

STATE OF MICHIGAN



ISABELLA COUNTY TRIAL COURT

300 NORTH MAIN STREET

Mt. PLEASANT, MICHIGAN 48858

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

HON. ERIC R. JANES  
CHIEF JUDGE  
KERRI R. CURTISS  
COURT ADMINISTRATOR

HON. STUART BLACK  
TRIAL JUDGE  
HON. MARK H. DUTHIE  
TRIAL JUDGE  
HON. SARA SPENCER-NOGGLE  
TRIAL JUDGE

LOCAL ADMINISTRATIVE ORDER

2024-02

Case Assignment, Case Allocation and Disqualifications

This Administrative Order rescinds and supersedes Local Administrative Order 2020-04

**IT IS ORDERED:**

This administrative order is being adopted in accordance with the Michigan Supreme Court Administrative Order 2003-1 and MCL 600.401.

**A. Case Assignment and Allocation**

The Isabella County Trial Court has four Judges. Pursuant to the court's Concurrent Jurisdiction Plan, and Public Act 338 of 2012, each of the Judges currently has cross assignments to sit in each other's courts as needed, with certain exceptions set forth by MCL 600.8304, MCL 600.841(2), and MCL 600.410. The four Judges are committed to working together to achieve the best possible court system for Isabella County that will meet the expectation of users and provide timely resolution of cases in a fair, just and understandable forum.

To increase caseload efficiency, case assignments are made as provided in this LAO and reflected in the Isabella County Trial Court Judicial Case Allocation chart (attached to this Order), which was conceived by Management Council and adopted by all Judges. Within the Isabella County Trial Court, a Family Division, Civil Division, Criminal Division, and Appellate Division have been created. Case allocations are made for each judge. This may necessitate frequent changes to this LAO; however, this LAO is the mechanism by which we avoid judge shopping. Case assignment and allocation is determined based upon the following:

1. Judge Eric R. Janes shall handle the following matters:
  - i. Administrative Duties: Chief Judge duties, including ceremonial functions; supervision of court personnel and other duties under MCR 8.110(C).
  - ii. Family Division: Domestic relations DO; 25% domestic relations DM; estates (wills and trusts)- conflict and overflow; guardianships/conservatorships backup; FOC show cause backup; collection show cause backup.

- iii. Civil Division: All trials; general civil; landlord/tenant; land contract forfeitures/foreclosures; small claims; civil forfeitures and foreclosures; claim and delivery; other statutory duties including appointment authority.
- iv. Criminal Division: All felony jury and non-jury trials; misdemeanor trials- conflict and overflow; SSSPP.
- v. Appellate Division: All except conflict.

2. Judge Stuart Black shall handle the following matters:

- i. Family Division: 50% domestic relations DM; adoptions; guardianships; conservatorships; juvenile delinquencies; neglect/abuse and terminations; estates (wills and trusts); miscellaneous family divisions and probate matters; mental commitments; Emergency Risk Protection Orders-Minors; FOC show causes; arraignments.
- ii. Civil Division: Election commission; drain appeals; other statutory duties including appointment authority; arraignments.
- iii. Criminal Division: Juvenile drug court; juvenile traffic; arraignments.
- iv. Appellate Division: By assignment.

3. Judge JEB Allen shall handle the following matters:

- i. Family Division: Non-domestic PPOs; paternity (DC, DS, DP); juvenile delinquencies- conflict and overflow; neglect/abuse and termination- conflict and overflow; arraignments.
- ii. Civil Division: General civil- conflict and overflow; other statutory duties including appointment authority; arraignments.
- iii. Criminal Division: Preliminary examinations; misdemeanor pretrials; misdemeanor jury and non-jury trials; traffic (except juvenile); felony by assignment and overflow; felony jury trials- conflict and overflow; SSSP overflow; arraignments.
- iv. Appellate: By assignment.

4. Judge Sara Spencer-Noggle shall handle the following matters:

- i. Family Division: 25% of domestic relations DM cases; domestic Personal Protection Orders; Emergency Risk Protection Orders (Adult); mental commitment -conflict and overflow; arraignments.
- ii. Civil Division: Criminal forfeitures: other statutory duties including appointment authority: arraignments.
- iii. Criminal Division: Adult Sobriety Court; felony cases up to trial; felony jury trials -conflict and overflow; preliminary examinations overflow; misdemeanor jury trial- conflict and overflow; license restoration; set asides; arraignments.
- iv. Appellate Division: By assignment.

5. Arraignments shall be assigned as follows:

- a. Initial arraignments on complaint and warrant are handled by the magistrate.
- b. The four judges handle arraignments on probation violations: collections and post-initial arraignment matters by assignment.

6. To increase caseload efficiency: the caseload shall be distributed as follows:

- a. Within the Appellate Division, Judge Janes 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.
- b. Any cases that are family related (involving children) are designated to a judge following the one family/one judge concept pursuant to MCL 600.1023.
- c. Cases are also assigned consistent with MCR 8.111(D)(1), which states that if one of two or more actions arising out of the same transaction or occurrence has been assigned to a judge, the other action or actions must be assigned to that judge.
- d. Statutory appointment authority given to any Judge of any Court within Isabella County shall remain with the Judge designated by statute. The Concurrent Jurisdiction Plan does not affect this statutory designation of appointment authority. MCL 600.410.

7. There are two referees, the Juvenile Referee and the Friend of the Court Referee, and one magistrate. Local Administrative Orders appoint and set forth the authority of the referees and magistrate.

8. The caseload of the Magistrate and two Referees shall be distributed as follows:

- a. The Friend of the Court Referee hears Friend of the Court matters and conducts arraignments and informal hearings as assigned.



- b. The Juvenile Referee hears juvenile matters and conducts arraignments and informal hearings as assigned.
- c. The Magistrate hears criminal and limited civil matters as allowed by statute; conducts arraignments; informal hearings; performs marriages.
- d. If one of the referees or the magistrate has to disqualify or is out of the office: the other referees or magistrate can hear those cases. The referees and magistrate alternate monthly the juvenile and criminal on-call duties.
- e. ADR mediation will be handled by the Resolution Services Center of Central Michigan (RSCCM) pursuant to a Memorandum of Understanding between the court and RSCCM dated February 2016. The Referees will provide ADR mediation as backup. The Friend of the Court will act as the primary mediator on domestic relations cases.

**B. Assist with Docket:** The assignment clerk, with the approval of the Chief Judge, may reassign cases as needed in order to correct docket control problems. MCR 8.111(D)(4).

**C. Disqualifications:** Assignment of motions for disqualification and assignment of cases after disqualification by a Judge of the Isabella County Trial Court will be made pursuant to MCR 2.003(D).

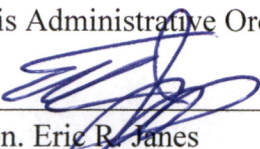
If a motion is filed requesting that one of the Judges from the Isabella County Trial Court be disqualified: the challenged Judge shall decide the motion. If the challenged Judge denies the motion:

- 1. On the request of a party, the challenged Judge shall refer the motion to the Chief Judge, who shall decide the motion de novo;
- 2. Or if the challenged Judge is the Chief Judge, on the request of a party, the challenged Judge shall refer the motion to the State Court Administrator for assignment to another Judge: who shall decide the motion de novo.

If one of the Judges of the Isabella County Trial Court is disqualified, or for other good cause cannot undertake an assigned case, the Chief Judge will reassign it on a rotating basis to one of the three other Judges in the Isabella County Trial Court.

If all four Judges are disqualified, the Chief Judge will refer the case to the State Court Administrator for assignment of another Judge.

This Administrative Order is effective January 1, 2025.

  
\_\_\_\_\_  
Hon. Eric R. Janes  
Chief Judge

  
\_\_\_\_\_  
Date



## ISABELLA COUNTY TRIAL COURT JUDICIAL CASE ALLOCATION

	JANES	BLACK	ALLEN	SPENCER-NOGGLE
ADMINISTRATIVE RESPONSIBILITIES	<ul style="list-style-type: none"> <li>Chief Judge duties: including ceremonial functions: supervision of court personnel and other duties under MCR 8.110(C)</li> </ul>			
FAMILY DIVISION	<ul style="list-style-type: none"> <li>Domestic Relations DO</li> <li>25% Domestic Relations DM</li> <li>Estates (Wills &amp; Trusts)—Conflict &amp; Overflow</li> <li>Guardianships/Conservatorships Backup</li> <li>FOC Show Cause Backup</li> <li>Collection Show Cause Backup</li> </ul>	<ul style="list-style-type: none"> <li>50% Domestic Relations DM</li> <li>Adoptions</li> <li>Guardianships—All</li> <li>Conservatorships—All</li> <li>Juvenile Delinquencies</li> <li>Neglect/Abuse &amp; Termination</li> <li>Estates (Wills &amp; Trusts)</li> <li>Misc. Family Division and Probate Matters</li> <li>ERPO (Minors)</li> <li>Mental Commitments</li> <li>FOC Show Cause</li> <li>Arraignments</li> </ul>	<ul style="list-style-type: none"> <li>Non-Domestic PPOs</li> <li>Paternity (DC: DS: DP)</li> <li>Juvenile Delinquencies—Conflict &amp; Overflow</li> <li>Neglect/Abuse &amp; Termination—Conflict and Overflow</li> <li>Arraignments</li> </ul>	<ul style="list-style-type: none"> <li>25% Domestic Relations DM</li> <li>Domestic PPOs</li> <li>ERPO-Adult</li> <li>Mental Commitment—Conflict &amp; Overflow</li> <li>Arraignments</li> </ul>
CIVIL DIVISION	<ul style="list-style-type: none"> <li>All Trials</li> <li>General Civil (no limit)</li> <li>Landlord/Tenant</li> <li>Land Contract Forfeiture/Foreclosures</li> <li>Claim and Delivery</li> <li>Other Statutory Duties including appointment authority</li> </ul>	<ul style="list-style-type: none"> <li>Election Commission</li> <li>Drain Appeals</li> <li>Other statutory Duties including appointment authority</li> <li>Arraignments</li> </ul>	<ul style="list-style-type: none"> <li>General Civil—Conflict &amp; Overflow</li> <li>Other Statutory Duties including appointment authority</li> <li>Arraignments</li> </ul>	<ul style="list-style-type: none"> <li>Criminal Forfeitures</li> <li>Other statutory Duties including appointment authority</li> <li>Arraignments</li> </ul>
CRIMINAL DIVISION	<ul style="list-style-type: none"> <li>All Felony Jury &amp; Non-Jury Trials</li> <li>Misdemeanor Trials—Conflict &amp; Overflow</li> <li>SSSPP</li> </ul>	<ul style="list-style-type: none"> <li>Juvenile Drug Court</li> <li>Juvenile Traffic</li> <li>Arraignments 2 days/week</li> </ul>	<ul style="list-style-type: none"> <li>Preliminary Exams</li> <li>Misdemeanor Pre-Trials: Misdemeanor Jury &amp; Non-Jury Trials</li> <li>Traffic: except Juvenile</li> <li>SSSPP Overflow</li> <li>Arraignments</li> </ul>	<ul style="list-style-type: none"> <li>Adult Sobriety Court</li> <li>Felony up to Trial</li> <li>Felony Jury Trials—Conflict &amp; Overflow</li> <li>Prelim-Overflow</li> <li>Misdemeanor Jury Trial Conflict &amp; Overflow</li> <li>License Restoration</li> <li>All set asides</li> <li>Arraignments 2 days/week</li> </ul>
APPELLATE DIVISION	<ul style="list-style-type: none"> <li>All (except conflict)</li> </ul>	<ul style="list-style-type: none"> <li>By Assignment</li> </ul>	<ul style="list-style-type: none"> <li>By Assignment</li> </ul>	<ul style="list-style-type: none"> <li>By Assignment</li> </ul>