

# Michigan Judges Association

Founded 1927



April 29, 2010

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Executive Director:  
TIM WARD

Chief Justice Marilyn J. Kelly  
Michigan Supreme Court  
P.O. Box 30052  
Lansing, MI 48909

RE: ADM file no. 2008-38 and 2010-08

Dear Chief Justice Kelly:

At the April 20, 2010 meeting of the Michigan Judges Association, the Executive Board, Rules Committee, and Family Law Committee considered the above-referenced proposed amendments.

MJA considered ADM file no. 2008-38, proposed amendment of Rule 6.201 of the Michigan Court Rules. MJA supports the proposed amendment.

MJA further considered ADM file no. 2010-X proposal to Rescind Administrative Order 2003-07 and Adopt Administrative Order No. 2010-X (Caseflow Management Guidelines). We would recommend the changes marked in ***bold italics*** as set out below:

The paragraph in the middle of page two;

Trial courts are directed to report caseflow management statistics and data to  
enable the State Court Administrative Office to assist trial courts in improving caseflow management. ***The State Court Administrative Office does not intend to use these data in a punitive fashion or to publish these data for public review. These data will not be used for any disciplinary action against any judge and shall not be subject to public disclosure including FOIA requests***

The next paragraph;

On further order of the Court, the following time guidelines for case processing are provided as goals for the administration of court caseloads. These are only guidelines and are not intended to supersede procedural requirements in court rules or statutes for specific cases, or to supersede reporting requirements in court rules or statutes. The Court does not encourage or condone the practice of (The) trial courts (shall not) dismissing cases for the sole reason that the case is likely to exceed the guideline. In addition, these guidelines do not supplant judicial discretion if, for good cause shown, a specific case of any type requires a time line that extends beyond the maximum permitted under these guidelines.

The paragraph at the bottom of page two and top of page three;

Matters Submitted to the Judge. Matters under submission to a judge or judicial officer should be promptly determined. Short deadlines should be set for presentation of briefs and affidavits and or production of transcripts. Decisions, when possible, should be made from the bench *of (or)* within a few days of submission; otherwise a decision should be rendered no later than 35 days after submission (and 91 days for motions under MCR 2.116; 6.500 and following bench trials.)

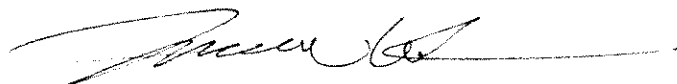
We recognize that this last change would also require modification of MCR 8.107 but we feel that decisions in these limited areas require additional time to prepare.

We would agree with the rest of the proposed amendment as written.

We thank the Court for considering our input on these matters. If the Michigan Judges Association may provide any further information or assistance, please do not hesitate to contact us.

Sincerely,

MICHIGAN JUDGES ASSOCIATION



Hon. James Alexander  
President

CC: Corbin R. Davis, Clerk of the Michigan Supreme Court  
Hon. Paul Stutesman, Rules Committee Chairperson  
Hon. Joan E. Young, Family Law Committee Chairperson  
Anne Boomer, Administrative Counsel