

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KENT

IN RE: SPECIALIZED BUSINESS DOCKET
OF THE 17th CIRCUIT COURT

LOCAL ADMINISTRATIVE ORDER
2020-01

At a session of said Court, held in the Kent County Courthouse
In the City of Grand Rapids in said County
January 7, 2020

Present: Hon. Mark A. Trusock
Chief Circuit Court Judge

On March 1, 2012, the 17th Circuit Court instituted a Specialized Business Docket (“SBD”) as a pilot project. On January 1, 2013, Public Act 333 of 2012 went into effect, requiring courts in the State of Michigan to set up Specialized Business Dockets. In response to the legislative creation of permanent Specialized Business Dockets, the 17th Circuit Court issued administrative orders to implement the system prescribed by the Michigan Legislature. Local Administrative Order 2013-04 put into place the initial structure of the Kent County SBD, with Judge Christopher P. Yates assigned as the Court’s SBD judge. Subsequent administrative orders modified the Kent County SBD. This administrative order replaces all prior local administrative orders addressing the Kent County SBD. Specifically, this administrative order reflects the appointment of Judge Terence J. Ackert as the second SBD judge in Kent County and conforms the rules for assignment of cases to the SBD to the amendments prescribed by Public Act 101 of 2017. This administrative order is issued in accordance with MCL 600.8031, *et seq.*, and it establishes the plan for an SBD in Kent County for the purposes outlined in MCL 600.8033(3). This administrative order is issued in accordance with Kent County Administrative Order 2018-01 (Case Flow Management Plan).

D) Judicial Resources and Services

The Kent County SBD shall consist of Judge Christopher P. Yates, who was appointed by the Supreme Court to a term expiring April 1, 2025, see ADM File No. 2019-01 (March 20, 2019), and Judge Terence J. Ackert, who was appointed by the Supreme Court to a term expiring April 1,

2025. See ADM File No. 2019-01 (October 23, 2019). Judge Yates shall devote his full time to the SBD, and Judge Ackert shall devote a portion of his time to the SBD. The percentage of time that Judge Ackert devotes to the SBD shall be determined by the Chief Judge of the 17th Circuit Court and the Chief Judge of the Kent County Probate Court.

II) Cases to be Assigned to the Specialized Business Docket

- A) Cases eligible to be assigned to the Kent County SBD are identified in MCL 600.8031(2).
- B) A case that is excluded from the Kent County SBD by MCL 600.8031(3) may be reassigned to the SBD if the assigned judge determines that the case meets the statutory requirements of MCL 600.8035(3). Upon motion of a party, the Chief Judge of the 17th Circuit Court may review assignments to the Kent County SBD under MCL 600.8035(7). The Chief Judge's ruling under that section is not appealable.

III) Initial Review of Pleadings

The pleadings in each civil case filed in the 17th Circuit Court shall be reviewed by one of the Kent County SBD judges, who shall determine whether the case meets the requirements for the assignment of the case to the SBD.

IV) Assignment of Cases to SBD Judges

- A) Cases shall be assigned within the Kent County SBD by blind draw, pursuant to the court's case-assignment local administrative order.
- B) A case assigned to the Kent County SBD may be reassigned by blind draw to another judge if the case ceases to include a business or commercial dispute.
- C) A case that does not initially include a business or commercial dispute, but that subsequently includes a business or commercial dispute as a result of an amendment, counterclaim, cross-claim, third-party claim, or any other modification of the action, shall be reassigned by blind draw to a Kent County SBD judge.

V) Docket Management

Each Kent County SBD judge shall conduct an initial case conference in each case assigned to the SBD, and each Kent County SBD judge shall encourage the use of early facilitative mediation in all cases where resolution through mediation may be accomplished.

VI) Use of Technology

Each Kent County SBD judge shall provide parties and their attorneys with the opportunity, whenever appropriate, to participate in informal conferences *via* teleconference or video-conference equipment. In addition, the Kent County SBD shall maintain an electronic filing system for every document other than the initial pleading submitted in each case assigned to the Kent County SBD.

VII) Publication of Opinions

On each significant matter decided by a Kent County SBD judge, the judge shall publish a written opinion on the searchable database maintained on the Kent County SBD's public website. Additionally, each opinion issued by a Kent County SBD judge shall be sent *via* e-mail to the State Court Administrative Office for publication on a statewide, indexed website.

VIII) Advisory Committee

- A) The Chief Judge of the 17th Circuit Court shall appoint an advisory committee for the Kent County SBD that shall include the SBD judges, the Court Administrator for the 17th Circuit Court, and at least four civil attorneys actively practicing in Kent County. The advisory committee shall meet on an annual basis to assess the progress of the Kent County SBD.
- B) On an annual basis, the advisory committee shall compile a report to be submitted in writing to the 17th Circuit Court and the State Court Administrative Office explaining the activities of the Kent County SBD.

IX) Local Administrative Staff

The Kent County SBD shall provide to the State Court Administrative Office the name of a local staff person who has been designated as the primary contact for the Kent County SBD.


IT IS SO ORDERED.

Dated: December __, 2019



HON. MARK A. TRUSOCK (P38156)
Chief Circuit Court Judge

Dated: December 6, 2019



HON. DAVID M. MURKOWSKI (P35026)
Chief Probate Court Judge