact on case management, resolving disputes, and offering alternatives to traditional court proceedings.

Cases referred to ADR shall remain open.

F. Pretrial Scheduling Orders

A pretrial scheduling order, captioned "Scheduling Order" will be issued following the filing of an answer in civil cases. This order will cover, among other things, the applicable discovery time allowed by the court in the case, filing deadlines for summary disposition motions, case evaluation, and witness lists.

G. Settlement or Final Pretrial Conferences

Every action that is not disposed of through mediation, case evaluation, or other means will be scheduled for a settlement conference and conducted in accordance with MCR 2.401.

H. Trial Scheduling and Management

Unless otherwise directed by the judge assigned to the case, trials shall be scheduled at the settlement or final pretrial conference. To avoid future scheduling conflicts, attorneys must be able to confirm their trial date availability at the conference by having their calendars available.

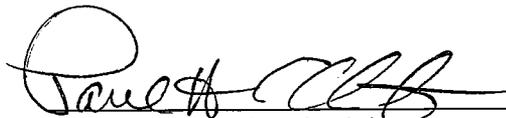
I. Monitoring Systems

The court's case management system will:

1. Monitor case progress;
2. Generate reports for measuring pending inventory and measuring compliance with the time guidelines.

Specific reports that will be available from the case management system are: cases with no next action date, age of pending cases, number of cases pending beyond time standards by judge, age of cases at each event, age of cases at disposition, time intervals between events, and exception reports.

Date: June 23, 2015



Hon. Paul H. Chamberlain
Chief Judge