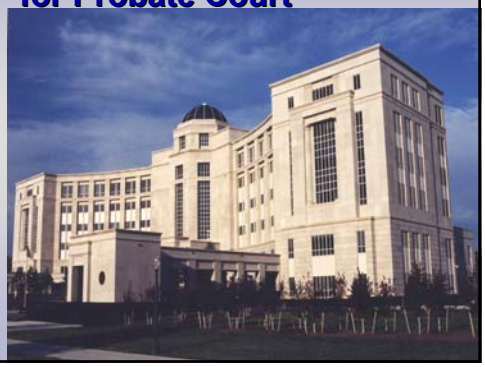
Welcome to Caseload Reporting for Probate Court



New Caseflow Management Responsibilities for Probate Courts

Agenda

I. Supreme Court Administrative Order 2003-7

II. What Is Caseflow Management?

III. Your Caseflow Management Local Administrative Order

IV. Caseflow Management Data Recording and Reporting

V. Caseflow Management Techniques

I. Supreme Court Administrative Order 2003-7

A. Supreme Court Interest in Caseflow Management is Not New

1. Supreme Court Administrative Order 1991-4
2. AO 1991-4 rescinded when AO 2003-7 took effect

B. AO 2003-7 went into effect January 1, 2004

I. Supreme Court Administrative Order 2003-7 (cont'd.)

C. SCAO duties under AO 2003-7

1. Assist trial courts in implementing caseflow management plans that incorporate case processing time guidelines
2. Gather information from trial courts on compliance with caseflow management guidelines
3. Assess the effectiveness of caseflow management plans in achieving guidelines

I. Supreme Court Administrative Order 2003-7 (cont'd.)

D. Trial Court Duties Under AO 2003-7

1. Maintain current caseflow management plans consistent with case processing time guidelines and in cooperation with SCAO
2. Report to the SCAO caseflow management statistics and other caseflow management data required by SCAO
3. Cooperate with the SCAO in assessing caseflow management plans

I. Supreme Court Administrative Order 2003-7 (cont'd.)

E. Time guidelines, in general

1. Provided as "goals"

2. Not intended to supercede other relevant court rule or statutory requirements

I. Supreme Court Administrative Order 2003-7 (cont'd.)

F. Probate Court Case Processing Guidelines

1. Estate, Trust, Guardianship and Conservatorship Proceedings
   a. 75% of all contested matters should be adjudicated within 182 days (6 months) from the date of the filing of the objection
   b. 90% should be adjudicated within 273 days (9 months)
   c. 100% should be adjudicated within 364 days (1 year), except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur

F. Probate Court Case Processing Guidelines (cont'd.)

2. Mental Illness Proceedings; Judicial Admission Proceedings

   a. 90% of all petitions should be adjudicated within 14 days from the date of filing

   b. 100% should be adjudicated within 28 days

F. Probate Court Case Processing Guidelines (cont'd.)

3. Civil Proceedings
   a. 75% of all cases should be adjudicated within 364 days (1 year) from the date of case filing
   b. 95% should be adjudicated within 546 days (1.5 years)
   c. 100% should be adjudicated within 728 days (2 years), except for individual cases in which the court determines exceptional circumstances exist and for which continuing review should occur

F. Probate Court Case Processing Guidelines (cont'd.)

4. Miscellaneous Proceedings

   100% of all petitions should be adjudicated within 35 days from the date of filing

II. What Is Caseflow Management?

A. Caseflow management is the court supervision of the progress of all cases filed in that court

B. Such supervision involves courts

   1. Identifying meaningful events in the life of a case
   2. Applying reasonable timeframes for moving from one event to another
   3. Monitoring cases for their compliance with the timeframes
   4. Taking corrective action for any cases not complying with timeframes

II. Caseflow Management (cont'd.)

C. Successful caseflow management will require and will result in

1. Better prepared counsel
2. Fewer adjournments
3. A more predictable judicial system

D. Caseflow management is an administrative process, and not a judicial one – i.e., it does not directly impact the adjudication of substantive legal or procedural issues

III. Your Caseflow Management Local Administrative Order

A. Pursuant to SCAO June 4, 2004 memorandum, each trial court is to submit a caseflow management LAO to its SCAO Regional Office by December 1, 2004

III. Your Caseflow Management Local Administrative Order (cont'd.)

B. Model LAO 22 – Caseflow Management Plan
   1. Goals of the Court
      a. General goals of caseflow management identified
      b. Additional goals can be identified
   2. Case Processing Time Standards
      a. Adoption of case processing guidelines in AO 2003-7
      b. Allowance for interim processing time goals

III. Your Caseflow Management Local Administrative Order (cont'd.)

B. Model LAO 22 – Caseflow Management Plan

3. Scheduling Policy – Set realistic dates for next action in cases using mechanisms such as scheduling orders
4. Adjournment Policy – adjournment requires written motion and good cause
5. Monitoring Systems – specify what kinds of reports your case management system will generate for monitoring compliance with case processing guidelines

IV. Caseflow Management Data Recording and Reporting

A. Preparing for implementation of recording and reporting

1. Pending case inventory
   a. Review case management system information and physically review case files
   b. Take appropriate action to encourage disposition or closure
   c. Ensure that information in case files and in case management system matches
2. Train on caseflow management recording and reporting mechanisms in your case management system

IV. Caseflow Management Data Recording and Reporting (cont'd.)

B. Caseload reporting – Part 4: Case Age at Disposition and Pending Case Age

1. General issues
   a. You will need to start recording Part 4 data after January 1, 2005
   b. Part 4 data is reported once a year at the end of the year (along with fourth quarter Parts 1 & 2 data), and so the first reporting will be for the 2005 year and will be due by January 30, 2006

Caseload Reporting – Part 4 (cont'd.)

c. A complete yearly caseflow management is required for each judge in your court
   i. Report each judge's data by Bar number
   ii. Visiting judges – choose to report under visiting judges Bar number or under Bar number of original judge, if there is one

Caseload Reporting – Part 4 (cont'd.)

d. Each case type code is separately reported

e. As with Parts 1 & 2 caseload reporting, data may be reported either through manual entry onto the CRS screen or through electronic file transfer

Caseload Reporting – Part 4 (cont'd.)

2. Specific reporting issues

   a. Estates and trusts

      i. "Contested matters"

         • Definition: Any matter within a case where the following applies:

"Contested Matters" Defined

- a competing petition has been filed;
- any written responsive pleading requesting relief, no matter how titled, has been filed;
  - such a responsive pleading could be titled "objection," "answer," "response," or something else
  - an objection to the entry of an order submitted under the 7-day rule would also supposedly apply
  - a brief, without a request for relief, would not under this provision trigger a contested matter
- any other situation where the court deems the matter to be contested

More on Contested Matters

- Contests without a filed pleading by the contestant need not be counted
  - arguments which transpire only in the courtroom do not have to be tracked
  - verbal objections at the counter do not have to be tracked

Reporting Estates and Trusts (cont'd.)

ii. Resolved and unresolved matters

- For each contested matter resolved during the year, you must fit it into one of four categories:
  - Resolved within 182 days of the filing of the objection
  - Resolved from 183 to 273 days of objection
  - Resolved from 274 to 364 days of objection
  - Resolved after 364 days of objection

Resolved and Unresolved Matters (cont'd.)

- For each contested matter that remains unresolved at the end of the year, you must fit it into one of four categories in relation to the last day of the year:
  - 182 days or less have elapsed since the filing of the objection
  - Between 183 and 273 days have elapsed since objection
  - Between 274 and 364 days have elapsed since objection
  - Over 364 days have elapsed since objection

Resolved and Unresolved Matters (cont'd.)

- It is important to notice that what is counted are not contested cases, but contested matters
  - Many cases will never have a contested matter, and some will have multiple contested matters during the life of the case
  - One case could even have multiple pending contested matters at the same time

Reporting Estates and Trusts (cont'd.)

iii. Decedent estate issues (DE,DA)

- Initiating a case
  - After the case-opening application/petition is filed, and prior to disposition, the filing of a competing petition (perhaps asking for a different PR or for a different testacy adjudication) creates a contested matter
  - Any pleading filed against a petition – i.e., seeking relief inconsistent with the relief sought in the petition – creates a contested matter
  - Most applications and petitions (including those asking for supervised administration and perhaps even set for a contested time) will not necessarily create a contested matter

Decedent Estate Issues (cont'd.)

- Post-initiation matters
  - Actions where there are competing written requests for relief are contested matters:
    - Objection filed to a petition to admit an after-discovered will
    - Objection filed to a petition for appointment of successor PR
  - Objections filed to inventories and sworn closing statements probably also generate contested matters

Reporting Estates and Trusts (cont'd.)

iv. Trust issues (TV, TT)
- One type of contested matter: objection filed to petition for appointment of successor trustee
- Another example: objection filed to motion for termination of the trust
- Not a contested matter, and thus not counted: petition/motion without a written responsive pleading filed, and any case of merely an acceptance of appointment filed by the TT trustee once the will has been admitted

Reporting Estates and Trusts (cont'd.)

v. Case types not tracked at all: PE and TR

Caseload Reporting – Part 4 (cont'd.)

b. Civil suits (CZ)
   i. General points
      - This category refers only to those cases initiated by a complaint and given a CZ case type code
      - Every CZ case you open is counted, and time guidelines focus on when the original case-initiating complaint is disposed of

Reporting Civil, General Points (cont'd.)

- Time is not counted in a pending CZ case if and while the case is in inactive status (i.e., when the action is stayed, except for a stay based on the filing of an interlocutory appeal)
  - If a case is in inactive status at the end of the year, it is not counted at all (either as disposed or undisposed)
  - Once a case comes off of inactive status, the duration of the inactive status is subtracted from the total time since filing

Reporting Civil (cont'd.)

ii. Reporting disposed and undisposed cases
   - For each civil suit disposed of during the year, you must fit it into one of four categories:
     - Disposed of within 364 days after the filing of the case;
     - Disposed of from 365 to 546 days after filing;
     - Disposed of from 547 to 728 days after filing;
     - Disposed of over 728 days after filing

Reporting Disposed and Undisposed Civil Cases (cont'd.)

- For each civil suit that remains undisposed at the end of the year, you must fit it into one of four categories in relation to the last day of the year:
  - 364 days or less have elapsed since the case was filed;
  - 365 to 546 days have elapsed since filing;
  - 547 to 728 days have elapsed since filing;
  - Over 728 days have elapsed since filing

Caseload Reporting – Part 4 (cont'd.)

c. Miscellaneous cases (ML)
   i. All ML cases are covered
      - Examples:
        - Appeal of denial of delayed certificate of in-state birth
        - Petition for determination of death of an accident or disaster victim
        - Petition for authority to open a safe deposit box
        - Appeal of denial of adoption subsidy
        - Appeal in relation to drain proceedings
        - Review of mental health financial liability
        - Substance abuse treatment of minors
        - Delayed registration of foreign birth (BR) is not counted

Reporting Miscellaneous (cont'd.)

ii. Reporting disposed and undisposed cases
   - For each ML case disposed during the year, you must fit it within one of two categories:
     - Disposed within 35 days of opening the case;
     - Disposed over 35 days after opening
   - For each ML case that remains undisposed at the end of the year, you must fit it into one of two categories in relation to the last day of the year:
     - 35 days or less have elapsed since case opening;
     - Over 35 days have elapsed since case opening

Caseload Reporting – Part 4 (cont'd.)

d. Guardianships, conservatorships, and protective orders
   i. Contested matters
      - Only "contested matters" within any of these cases get counted
      - Many cases will have no contested matters involving written responsive pleadings which will require tracking
      - Some cases may have multiple contested matters

Reporting Guardianships, etc. (cont'd.)

ii. Adult guardianship issues (GA,GL)
- Many matters in adult guardianships which we normally consider "contested" will not necessarily trigger caseflow management tracking – e.g.,
  - Respondent objects to the petition and the appointed attorney contests the petition at the hearing
  - Family members disagree and show up for the hearing
  - Petition to modify/terminate is filed and objections are limited to testimony at hearing

Reporting Adult Guardianships (cont'd.)

- Occasionally, written responsive pleadings will be filed, thereby triggering a "contested matter" for caseflow management tracking:
  - One example: competing initial petitions
  - Another example: objection filed to a petition to modify

Reporting Guardianships, etc. (cont'd.)

iii. Minor guardianship issues (GM,LG)
- Chances are, very few minor guardianship matters will demand tracking as "contested matters" – Usually parties are acting in pro per and any objections are not through filings (but through testimony or otherwise)
- Exception – competing initial GM petitions

Reporting Guardianships, etc. (cont'd.)

iv. DD guardianship issues (DD) – very rare for there to be written responsive pleadings

Reporting Guardianships, etc. (cont'd.)

v. Conservatorships and protective orders (CA,CY,PO)
- Again, formally contested matters are not the norm here
- Possibilities for "contested matters"
  - Objection filed in response to an accounting
  - Objection to a petition for appointment of a successor conservator

Caseload Reporting – Part 4 (cont'd.)

e. Mental illness and judicial admission cases (MI,JA)
   i. Every petition is counted
      - Case-initiating petitions as well as post-initial petitions (e.g., petition for second or continuing order) are tracked

MI Petitions (cont'd.)

- A petition will be counted twice in a deferral and subsequent demand-for-hearing situation
  - If there is a deferral, the petition is counted as adjudicated
  - If there is a subsequent demand for hearing, the petition is recounted as filed as of the original filing and recounted as adjudicated as of the disposition at the hearing, but the time between the deferral and the demand for hearing is subtracted out

Reporting MI and JA Petitions (cont'd.)

ii. Reporting disposed and undisposed petitions
   - For each petition disposed during the year, you must fit it within one of six categories:
     - Disposed (including deferral) within 14 days of the filing of the petition;
     - Disposed (including deferral) between 15 and 28 days after filing;
     - Disposed (including deferral) over 28 days after filing;

Reporting Disposed and Undisposed MI and JA Petitions (cont'd.)

- For each petition disposed during the year, you must fit it within one of six categories (cont'd.):
  - After a demand for hearing, and not counting the time between deferral and demand, disposed within 14 days of original filing;
  - After a demand for hearing, and not counting the time between deferral and demand, disposed between 15 and 28 days after original filing;
  - After a demand for hearing, and not counting the time between deferral and demand, disposed over 28 days after original filing

Reporting Disposed and Undisposed MI and JA Petitions (cont'd.)

- For each petition not adjudicated during the year (and supposedly these would be petitions filed near the end of December), you must fit it within one of six categories in relation to the last day of the year:
  - 14 days or less have elapsed since the filing of the petition;
  - 15 to 28 days have elapsed since filing;
  - Over 28 days have elapsed since filing;

Reporting Disposed and Undisposed MI and JA Petitions (cont'd.)

- For each petition not adjudicated during the year (and supposedly these would be petitions filed near the end of December), you must fit it within one of six categories in relation to the last day of the year:
  - After a demand for hearing, and not counting the time between deferral and demand, 14 days or less have elapsed since original filing;
  - After a demand for hearing, and not counting the time between deferral and demand, 15 to 28 days have elapsed since original filing;
  - After a demand for hearing, and not counting the time between deferral and demand, Over 28 days have elapsed since original filing

V. Caseflow Management Techniques

A. Your Caseflow Management LAO
   1. Enforcing your scheduling policy
   2. Enforcing your adjournment policy

B. Internal case processing
   1. Does paper flow efficiently in your office?
   2. Are in pro per petitioners clear on their service duties?

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Order

Entered: December 2, 2003

ADM File No. 2003-23

Administrative Order 2003-7
Caseflow Management Guidelines

Michigan Supreme Court
Lansing, Michigan

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

On order of the Court, notice of the proposed order and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, this administrative order is adopted, effective January 1, 2004.

The management of the flow of cases in the trial court is the responsibility of the judiciary. In carrying out that responsibility, the judiciary must balance the rights and interests of individual litigants, the limited resources of the judicial branch and other participants in the justice system, and the interests of the citizens of this state in having an effective, fair, and efficient system of justice.

Accordingly, on order of the Court,

A. The State Court Administrator is directed, within available resources, to:

1. assist trial courts in implementing caseflow management plans that incorporate case processing time guidelines established pursuant to this order;

2. gather information from trial courts on compliance with caseflow management guidelines; and

3. assess the effectiveness of caseflow management plans in achieving the guidelines established by this order.

B. Trial courts are directed to:

1. maintain current caseflow management plans consistent with case processing time guidelines established in this order, and in cooperation with the State Court Administrative Office;

2. report to the State Court Administrative Office caseflow management statistics and other caseflow management data required by that office; and

3. cooperate with the State Court Administrative Office in assessing caseflow management plans implemented pursuant to this order.

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.

Note: The phrase "adjudicated" refers to the date a case is reported in Part 2 of the caseload report forms and instructions. Aging of a case is suspended for the time a case is inactive as defined in Parts 2 and 4 of the caseload report forms and instructions. Refer to these specific definitions for details.

Probate Court Guidelines.

1. *Estate, Trust, Guardianship, and Conservatorship Proceedings.* 75% of all contested matters should be adjudicated within 182 days from the date of the filing of objection; 90% within 273 days; and 100% within 364 days except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.

2. *Mental Illness Proceedings; Judicial Admission Proceedings.* 90% of all petitions should be adjudicated within 14 days from the date of filing and 100% within 28 days.

3. *Civil Proceedings.* 75% of all cases should be adjudicated within 364 days from the date of case filing; 95% within 546 days; and 100% within 728 days except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.

4. *Miscellaneous Proceedings.* 100% of all petitions should be adjudicated within 35 days from the date of filing.

District Court Guidelines.

1. *Civil Proceedings.*

   a. General Civil. 90% of all general civil and miscellaneous civil cases should be adjudicated within 273 days from the date of case filing; 98% within 364 days; and 100% within 455 days except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.

   b. Summary Civil. 100% of all small claims, landlord/tenant, and land contract actions should be adjudicated within 126 days from the date of case filing except, in those cases where a jury is demanded, actions should be adjudicated within 154 days from the date of case filing.

2. *Felony, Misdemeanor, and Extradition Detainer Proceedings.*

   a. Misdemeanor. 90% of all statute and ordinance misdemeanor cases, including misdemeanor drunk driving and misdemeanor traffic, should be adjudicated within 63 days from the date of first appearance; 98% within 91 days; and 100% within 126 days.

   b. Felony and Extradition/Detainer. 100% of all preliminary examinations in felony, felony drunk driving, felony traffic, and extradition/detainer cases should be commenced within 14 days of arraignment unless good cause is shown.

3. *Civil Infraction Proceedings.* 90% of all civil infraction cases, including traffic, nontraffic, and parking cases, should be adjudicated within 35 days from the date of filing; 98% within 56 days; and 100% within 84 days.

Circuit Court Guidelines.

1. *Civil Proceedings.* 75% of all cases should be adjudicated within 364 days from the date of case filing; 95% within 546 days; and 100% within 728 days except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.

2. *Domestic Relations Proceedings.*

a. Divorce Without Children. 90% of all divorce cases without children should be adjudicated within 91 days from the date of case filing; 98% within 273 days; and 100% within 364 days.

b. Divorce With Children. 90% of all divorce cases with children should be adjudicated within 245 days from the date of case filing; 98% within 301 days; and 100% within 364 days.

c. Paternity. 90% of all paternity cases should be adjudicated within 147 days from the date of case filing and 100% within 238 days.

d. Responding Interstate for Registration. 100% of all incoming interstate actions should be filed within 24 hours of receipt of order from initiating state.

e. Responding Interstate Establishment. 90% of all incoming interstate actions to establish support should be adjudicated within 147 days from the date of case filing and 100% within 238 days.

f. Child Custody Issues, Other Support, and Other Domestic Relations Matters. 90% of all child custody, other support, and other domestic relations issues not listed above should be adjudicated within 147 days from the date of case filing and 100% within 238 days.

3. *Delinquency Proceedings.* Where a minor is being detained or is held in court custody, 90% of all original petitions or complaints should have adjudication and disposition completed within 84 days from the authorization of the petition and 100% within 98 days. Where a minor is not being detained or held in court custody, 75% of all original petitions or complaints should have adjudication and disposition completed within 119 days from the authorization of the petition; 90% within 182 days; and 100% within 210 days.

4. *Child Protective Proceedings.* Where a child is in out-of-home placement (foster care), 90% of all original petitions should have adjudication and disposition completed within 84 days from the authorization of the petition and 100% within 98 days. Where a child is not in out-of-home placement (foster care), 75% of all original petitions should have adjudication and disposition within 119 days from the authorization of the petition; 90% within 182 days; and 100% within 210 days.

5. *Designated Proceedings.* 90% of all original petitions should be adjudicated within 154 days from the designation date and 100% within 301 days. Minors held in custody should be afforded priority for trial.

6. *Juvenile Traffic and Ordinance Proceedings.* 90% of all citations should have adjudication and disposition completed within 63 days from the date of first appearance; 98% within 91 days; and 100% within 126 days.

7. *Adoption Proceedings.*

    a. Petitions for Adoption. 90% of all petitions for adoption should be finalized or otherwise concluded within 287 days from the date of filing and 100% within 364 days.

    b. Petitions to Rescind Adoption. 100% of all petitions to rescind adoption should be adjudicated within 91 days from the date of filing.

8. *Miscellaneous Family Proceedings.*

    a. Name Change. 100% of all petitions should be adjudicated within 91 days from the date of filing.

    b. Safe Delivery. 100% of all petitions should be adjudicated within 273 days from the date of filing.

    c. Personal Protection. 100% of all petitions filed ex parte should be adjudicated within 24 hours of filing. 90% of all petitions not filed ex parte should be adjudicated within 14 days from the date of filing and 100% within 21 days.

    d. Emancipation of Minors. 100% of all petitions should be adjudicated within 91 days from the date of filing.

    e. Infectious Diseases. 100% of all petitions should be adjudicated within 91 days from the date of filing.

    f. Parental Waiver. 100% of all petitions should be adjudicated within 5 days from the date of filing.

9. *Ancillary Proceedings.*

   a. Guardianship and Conservatorship Proceedings. 75% of all contested matters should be adjudicated within 182 days from the date of filing; 90% within 273 days; and 100% within 364 days.

   b. Mental Illness Proceedings; Judicial Admission. 90% of all petitions should be adjudicated within 14 days from the date of filing and 100% within 28 days.

10. *Criminal Proceedings.* 90% of all felony cases should be adjudicated within 91 days from the date of entry of the order binding the defendant over to the circuit court; 98% within 154 days; and 100% within 301 days. Incarcerated persons should be afforded priority for trial.

11. *Appellate, Administrative Review, and Extraordinary Writ Proceedings.*

   a. Appeals from Courts of Limited Jurisdiction. 100% of all appeals to circuit court from courts of limited jurisdiction should be adjudicated within 182 days from the filing of the claim of appeal.

   b. Appeals from Administrative Agencies. 100% of all appeals to the circuit court from administrative agencies should be adjudicated within 182 days from the filing of the claim of appeal.

   c. Extraordinary Writs. 98% of all extraordinary writ requests should be adjudicated within 35 days from the date of filing and 100% within 91 days.

12. *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 for production of transcripts. Decisions, when possible, should be made from the bench or within a few days of submission; otherwise a decision should be rendered no later than 35 days after submission.

Administrative Order No. 1991-4 is rescinded.

Staff Comment: In response to jurisdictional changes in the courts and changes in court rules and statutes, Administrative Order 2003-7, adopted December 2, 2003, to be effective January 1, 2004, updated caseflow management guidelines originally created by Supreme Court Administrative Order No. 1991-4.

The staff comment is not an authoritative construction by the Court.

I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 2, 2007 Corbin R. Davis

Clerk

Rule 5.001 Applicability

(A) Applicability of Rules. Procedure in probate court is governed by the rules applicable to other civil proceedings, except as modified by the rules in this chapter.

(B) Terminology.

(1) References to the "clerk" in the Michigan Court Rules also apply to the register in probate court proceedings.

(2) References to "pleadings" in the Michigan Court Rules also apply to petitions, objections, and claims in probate court proceedings.

(Current as of 10/27/2004)

Subchapter 5.100 General Rules of Pleading and Practice

Rule 5.101 Form and Commencement of Action

(A) Form of Action. There are two forms of action, a "proceeding" and a "civil action."

(B) Commencement of Proceeding. A proceeding is commenced by filing an application or a petition with the court.

(C) Civil Actions, Commencement, Governing Rules. The following actions, must be titled civil actions, commenced by filing a complaint and governed by the rules which are applicable to civil actions in circuit court:

(1) Any action against another filed by a fiduciary or trustee, and

(2) Any action filed by a claimant after notice that the claim has been disallowed.

(Current as of 10/27/2004)

Rule 5.102 Notice of Hearing

A petitioner, fiduciary, or other moving party must cause to be prepared, served, and filed, a notice of hearing for all matters requiring notification of interested persons. It must state the time and date, the place, and the nature of the hearing. Hearings must be noticed for and held at times previously approved by the court.

(Current as of 10/27/2004)

Rule 5.103 Who May Serve

(A) Qualifications. Service may be made by any adult or emancipated minor, including an interested person.

(B) Service in a Governmental Institution. Personal service on a person in a governmental institution, hospital, or home must be made by the person in charge of the institution or a person designated by that person.

(Current as of 10/27/2004)

Rule 5.104 Proof of Service; Waiver and Consent; Unopposed Petition

(A) Proof of Service.

(1) Whenever service is required by statute or court rule, a proof of service must be filed promptly and at the latest before a hearing to which the paper relates or at the time the paper is required to be filed with the court if the paper does not relate to a hearing. The proof of service must include a description of the papers served, the date of service, the manner and method of service, and the person or persons served.

(2) Except as otherwise provided by rule, proof of service of a paper required or permitted to be served may be by

(a) a copy of the notice of hearing, if any;

(b) copies of other papers served with the notice of hearing, with a description of the papers in the proof of service;

(c) authentication under MCR 5.114(B) of the person making service.

(3) Subrule (A)(1) notwithstanding, in decedent estates, no proof of service need be filed in connection with informal proceedings or unsupervised administration unless required by court rule.

(4) In unsupervised administration of a trust, subrule (A)(1) notwithstanding, no proof of service need be filed unless required by court rule.

(B) – (C)

(Current as of 10/27/2004)

Rule 5.119 Additional Petitions; Objections; Hearing Practices

(A) Right to Hearing, New Matter. An interested person may, within the period allowed by law or these rules, file a petition and obtain a hearing with respect to the petition. The petitioner must serve copies of the petition and notice of hearing on the fiduciary and other interested persons whose addresses are known.

(B) Objection to Pending Matter. An interested person may object to a pending petition orally at the hearing or by filing and serving a paper which conforms with MCR 5.113. The court may

adjourn a hearing based on an oral objection and require that a proper written objection be filed and served.

(C) Adjournment. A petition that is not heard on the day for which it is noticed, in the absence of a special order, stands adjourned from day to day or until a day certain.

(D) Briefs; Argument. The court may require that briefs of law and fact and proposed orders be filed as a condition precedent to oral argument. The court may limit oral argument.

(Current as of 10/27/2004)

Rule 5.120 Action by Fiduciary in Contested Matter; Notice to Interested Persons; Failure to Intervene

The fiduciary represents the interested persons in a contested matter. The fiduciary must give notice to all interested persons whose addresses are known that a contested matter has been commenced and must keep such interested persons reasonably informed of the fiduciary's actions concerning the matter. The fiduciary must inform the interested persons that they may file a petition to intervene in the matter and that failure to intervene shall result in their being bound by the actions of the fiduciary. The interested person shall be bound by the actions of the fiduciary after such notice and until the interested person notifies the fiduciary that the interested person has filed with the court a petition to intervene.

(Current as of 10/27/2004)

Rule 5.121 Guardian Ad Litem; Visitor

(A) Appointment.

> (1) Guardian Ad Litem. The court shall appoint a guardian ad litem when required by law. If it deems necessary, the court may appoint a guardian ad litem to appear for and represent the interests of any person in any proceeding. The court shall state the purpose of the appointment in the order of appointment. The order may be entered with or without notice.
>
> (2) Visitor. The court may appoint a visitor when authorized by law.

(B) Revocation. If it deems necessary, the court may revoke the appointment and appoint another guardian ad litem or visitor.

(C) Duties. Before the date set for hearing, the guardian ad litem or visitor shall conduct an investigation and shall make a report in open court or file a written report of the investigation and recommendations. The guardian ad litem or visitor need not appear personally at the hearing unless required by law or directed by the court. Any written report must be filed with the court at least 24 hours before the hearing or such other time specified by the court.

(D) – (E)

(Current as of 10/27/2004)

Rule 2.503 Adjournments

(A) Applicability. This rule applies to adjournments of trials, alternative dispute resolution processes, pretrial conferences, and all motion hearings.

(B) Motion or Stipulation for Adjournment.

(1) Unless the court allows otherwise, a request for an adjournment must be by motion or stipulation made in writing or orally in open court and is based on good cause.

(2) A motion or stipulation for adjournment must state

(a) which party is requesting the adjournment,

(b) the reason for it, and

(c) whether other adjournments have been granted in the proceeding and, if so, the number granted.

(3) The entitlement of a motion or stipulation for adjournment must specify whether it is the first or a later request, e.g., "Plaintiff's Request for Third Adjournment."

(C) Absence of Witness or Evidence.

(1) A motion to adjourn a proceeding because of the unavailability of a witness or evidence must be made as soon as possible after ascertaining the facts.

(2) An adjournment may be granted on the ground of unavailability of a witness or evidence only if the court finds that the evidence is material and that diligent efforts have been made to produce the witness or evidence.

(3) If the testimony or the evidence would be admissible in the proceeding, and the adverse party stipulates in writing or on the record that it is to be considered as actually given in the proceeding, there may be no adjournment unless the court deems an adjournment necessary.

(D) Order for Adjournment; Costs and Conditions.

(1) In its discretion the court may grant an adjournament to promote the cause of justice. An adjournment may be entered by order of the court either in writing or on the record in open court, and the order must state the reason for the adjournment.

(2) In granting an adjournment, the court may impose costs and conditions. When an adjournment is granted conditioned on payment of costs, the costs may be taxed summarily to be paid on demand of the adverse party or the adverse party's attorney, and the adjournment may be vacated if nonpayment is shown by affidavit.

(E) Rescheduling.

(1) Except as provided in subrule (E)(2), at the time the proceeding is adjourned under this rule, or as soon thereafter as possible, the proceeding must be rescheduled for a specific date and time.

(2) A court may place the matter on a specified list of actions or other matters which will automatically reappear before the court on the first available date.

(F) Death or Change of Status of Attorney. If the court finds that an attorney

(1) has died or is physically or mentally unable to continue to act as an attorney for a party,

(2) has been disbarred,

(3) has been suspended,

(4) has been placed on inactive status, or

(5) has resigned from active membership in the bar, the court shall adjourn a proceeding in which the attorney was acting for a party. The party is entitled to 28 days' notice that he or she must obtain a substitute attorney or advise the court in writing that the party intends to appear on his or her own behalf. See MCR 9.119.

(Current as of 10/27/2004)

[Administrative Order Number]
[Date]

[LOCAL COURT LETTERHEAD]

Administrative Order [year] – [number]

CASEFLOW MANAGEMENT PLAN

IT IS ORDERED:

This administrative order is issued in accordance with Michigan Supreme Court Administrative Order 2003-7, effective January 1, 2004.

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;

2. minimize the uncertainties associated with processing cases;

3. assure equal access to the adjudicative process for all litigants;

4. ensure the resolution of matters is guided by what is permissible under law by defined standards of service and by balancing the needs of the individual and society; and

5. enhance the quality of litigation.

B. Case Processing Time Standards

The Court adopts time standards for case processing as follows:

[by jurisdiction(s)]

1. [Circuit, Probate, District] Court Guidelines

a. [Circuit, Probate, District] Case Processing Goals

The Court adopts the time guidelines as set forth in Administrative Order 2003-7.

b. Circuit Interim Processing Time Goals *[optional]*

1) Civil Proceedings – [insert interim goals and target date]

2) Domestic Relations Proceedings

(a) Divorce Without Children – [insert interim goals and target date]

(b) Divorce With Children – [insert interim goals and target date]

(c) Paternity – [insert interim goals and target date]

(d) Responding Interstate for Registration – [insert interim goals and target date]

(e) Responding Interstate Establishment – [insert interim goals and target date]

(f) Child Custody Issues, Other Support, and Other Domestic Relations Matters – [insert interim goals and target date]

3) Delinquency Proceedings – [insert interim goals and target date]

4) Child Protective Proceedings – [insert interim goals and target date]

5) Designated Proceedings – [insert interim goals and target date]

6) Juvenile Traffic and Ordinance Proceedings – [insert interim goals and target date]

7) Adoption Proceedings

(a) Petitions for Adoption – [insert interim goals and target date]

(b) Petitions to Rescind Adoption – [insert interim goals and target date]

8) *Miscellaneous Family Proceedings*

(a) *Name Change – [insert interim goals and target date]*

(b) *Safe Delivery – [insert interim goals and target date]*

(c) *Personal Protection – [insert interim goals and target date]*

(d) *Emancipation of Minors – [insert interim goals and target date]*

(e) *Infectious Diseases – [insert interim goals and target date]*

(f) *Parental Waiver – [insert interim goals and target date]*

9) *Ancillary Proceedings:*

(a) *Guardianship and Conservatorship Proceedings – [insert interim goals and target date]*

(b) *Mental Illness Proceedings – [insert interim goals and target date]*

(c) *Judicial Admission – [insert interim goals and target date]*

10) *Criminal Proceedings – [insert interim goals and target date]*

11) *Appellate, Administrative Review, and Extraordinary Writ Proceedings:*

(a) *Appeals from Courts of Limited Jurisdiction – [insert interim goals and target date]*

(b) *Appeals from Administrative Agencies – [insert interim goals and target date]*

(c) *Extraordinary Writs – [insert interim goals and target date]*

12) 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 for production of transcripts. Decisions, when possible, should be made from the bench or within a few days of submission; otherwise a decision should be rendered no later than 35 days after submission.

Probate Interim Processing Time Goals *[optional]*

1) Estate, Trust, Guardianship, and Conservatorship Proceedings – [insert interim goals and target date]

2) Mental Illness Proceedings – [insert interim goals and target date]

3) Judicial Admission – [insert interim goals and target date]

4) Civil Proceedings – [insert interim goals and target date]

5) Miscellaneous – [insert interim goals and target date]

District Interim Processing Time Goals *[optional]*

1) Civil Proceedings:

(a) General Civil – [insert interim goals and target date]

(b) Summary Civil – [insert interim goals and target date]

2) Felony, Misdemeanor, and Extradition Detainer Proceedings:

(a) Misdemeanor – [insert interim goals and target date]

(b) Felony and Extradition/Detainer – [insert interim goals and target date]

3) Civil Infraction Proceedings – [insert interim goals and target date]

c. Differentiated Case Management System *[optional]*

The Court adopts a differentiated case management system that

provides for similar type cases to be tracked with specific time constraints. [Insert specific information about case differentiation and related time guidelines.]

C. Scheduling Policy

The Court adopts a scheduling policy whereby all cases or contested matters will be set in a manner that minimizes delay for the parties and that reduces the possibility of adjournment of set times. This includes early and continuous control of all cases from case initiation through post-disposition through the use of:

1. appropriate case screening;

2. scheduling orders and conferences for the purpose of achieving date certainty;

3. management of discovery and motion practice;

4. realistic setting of trial dates and time limits; and

5. court control of adjournments in compliance with MCR 2.503(B) for the purpose of achieving date certainty.

Cases and contested matters will be continually reviewed to ensure that no case exists for which a future action or review date has not been set by the Court. Scheduling will be done in accordance with the time guidelines set forth in Administrative Order 2003-7. No case or contested matter will be permitted to remain on this Court's docket in excess of the guidelines set forth by AO 2003-7 without an immediate review or without the Court setting forth the reasons for an extension and setting new limits. ***or*** [insert scheduling policy explaining how the court will adequately supervise case progress in accordance with the time guidelines set forth in Administrative Order 2003-7]

D. Adjournment Policy

The Court adopts the adjournment policy set forth in MCR 2.503(B), as follows:

1. Unless the Court allows otherwise, a request for an adjournment must be by verified and written motion based on good cause shown. All requests for adjournment will be decided by the judge or his or her designee. Adjournments granted will be classified and tracked based on the reason given.

2. A motion for adjournment must state: a) which party is requesting the adjournment; b) the reason for it; and c) whether other adjournments have been granted in the proceeding and, if so, the number granted.

3. The entitlement of a motion for adjournment must specify whether it is the first, or a later request, e. g., "Plaintiff's Request for Third Adjournment."

4. At the time a proceeding is adjourned, the proceeding must be rescheduled for a specific date and time.

5. In granting an adjournment, the Court may impose costs and conditions. Costs may be taxed summarily to be paid on demand of the adverse party or the adverse party's attorney, and the adjournment may be vacated if nonpayment is shown by affidavit.

E. Alternative Dispute Resolution

The Court promotes the use of alternative means with which to resolve disputes. Litigants will be provided with all available information regarding area dispute resolution and counseling centers. [Optional - insert specific programs and alternatives utilized (such as mediation, case evaluation, etc.)]

F. Pretrial Scheduling Orders

[insert court procedure]

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 in accordance with MCR 2.401. Persons with authority to settle the case, including the parties to the actions, agents of the parties, representatives of lien holders, or representatives of insurance carriers shall be present at the conference, or with approval of the Court, immediately available at the time of the conference via telecommunications. ***or*** [insert court policy and procedure]

H. Trial Scheduling and Management

[insert court procedure – (for example: Trial dates shall be set at the calendar conference. To avoid future scheduling conflicts, attorneys must be able to confirm their trial date availability at the conference.)]

I. Monitoring Systems

The case management system of the Court will, at a minimum, provide the capability to:

1. monitor case progress;

2. generate various reports for measuring pending inventory, delay, activity, and scheduling practices; and

3. generate reports showing compliance with time guidelines.

[Insert specific reports the court will develop and/or make available from the case management system in order to effectively monitor caseflow, how they will assist the court in monitoring cases, and how frequently they will be run.]

[*Recommended:*
Specific reports which will be available from the case management system are cases with no next action date, age of pending cases, number of cases pending over time standards by judge, age of cases at each event, age of cases at disposition, adjournment rate, time intervals between events, and exception reports.]

J. Implementation

To successfully implement and achieve the goals of this Plan, the Court will develop

1. policy level commitment from the Bench to the concept and plan; and

2. consult with internal and external stakeholders as needed for guidance and assistance during the implementation process.

[Insert other court processes and procedures the court will use to effectively implement its caseflow management plan.]

[*Recommended:*
The implementation of this Plan will create a period of increased scheduling as cases come into the system after the implementation date. This may require a plan to temporarily increase judicial resources within the jurisdiction.]

Date:_____ _____
Signature of Chief Judge

Approved, SCAO

PROBATE COURT CASELOAD Complete Parts 1 and 2 quarterly and transmit no later than 30 days following the end of the reporting period. Complete Part 4 annually and transmit with 4th quarter.			Month	Year
Preparer's name	Preparer's telephone no.	Court no. and designation	County or Location	

PART 1: NEW FILINGS, REOPENED CASES, AND OTHER MATTERS

**Provide beginning pending only on the January report.

SECTION A: ESTATES, TRUSTS

Line	CASE TYPE	DA	DE	DH	PE	TR	TT	TV
1	Beginning Pending Petitions**							
2	New Filings							
3	Reopened Cases							
4	Number of Open Estates, Testamentary Trust, and Inter Vivos Trust Cases, January 1							

SECTION B: WILLS

SECTION C: CIVIL AND OTHER MATTERS

Line	CASE TYPE	BR	CZ	ML
1	Beginning Pending**			
2	New Filings			
3	Reopened			

SECTION D: GUARDIANSHIPS, CONSERVATORSHIPS, ADMISSIONS, MENTAL COMMITMENTS

Line	CASE TYPE	CA	CY	DD	GA	GL	GM	JA	LG	MI	PO
1	Beginning Pending Petitions**										
2	New Filings										
3	Reopened Cases										
4	Guardianships/Conservatorships in System January 1										

OTHER FILINGS

Line	CASE TYPE	MI
5	Petition for Second Order	
6	Petition for Cont. Order	
7	Supplemental Petitions	

General Reporting Instructions:

- If caseload information for a specific reporting period is not entered into the system prior to submitting the report, adjustments in caseload can be made by re-generating the report and transmitting the amended data according to procedures prescribed by SCAO.
- Assignments are not to be counted in these reports. Separate assignment reports are prepared and will be used to gather additional statistical information about judicial activity. **If courts enter assigned cases to their case management systems, the cases should not be reported.**
- When a case type code is changed after a case has been reported, the case must be counted disposed as "Case Type Change" under the case type code under which the case was originally reported (as a new filing) and reported as a new filing under the new case type. Separate instructions for this new filing are not provided again in the following pages.
- When the probate court is processing circuit court family division cases, the statistics must be provided in the reporting format required for the circuit court family division.

Section A: Estates, Trusts - New Filings, and Reopened Cases

Line 1: Provide the number of beginning pending **petitions/applications** (includes both new and reopened) as of January 1 for each of the case type codes. DO NOT provide beginning pending numbers for the remaining three quarters.

Line 2: Under the appropriate case type codes, provide the total number of filings. Count **petitions/applications** opened on the filing date.

- An estate case is counted as a new filing when a petition/application is received for filing for a particular individual (subject of the petition/application) that does not have a prior case in that case type, when a case is received by your court after transfer from another court because of change of venue or jurisdiction where the original petition has not yet been disposed, or when a case is given another case type code (recoded) that has already been reported in Line 2 (see instructions for dispositions also). If a new estate filing includes a request for supervised administration, it must be assigned the case type code "DA". Do not count demands for notice (form PC 555). Do not count filing of letters of foreign personal representative here; see Section C.

  Forms which may be used to file an estate case, to file a separate determination of heirs, or to register a trust include:
  PC 553 (Petition to Determine Heirs, Separate Proceedings)
  PC 556 (Petition and Order for Assignment)
  PC 558 (Application for Informal Probate and/or Appointment of Personal Representative)
  PC 559 (Petition for Probate and/or Appointment of Personal Representative)
  PC 610 (Registration of Trust)
  MC 316 or PC 608 (Order for Change of Venue)

- A testatmentary trust case and trust inter vivos case is counted as a new filing when a petition regarding that trust is received for filing and there are no other pending petitions on that particular trust.

- A request to enter trust is counted as a TR when registration of trust is received for filing.

Court rules and statutes associated with opening an estate or a trust case are MCR 5.101(B), 5.127, 5.128, 5.308(B), 5.309, 5.310, and 5.501 and MCL 700.1303, 700.1302, 700.3106, 700.3301, 700.3402, 700.3502, 700.3614, 700.7102, and 700.7206.

Line 3: Under the appropriate case type codes, provide the total number of **reopened cases**. Count cases reopened only if they have been previously counted as disposed.

- An estate case is counted as a reopened case:
  - when a petition to reopen is filed after the appointment of the personal representative terminates (personal representative discharged and estate closed).
  - when a subsequent petition is filed for the appointment of fiduciary when a previous petition filed in that case did not request the appointment of a fiduciary.
  - when an amended petition is filed for assignment in a small estate.
  - when some activity occurs that reactivates a case that has been administratively closed for statistical purposes.

Court rules associated with reopening of cases are MCR 2.102(G), 2.502(C), 5.312, 7.101(M), 7.215(D), 7.216(A), and 7.317. For RPC cases, see also MCR 5.709(J).

Line 4: Under the appropriate case type codes, provide the total number of estate **cases** that are open as of January 1, the total number of testamentary trust **cases** that are open as of January 1, and the total number of inter vivos trust **cases** that are open as of January 1. Do not include cases closed administratively. An open testamentary trust or inter vivos case includes a pending petition as defined in Line 2 above and any trust under court supervision.

Section B: Wills - Filings A will is counted as a filing when it is received. Count each will filed for safekeeping and each will delivered after the death of the testator but before any estate case is opened.

Section C: Civil and Other Matters - New Filings and Reopened Cases

Line 1: Provide the number of beginning pending **cases** as of January 1 for each of the case type codes. DO NOT provide beginning pending numbers for the remaining three quarters

Line 2: Under the appropriate case type codes, provide the total number of filings. Count cases opened on the filing date.

- A civil case is counted as a new filing when a complaint is received for filing or when a case is transferred from circuit or district court for any reason.
  - Do not include cross-claims, 3rd party complaints, or counter claims.

  Forms which may be used to open a civil case include:
  MC 01 (Summons and Complaint)
  MC 35 (Complaint, Claim and Delivery)

Court rules associated with opening a civil case are MCR 2.101, 2.102, 2.222, 2.223, 2.226, 2.227, and 3.105(C).

- Other matters (BR and ML case-type codes) are counted as a new filing when a petition is received for filing and there are no other pending petitions on that case for that particular individual. Existing programs which break out various codes now under the "ML" case-type code can be maintained and the petitions simply reported under "ML". Count letters of foreign personal representative as an "ML" upon filing.

  Forms which may be used to open a delayed registration of foreign birth or a miscellaneous case include:
  PC 551 (Petition and Order to Open Safe Deposit Box to Locate Will or Burial Deed)
  PC 549 (Petition to Establish Death of Accident or Disaster Victim)
  PC 611 (Petition for Substance Abuse Treatment and Rehabilitiation Services)
  PCA 350 (Motion and Order for Delayed Registration of Foreign Birth)

Some of the court rules and statutes associated with opening a miscellaneous case are MCR 5.101 and MCL 333.2830, 333.6124 and 700.1207, 700.1208, and 700.2517.

Line 3: Under the appropriate case type codes, provide the total number of reopened cases. Count cases reopened only if they have been previously counted as disposed.

- A civil case is counted as a reopened case when:
  - a judgment is set aside, a settlement agreement is set aside, when a judgment notwithstanding the verdict is entered except when entered upon return of the jury verdict, or an order staying a case is set aside.
  - a default entry for no answer is set aside even if there is no judgment entered or whether the case has been dismissed for no progress or not.
  - reinstated after dismissal.
  - remanded or returned from another court.

Section D: Guardianships, Conservatorships, Admissions, Mental Commitments - New Filings and Reopened Cases

This section applies to both adults and minors

Line 1: Provide the number of beginning pending **petitions** as of January 1 for each of the case type codes. DO NOT provide beginning pending numbers for the remaining three quarters.

Line 2: Under the appropriate case type codes, provide the total number of filings. Count petitions opened on the filing date.

- A guardianship or conservatorship is counted as a new filing when a petition is received for filing on an individual that does not currently have a case in that case type, or when a case is received by your court after transfer from another court because of change of venue or jurisdiction where the original petition has not yet been disposed. Do not count requests for notice (form PC 624).
  - Count as a new filing when all fiduciaries are released from acceptance of appointment and/or a bond is cancelled on a particular case type and a new petition is received for filing for a particular individual with the same case type, including petitions for partial guardian of individual with developmental disability (for which the order expires every 5 years).
  - Count a petition for a protective order under "PO" when not filed in conjunction with a petition for conservatorship.
  - Count a petition for appointment of conservator **and** protective order as a conservatorship case.
  - When more than one petition is received for filing on a particular individual for more than one case type (i.e., conservatorship and guardianship), count each case type as a separate case, **excep**t when a petition for conservatorship and protective order are filed in the same petition together.

  Forms which may be used to file a guardianship or conservatorship case include:
  PC 625 (Petition for Appointment of Guardian of Incapacitated Individual)
  PC 639 (Petition for Appointment of Conservator and/or Protective Order)
  PC 650 (Petition for Appointment of Limited Guardian of Minor)
  PC 651 (Petition for Appointment of Guardian of Minor)
  PC 658 (Petition for Appointment of Guardian, Individual with Developmental Disability)
  MC 316 or PC 608 (Order for Change of Venue)

- A mental commitment is counted as a new filing when form PCM 201 (Petition/Application for Hospitalization), form PCM 202 (Objection to Hospitalization of Minor) , or form PCM 237 (Petition for Continued Hospitalization of a Minor) is filed.
- A judicial admission is counted as a new filing when form PCM 224 (Petition for Judicial Admission) or PCM 203 (Objection to Administrative Admission of Developmentally Disabled Person) is filed.

Court rules and statutes associated with opening a guardianship, conservatorship, judicial admission, or mental commitment case are MCR 5.101(B), 5.105, 5.127, 5.401, 5.402, and 5.745 and MCL 330.1434, 330.1498m, 330.1511, 330.1516, 330.1609, 330.1623, and 700.5204, 700.5205, 700.5401, and 700.5404.

Line 3: Under the MI case type code, provide the total number of reopened cases. Count cases reopened only if they have been previously counted as disposed.

- A MI case is counted as a reopened case when a demand for hearing is filed after the petition was reported disposed under "deferred" (Part 2, Section D, Line 5),

Line 4: Under the appropriate case type codes, provide the total number of individuals under a guardianship or conservatorship as of January 1.

Line 5: Under the MI case type code, provide the total number of subsequent petitions *(form PCM 218)* filed for a second order. *[MCL 330.1472a(2), 330.1473]*

Line 6: Under the MI case type code, provide the total number of subsequent petitions *(form PCM 218)* filed for a continuing order. *[MCL 330.1472a(3), 330.1473]*

Line 7: Under the MI case type code, provide the total number of supplemental petitions for examination *(form PCM 209 - Supplemental Petition to Application for Hospitalization and Order for Examination and form PCM 209a - Supplemental Petition for Examination/Hospitalization and Order) [MCL 330.1428, 330.1434]* and the total number of petitions to transport minor *(form PCM 240 - Petition and Order to Transport Minor). [MCL 330.1498t]*

PROBATE COURT CASE TYPE CODES

SECTION A: ESTATES, TRUSTS

DA - Decedent estates under supervised administration

DE - Decedent estates under unsupervised administration (includes formal proceedings where no personal representative is requested or appointed)

DH - Determination of heirs when there is no estate administration

PE - Assignment of property in estates not exceeding $15,000

TR - Trust registration

TT - Trusts, testamentary

TV - Trusts, inter vivos

SECTION B: WILLS

Wills for safekeeping (NO CODE)

SECTION C: CIVIL AND OTHER MATTERS

BR - Registration of Foreign Birth

CZ - All civil actions

ML - Miscellaneous matters

SECTION D: GUARDIANSHIPS, CONSERVATORSHIPS, ADMISSION, MENTAL COMMITMENT

CA - Conservators, adult

CY - Conservators, minor

DD - Guardians, developmental disability

GA - Guardians, adult full

GL - Guardians, adult limited

GM - Guardians, minor full

JA - Judicial admissions, developmental disability

LG - Guardians, minor limited

MI - Mental illness

PO - Protective orders

PROBATE COURT CASELOAD - PART 2: RECORD OR METHOD OF DISPOSITION AND RECORD OF CLOSED CASES

General Reporting Instructions: When a case type code is changed after a case has been reported, the case must be counted disposed as "Case Type Change" under the case type code under which the case was originally reported (as a new filing) and reported as a new filing under the new case type. Enter in the appropriate lines the method or record of disposition of the petition for each of the case type codes. In the following instructions, the term "petition" includes an "application". In addition, enter in the appropriate lines the number of cases that have been closed during a given quarter of the reporting year.

SECTION A: ESTATES, TRUSTS

Line	CASE TYPE	DA	DE	DH	PE	TT	TV
1	Granted						
2	Order Determining Testacy/Heirs						
3	Denied						
4	Transferred						
5	Withdrawn/ Dismissed						
6	Case Type Change						

Line	CASE TYPE	DA	DE	TT	TV
7	Administratively Closed				
8	Cases Closed				

Line	Estates Under Supervised Administration (provide in 4th quarter report only)	
9	Total estate cases supervised by the court during the year	

Line 1: Granted *(forms PC 556, 568, PC 569) [MCR 5.308, 5.309, 5.402]* - Count each estate and testamentary trust petition disposed when **appointment of personal representative/fiduciary** is granted by order (or register's statement). If there are multiple petitions filed with the court, count the case disposed here if a personal representative is appointed. Count each petition of a trust inter vivos case disposed when granted by order. Count each petition for assignment disposed when granted by order.

Line 2: Order Determining Heirs/Order Admitting Will *(forms PC 554, PC 568, PC 569) [MCR 5.308(B)]* - Count each estate petition disposed by order determining heirs when no personal representative is appointed. Count each estate petition disposed by register's statement admitting will when no personal representative is appointed.

Line 3: Denied *(form PC 568, PC 569) [MCR 5.308, 5.309]* - Count each estate, assignment, testamentary trust, and inter vivos trust petition disposed when denied by order (or register's statement). If there are multiple petitions filed with the court, count the case disposed here if **all** petitions are denied.

Line 4: Transferred *(form PC 608 or MC 316) [MCR 2.226, 2.227, 5.128, MCL 700.1303]* - Count each estate, testamentary trust, and inter vivos petition transferred to another court.

Line 5: Withdrawn/Dismissed - Count each estate, assignment, testamentary trust, and inter vivos trust petition withdrawn by the petitioner or dismissed by the court for no progress or other reason.

Line 6: Case Type Change - When a case is counted as a new filing under DA (or DE), and the case type code is changed at disposition to DE (or DA), count the initial DA (or DE) case as disposed on this line. The new case type code would then need to be recorded under new filings and then appropriately disposed of. Do not count post-dispositional case type changes such as when a case is placed under supervised administration some time after disposition of the initial petition in the case.

Line 7: Administratively Closed *(form PC 599) [MCR 5.144]* - Count each estate, testamentary trust, and inter vivos trust case administratively closed for statistical purposes.

Line 8: Cases Closed *(form PC 592 or PC 597) [MCR 5.308(B)(2)(d), 5.311]* - Count each estate case closed when order of discharge is entered or certification of completion is filed. Count each testamentary trust and inter vivos case closed upon disposition of the petition as defined in Part 1, Line 2 except that when the trust is supervised, count it closed upon the termination of court supervision. Except as otherwise instructed above, if a new filing is disposed under Lines 2, 3, 4, 5, or 6, count it closed also.

Line 9: Supervised Estates - Count every estate that was under supervised administration at some point during the entire reporting year.

PROBATE COURT CASELOAD - PART 2: RECORD OR METHOD OF DISPOSITION AND RECORD OF CLOSED CASES

SECTION C: CIVIL AND OTHER MATTERS

Line	CASE TYPE	CZ
1	Jury Verdict	
2	Bench Verdict	
3	Uncontested/ Default/Settled	
4	Transferred	
5	Dismissed by Party	
6	Dismissed by Court	
7	Inactive Status	
8	Other Disposition	

Report civil cases disposed as follows: A civil case is counted as disposed when all claims of all plaintiffs against all defendants or all counter or cross claims have been disposed. A miscellaneous case is disposed when an order following the hearing on the petition is entered. Do not count cases disposed when assigned by the State Court Administrative Office to a judge of another court. Enter in the appropriate lines the numbers of cases disposed for each of the case-type codes. Once a case can be counted as disposed, **the method of disposition** should be entered in the line representing the highest form of disposition within the case using the following hierarchy:

Line 1: Jury Verdict *[MCR 2.504(B), 2.600 et seq.]* - Count when decided by jury except when judge amends or overturns verdict.

Line 2: Bench Verdict *[MCR 2.504(B), 2.600 et seq., 3.105(H), 3.300 et seq.]* - Count when decided by judge. Count directed verdicts in favor of defendant after conclusion of plaintiff's case. Count entry of judgment by judge notwithstanding jury verdict.

Line 3: Uncontested/Default/Settled/Summary Disposition *[MCR 2.403(M), 2.405, 2.410(D)(3), 2.411(C)(4), 2.600 et seq.]* Count when defaulted for no answer, when consent judgment is filed including those as a result of case evaluation, mediation or other ADR process;when default is entered after a party fails to attend a scheduled ADR proceeding; when default judgment is entered after plaintiff offers proofs and defendant has failed to appear; when trial is commenced but case is settled before return of verdict; or when motion for summary disposition is granted.

Line 4: Transferred *(form MC 316 or PC 608) [MCR 2.226, 2.227]* - Count when removed, remanded, or transferred from one court to another before adjudication, including cases removed to federal court.

Line 5: Dismissed by Party *(form MC 09) [MCR 2.102(E), 2.502, 2.504(A)]* Count voluntary dismissals by plaintiff.

Line 6: Dismissed by Court *(form MC 09a) [MCR 2.102(E), 2.401(G)(1), 2.410(D)(3), 2.502, 2.504(B), (E)]* Count when dismissed due to non service and no progress. Count when dismissed for no cause of action after conclusion of plaintiff's case. Count when dismissed as a result of payment of an award made within 28 days of notification of acceptance of an evaluation under MCR 2.403(M). Count when dismissed after plaintiff fails to appear.

Line 7: Inactive Status *(form MC 300)* - Count upon notice of filing of bankruptcy is filed staying a case or any other order staying the case (except interlocutory appeal) is filed.

Line 8: Other Disposition *(forms PC 550, PC 551, PC 612, PCA 350) [MCL 333.6124, 700.1207, 700.1208, 700.2517]* - Count all other dispositions not otherwise provided for in the above.

Line	CASE TYPE	ML
9	Granted	
10	Denied	
11	Transferred	
12	Withdrawn/ Dismissed	

Line 9: Granted - Count each petition for other matters disposed when granted by order. Count letters of foreign personal representative as granted upon filing.

Line 10: Denied - Count each petition for other matters disposed when denied by order.

Line 11: Transferred *(form MC 316 or PC 608) [MCR 2.226, 2.227, 5.128, MCL 700.1303]* - Count each petition for other matters transferred to another court.

Line 12: Withdrawn by Petitioner/Dismissed - Count each petition for other matters withdrawn by the petitioner before the issuance of an order granting or denying. Count each petition for other matters dismissed by the court.

PROBATE COURT CASELOAD - PART 2: RECORD OR METHOD OF DISPOSITION AND RECORD OF CLOSED CASES

SECTION D: GUARDIANSHIPS, CONSERVATORSHIPS, ADMISSIONS, MENTAL COMMITMENTS

Line	CASE TYPE	CA	CY	DD	GA	GL	GM	JA	LG	MI	PO
1	Granted										
2	Denied										
3	Transferred										
4	Withdrawn/ Dismissed										
5	Deferred										
6	Case Type Change										
7	Administratively Closed										
8	Out of System see instruction										

Line 1: Granted *(forms PC 631, PC 640, PC 653, PC660, PCM 205, 214, PCM 214a, PCM 239) [MCL 330.1468, 330.1469a, 330.1470, 330.1472a, 330.1498n, 330.1498o, 330.1511, 330.1515, 330.1518, 330.1519, 330.1520, MCL 700.5406 et seq.]* - Count each petition for guardianship or conservatorship or protective order when granted. Count each initial order issued on a petition for commitment/treatment/hospitalization or judicial admission (including when the original petition was deferred and a demand for hearing was later filed). Do not include second or continuing orders for adults (see Lines 9 and 11). Do not count orders appointing temporary guardian of incapacitated individual. Count each order sustaining an objection to hospitalization of a minor or administrative admission of a developmentally disabled person.

Line 2: Denied - Count each original petition for guardianship, conservatorship, protective order, commitment/hospitalization/treatment, or admission denied (including when the original petition was deferred and a demand for hearing was later filed). Do not include orders on petitions for second or continuing commitment/hospitalization/treatment (see Lines 10 and 12).

Line 3: Transferred *(form MC 316 or PC 608) [MCR 2.226, 2.227, 5.128, MCL 700.1303]* - Count each guardianship, conservatorship, mental commitment/hospitalization/ treatment, or judicial admission petition transferred to another court.

Line 4: Withdrawn by Petitioner/Dismissed *(forms PCM 205, PCM 214, PCM 214a, PCM 239) [MCL 330.1468, 330.1469a, 330.1470, 330.1472a, 330.1498n, 330.1498o, 330.1511, 330.1515, 330.1518, 330.1519, 330.1520]* - Count each guardianship or conservatorship petition withdrawn by the petitioner before the issuance of an order of appointment. Count each petition for guardianship, conservatorship, mental commitment, or judicial admission dismissed by the court (includes situations where the individual agrees to voluntary commitment). Count each order dismissing an objection to hospitalization of a minor or administrative admission of a developmentally disabled person.

Line 5: Deferred *(form PCM 235) [MCL 330.1455(5)]* - Count each request to defer hearing on a petition for commitment/hospitalization/treatment.

Line 6: Case Type Change - When a case is counted as a new filing under CA (or CY) and the case type code is changed at disposition to PO or vice versa, count the intitial filing as disposed on this line. When a case is counted as a new filing under GA and that case type code is change at disposition to GL or vice versa, count the initial filing as disposed on this line. When a case has already been **reported** as a new filing and is not yet disposed and the case type was assigned in error, to correct the case type count as disposed on this line. The new case type for any of these examples would then need to be recorded under the appropriate case type as a new filing and then appropriately disposed of.

Line 7: Administratively Closed *(form PC 599) [MCR 5.144]* - Count each guardianship and conservatorship case administratively closed for statistical purposes.

Line 8: Out of System *(form PC 597 or PC 605)* [MCR 5.308(B)(2)(d), 5.311] - Provide the total number of individuals for whom guardianship or conservatorship has ceased. If a new filing is disposed under Lines 2, 3, 4, or 6, count it closed also.

PROBATE COURT CASELOAD - PART 2: RECORD OR METHOD OF DISPOSITION AND RECORD OF CLOSED CASES

SECTION D: GUARDIANSHIPS, CONSERVATORSHIPS, ADMISSIONS, MENTAL COMMITMENTS

	CASE TYPE	MI
9	Second Order Granted	
10	Second Order Denied	
11	Cont. Order Granted	
12	Cont. Order Denied	

Line 9: Petition for Second Order *(form PCM 219) [MCL 330.1469a]* - Count each petition for second order for treatment granted.

Lines 10: Petition for Second Order *(form PCM 219) [MCL 330.1469a]* - Count each petition for second order for treatment denied.

Line 11: Petition for Continuing Order Granted *(forms PCM 219) [MCL 330.1472a]* - Count each petition for continuing order for treatment granted.

Line 12: Petition for Continuing Order Denied *(forms PCM 219) [MCL 330.1472a]* - Count each petition for continuing order for treatment denied.

PROBATE COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

General Reporting Instructions: These reports are to be submitted **annually** with the 4th quarter of Parts 1 and 2. Case age measurement occurs at different stages of a case depending on the case type. Refer to the specific instructions to determine the measurement criteria for each type of case.

Each judge of a court shall report their case data individually by bar number. When cases from a judge's caseload are assigned to a judge of another court by the SCAO, the court must still report them; however, it is at their discretion whether they report assigned cases under the bar number of the original judge or under the bar number of the assigned judge. Do not report them under both.

Although case type codes are organized in groupings, cases associated with each case type code are to be reported separtely throughout this entire report. For example, although DA, DE, DH, TT, and TV are combined, DA cases should be reported under its own column, DE cases should be reported under its own column, etc.

SECTION A: ESTATES, TRUSTS

Measurement begins on the date of the joining of the contested matter and is completed when the matter is resolved. A contested matter is joined when an objection is filed. A contested matter is any matter within a case where the following applies: 1) a competing petition has been filed; 2) any written responsive pleading requesting relief, no matter how titled, has been filed (this includes written objections under MCR 5.119); and 3) any other situation where the court deems the matter to be contested.

Line	CASE TYPE	DA, DE, DH TT, TV
1	Disposed 0-182 Days	
2	Disposed 183-273 Days	
3	Disposed 274-364 Days	
4	Disposed + 364 Days	
5	Pending 0-182 Days	
6	Pending 183-273 Days	
7	Pending 274-364 Days	
8	Pending +364 Days	

Line 1: Count the number of contested matters resolved within 182 days of the filing of the objection.

Line 2: Count the number of contested matters resolved from 183 to 273 days of the filing of the objection.

Line 3: Count the number of contested matters resolved from 274 to 364 days of the filing of the objection.

Line 4: Count the number of contested matters resolved after 364 days of the filing of the objection.

Line 5: Count the number of contested matters with an age through 182 days of the filing of the objection.

Line 6: Count the number of contested matters withan age from183 to 273 days of the filing of the objection.

Line 7: Count the number of contested matters with an age from 274 to 364 days of the filing of the objection.

Line 8: Count the number of contested matters with an age over 364 days of the filing of the objection.

PROBATE COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

Civil cases that have been reported disposed under "Inactive Status" (as defined by that line in Part 2, Section C of the caseload instructions) **are not adjudicated and shall not be reported on this case age report under either the column for pending or for disposition.** Once a civil case that has been on "inactive status" qualifies for reporting as "reopened" based on the instructions in Part 1, Section C, it must be reported on this case age report as either pending or disposed according to its status as of December 31 of the reporting year; however, when calculating the age of the case, **subtract the time that particular case was out of the court's control on "inactive status"**. Also, any other civil case that is reopened must be reported on these case age reports as either pending or disposed according to its status as of December 31 of the reporting year with the age calculated by **subtracting the time from the original disposition of that particular case to the reopen date**.

Inactive Status defined: A civil case is on "inactive status" when it has been disposed as inactive due to an order staying the case (except for interlocutory appeals). Delays caused for any other reason shall not be subtracted from the time. As stated previously, the age of a civil case while on **inactive status** shall not be reported under columns for pending or for disposition.

SECTION C: GENERAL CIVIL

Measurement begins on the date of case filing and is completed when disposition(as defined in Part 2, Section C) occurs.

Line	CASE TYPE	CZ
1	Disposed 0-364 Days	
2	Disposed 365-545 Days	
3	Disposed 546-728 Days	
4	Disposed + 728 Days	
5	Pending 0-364 Days	
6	Pending 365-545 Days	
7	Pending 546-728 Days	
8	Pending + 728 Days	

Line 1: Count the number of cases disposed within 364 days.

Line 2: Count the number of cases disposed from 365 to 545 days.

Line 3: Count the number of cases disposed from 546 to 728 days.

Line 4: Count the number of cases disposed after 728 days.

Line 5: Count the number of pending cases with an age through 364 days.

Line 6: Count the number of pending cases with an age of 365 to 545 days.

Line 7: Count the number of pending cases with an age of 546 to 728 days.

Line 8: Count the number of pending cases with an age over 728 days.

Line	CASE TYPE	ML
9	Disposed 0-35 Days	
10	Disposed + 35 Days	
11	Pending 0-35 Days	
12	Pending + 35 Days	

Line 9: Count the number of cases disposed within 35 days.

Line 10: Count the number of cases disposed after 35 days.

Line 11: Count the number of pending cases with an age through 35 days.

Line 12: Count the number of pending cases with an ageover 35 days.

PROBATE COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

SECTION D: GUARDIANSHIPS, CONSERVATORSHIPS

Measurement begins on the date of the joining of the contested matter and is completed when the matter is resolved. A contested matter is joined when an objection is filed. A contested matter is any matter within a case where the following applies: 1) a competing petition has been filed; 2) any written responsive pleading requesting relief, no matter how titled, has been filed (this includes written objections under MCR 5.119); and 3) any other situation where the court deems the matter to be contested.

Line	CASE TYPE	CA, CY, DD, GA, GL, GM, LG, PO
1	Disposed 0-182 Days	
2	Disposed 183-273 Days	
3	Disposed 274-364 Days	
4	Disposed + 364 Days	
5	Pending 0-182 Days	
6	Pending 183-273 Days	
7	Pending 274-364 Days	
8	Pending +364 Days	

Line 1: Count the number of contested matters resolved within 182 days of the filing of the objection.

Line 2: Count the number of contested matters resolved from 183 to 273 days of the filing of the objection.

Line 3: Count the number of contested matters resolved from 274 to 364 days of the filing of the objection.

Line 4: Count the number of contested matters resolved after 364 days of the filing of the objection.

Line 5: Count the number of contested matters with an age through 182 days of the filing of the objection.

Line 6: Count the number of contested matters withan age from183 to 273 days of the filing of the objection.

Line 7: Count the number of contested matters with an age from 274 to 364 days of the filing of the objection.

Line 8: Count the number of contested matters with an age over 364 days of the filing of the objection.

PROBATE COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

SECTION D: ADMISSION, MENTAL COMMITMENTS

Measurement begins on the date of the filing of the petition and is completed when disposition (as defined in Part 2, Section D) occurs. In MI cases, if the petition was reported disposed under "deferred" and a subsequent demand for hearing is filed, measurement begins on the date of the filing for each original, second, and continuing petition and is completed when disposition after the hearing (as defined in Part 2, Section D) occurs; however, subtract the period of time under which the original MI petition was deferred. Note: If a demand for hearing is filed in a MI case, it will be reported on this case age report twice; once as to its age before or at deferral and again as to its age after the demand for hearing.

Line	CASE TYPE	MI, JA
1	Disposed 0-14 Days	
2	Disposed 15-28 Days	
3	Disposed +28 Days	
4	Disposed 0-14 Days	
5	Disposed 15-28 Days	
6	Disposed + 28 Days	
7	Pending 0-14 Days	
8	Pending 15-28 Days	
9	Pending +28 Days	
10	Pending 0-14 Days	
11	Pending 15-28 Days	
12	Pending +28 Days	

Line 1: Count the number of petitions (except those where a demand for hearing was filed) disposed within 14 days.

Line 2: Count the number of petitions (except those where a demand for hearing was filed) disposed from 15 to 28 days.

Line 3: Count the number of petitions (except those where a demand for hearing was filed) disposed after 28 days.

Line 4: Count the number of petitions (where there was a demand for hearing) disposed within 14 days.

Line 5: Count the number of petitions (where there was a demand for hearing) disposed from 15 to 28 days.

Line 6: Count the number of petitions (where there was a demand for hearing) disposed after 28 days.

Line 7: Count the number of petitions (except those where a demand for hearing was filed) with an age through 14 days.

Line 8: Count the number of petitions (except those where a demand for hearing was filed) with an age from 15 to 28 days.

Line 9: Count the number of petitions (except those where a demand for hearing was filed) with an age over 28 days.

Line 10: Count the number of petitions (where there was a demand for hearing) with an age through 14 days.

Line 11: Count the number of petitions (where there was a demand for hearing) withan age from 15 to 28 days.

Line 12: Count the number of petitions (where there was a demand for hearing) with an age over 28 days.

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File Formats for the Submission of Electronic Caseload Data

Caseload Reporting System

1 Introduction

This document describes the record layout for submitting data electronically to the Caseload Reporting System (CRS). Data so submitted will be imported into an Oracle database, and that data will then be used for generating reports. Courts with a caseload management system may be able to create the data file with relative ease, but the data file must conform to the following record layout in order for the CRS to understand the data and store it properly.

1.1 Submission Mechanism

The CRS project has determined requirements for the technique to be used by courts to submit electronic data files. The following describes the technique to be employed.

The CRS includes web-based functionality to submit the data file online, meaning a court must be connected to the public Internet or the Supreme Court intranet. The user attempting to submit the data file will sign on to an application using a web browser. The user will enter a drive, path, and filename to select the file to be submitted, and the application will transfer the file to a JIS-based server. The submission will be recorded in a database, and the file will be processed. The user will then be able to view submitted data using web-based data entry screens.

2 Electronic Data File Format

2.1 General Format

All data submitted electronically shall be in ASCII format, enclosed in quotes, and comma delimited; i.e., "xxxxxx", "xxxxxx", and so on. An empty field ("") is considered null. Each record in the file will represent a single data value. A record is a series of ASCII characters terminated with a carriage return-linefeed character. The elements of each record will identify which data value it represents, so that the type of data (Probate court) and the quarter, year, county, court code, as well as the part, section, bar number (Part 4 only), action, and case type combine to refer to a single field on a particular caseload report form. The bar number is required for Part 4; for Parts 1 and 2, the field for the bar number should appear as a value of 0. This record layout will require data to be written out redundantly, but allows each record to be dealt with independent of any other record in the file.

2.2 Record Format:

The format shall be as follows:

2.2.1 Field Definitions

"TYPE"	= Data Type: "P" (probate)
"QTR"	= Report Quarter "1", "2", "3", or "4"
"YEAR"	= Report Year "2002", "2003", etc.
"COURT"	= Court Number as defined below
"COUNTY"	= County Name that, along with the court number, identifies a specific court jurisdiction
"PART"	= "1", "2", or "4"
"SECTION"	= "A", "B", "C", etc.
"BAR NUMBER"	= A 7 digit code as defined below
"ACTION"	= A 2 to 4 digit code as defined below
"CASE TYPE"	= A 2 digit code as defined below
"VALUE"	= Null value ("") or whole number value of 0 or greater

Examples: "P","1","2003","D83","Wayne", "1","A","0","BP","DA","0"
"P","1","2003","P83","Wayne", "2","A","0","GR","DA","1"
"P","4","2003","P83","Wayne", "4","A","P000000","DP1","DA","1"

The first example is for probate data ("P"), first quarter ("1"), year 2003, Wayne County Probate ("P83"), Part 1, Section A, 0 (since there is no Bar Number for Part 1), action Beginning Pending ("BP"), case type DA, with a value of zero.
The second example is for probate data ("P"), first quarter ("1"), year 2003, Wayne County Probate ("P83"), Part 2, Section A, 0 (since there is no Bar Number for Part 2), action Petition Granted ("GR"), case type DA, with a value of 1.
The third example is for probate data ("P"), fourth quarter ("4"), year 2003, Wayne County Probate ("P83"), Part 4, Section A, Bar Number (as required for Part 4), contested matter resolved within 182 days ("DP1"), case type DA, with a value of 1.

This format provides flexibility when submitting the data so that there are no expectations about groups of records; each one is considered independently. It is possible, though improbable, that probate, circuit, and district data can be intermixed, record by record, and that the values can be listed in no particular order regarding their section, part, action, or case type. It is likely that the reports used to create a data file will create the records in sequence; for example all the part 1 data listed from section A through the last section, and all the actions and case types grouped together. This approach duplicates what might be considered header information on every detail line.

2.2.2 Field Names, Attributes, and Length:

Field Name	Attributes	Max Length
TYPE	Alphabetic	1
QTR	Numeric	1
YEAR	Numeric	4
COURT	Alphabetic, Numeric, -	5
COUNTY	Alphabetic	25
PART	Numeric	1
SECTION	Alphabetic	1
BAR NUMBER	Alphabetic, Numeric	7
ACTION	Alphabetic	4

CASETYPE	Alphabetic	2
VALUE	Numeric	6

2.2.3 Submission of Files

The electronic files may be submitted repeatedly in order to correct or complete the data. That is, if a particular field is missing, or has a null value ("""), the submission will be accepted, and the data available will be processed.

Subsequent submissions will overwrite the existing values in the database unless the append feature is selected. However, if a field in the submitted file has a null value ("""") it will be ignored, and the existing value in the database, if any, will remain. Similarly, missing values in subsequent submissions will not affect existing values in the database. Any non-null values (zero or greater) will be used to overwrite existing data for that court, in that year, and the particular quarter.

2.2.4 Court Codes and Counties

The following table lists probate court codes and their counties which together create a unique identifier for each jurisdiction. Data must be submitted for the jurisdiction, as listed below.

2.2.4.1 List of Unique Court Code and Location Name Combinations

PROBATE			PROBATE			PROBATE		
Court Code	County	Jurisdiction	Court Code	County	Jurisdiction	Court Code	County	Jurisdiction
P01	Alcona	Alcona County	P19	Clinton	Clinton County	P36	Iron	Iron County
P03	Allegan	Allegan County	P20	Crawford	Crawford County	P37	Isabella	Isabella County
P04	Alpena	Alpena County	P21	Delta	Delta County	P38	Jackson	Jackson County
P05	Antrim	Antrim County	P22	Dickinson	Dickinson County	P39	Kalamazoo	Kalamazoo County
P06	Arenac	Arenac County	P23	Eaton	Eaton County	P40	Kalkaska	Kalkaska County
P07	Baraga	Baraga County	P25	Genesee	Genesee County	P41	Kent	Kent County
P08	Barry	Barry County	P27	Gogebic	Gogebic County	P42	Keweenaw	Keweenaw County
P09	Bay	Bay County	P28	Grand Traverse	Grand Traverse	P43	Lake	Lake County
P10	Benzie	Benzie County	P29	Gratiot	Gratiot County	P44	Lapeer	Lapeer County
P11	Berrien	Berrien County	P30	Hillsdale	Hillsdale County	P45	Leelanau	Leelanau County
P12	Branch	Branch County	P31	Houghton	Houghton County	P46	Lenawee	Lenawee County
P13	Calhoun	Calhoun County	P32	Huron	Huron County	P47	Livingston	Livingston County
P14	Cass	Cass County	P33	Ingham	Ingham County	P50	Macomb	Macomb County
P16	Cheboygan	Cheboygan County	P34	Ionia	Ionia County	P51	Manistee	Manistee County
P17	Chippewa	Chippewa County	P35	Iosco	Iosco County	P52	Marquette	Marquette County
P53	Mason	Mason County	P68	Oscoda	Oscoda County	P82	Wayne	Wayne County
P55	Menominee	Menominee County	P69	Otsego	Otsego County	P83	Wexford	Wexford County
P56	Midland	Midland County	P70	Ottawa	Ottawa County	PD05	Alger	Alger County
P57	Missaukee	Missaukee County	P71	Presque Isle	Presque Isle County	PD05	Schoolcraft	Schoolcraft County
P58	Monroe	Monroe County	P72	Roscommon	Roscommon County	PD06	Luce	Luce County
P59	Montcalm	Montcalm County	P73	Saginaw	Saginaw County	PD06	Mackinac	Mackinac County
P60	Montmorenc	Montmorency County	P74	St. Clair	St. Clair County	PD07	Charlevoix	Charlevoix County

PROBATE			PROBATE			PROBATE		
Court Code	County	Jurisdiction	Court Code	County	Jurisdiction	Court Code	County	Jurisdiction
P61	Muskegon	Muskegon County	P75	St. Joseph	St. Joseph County	PD07	Emmet	Emmet County
P62	Newaygo	Newaygo County	P76	Sanilac	Sanilac County	PD17	Clare	Clare County
P63	Oakland	Oakland County	P78	Shiawassee	Shiawassee County	PD17	Gladwin	Gladwin County
P64	Oceana	Oceana County	P79	Tuscola	Tuscola County	PD18	Mecosta	Mecosta County
P65	Ogemaw	Ogemaw County	P80	Van Buren	Van Buren County	PD18	Osceola	Osceola County
P66	Ontonagon	Ontonagon County	P81	Washtenaw	Washtenaw County			

2.3 Probate Court Specifications

2.3.1 Action Code Definitions

2.3.1.1 Part 1: New Filings, Reopened Cases, and Other Matters

BP = Beginning Pending
NF = New Filings
RE = Reopened
OP = Number of open estates, testamentary trusts, inter vivos trust, guardianship, and conservatorship cases as of January 1 of each year
[This field is submitted only once each year, in the first quarter report]
WS = number of wills filed for safekeeping
PSO = Petition for Second Order
PCO = Petition for Continuing Order
AP = Applications

2.3.1.2 Part 2: Record or Method of Disposition/Record of Closed Cases

GR = Petition was Granted
DE = Petition was Denied
TR = Petition was Transferred
WD = Petition was Withdrawn or Dismissed
TC = Case Type Code on the Petition was Changed
OD = Order Determining Testacy when associated with DE
Order Determining Heirs when associated with DH
Other Disposition when associated with CZ
AC = Case was Administratively Closed
CC = Case was Closed other than Administratively
OS = The individual who was the subject of the case is no longer in the system
JV = Jury Verdict
BV = Bench Verdict
UDS = Uncontested, Default, Settled
TR = Transferred
DP = Dismissed by Party
DC = Dismissed by Court
IS = Inactive Status
DF = Deferred
SOG = Second Order Granted

SOD = Second Order Denied
COG = Continuing Order Granted
COD = Continuing Order Denied

2.3.1.4 Part 4: Case Age

Section A

DP1 = Disposed within 182 days
DP2 = Disposed from 183 to 273 days
DP3 = Disposed from 274 to 364 days
DP4 = Disposed after 364 days
PE1 = Pending through 182 days
PE2 = Pending from 183 to 273 days
PE3 = Pending from 274 to 364 days
PE4 = Pending over 364 days

Section C

DP5 = Disposed within 364 days
DP6 = Disposed from 365 to 545 days
DP7 = Disposed from 546 to 728 days
DP8 = Disposed after 728 days
DP9 = Disposed within 35 days
DP10 = Disposed after 35 days
PE5 = Pending through 364 days
PE6 = Pending from 365 to 545 days
PE7 = Pending from 546 to 728 days
PE8 = Pending over 728 days
PE9 = Pending through 35 days
PE10 = Pending over 35 days

Section D

DP11 = Disposed within 182 days
DP12 = Disposed from 183 to 273 days
DP13 = Disposed from 274 to 364 days
DP14 = Disposed after 364 days
DP15 = Disposed within 14 days, no demand
DP16 = Disposed from 15 to 28 days, no demand
DP17 = Disposed after 28 days, no demand
DP18 = Disposed within 14 days, demand
DP19 = Disposed from 15 to 28 days, demand
DP20 = Disposed after 28 days, demand
PE11 = Pending through 182 days
PE12 = Pending from 183 to 273 days
PE13 = Pending from 274 to 364 days
PE14 = Pending over 364 days
PE15 = Pending through 14 days, no demand

PE16 = Pending from 15 to 28 days, no demand
PE17 = Pending after 28 days, no demand
PE18 = Pending through 14 days, demand
PE19 = Pending from 15 to 28 days, demand
PE20 = Pending over 28 days, demand

2.3.2 Case Type Code Definitions

All authorized case type codes are defined in the Case File Management Standards, Component 39. They have been reproduced in this manual.

2.3.3 Possible Combinations of Action Codes and Case Type Codes

The following are the possible combinations of action codes and case type codes by Part and Section.

2.3.3.1 Part 1: New Filings, Reopened Cases, And Other Matters

Section A: Estates, Trusts - New Filings, Reopened Cases, and Other Matters

BPDA	BPPE	NFDA	NFPE	NFTV	REPE	OPTT
BPDE	BPTT	NFDE	NFTR	REDA	OPDA	OPTV
BPDH	BPTV	NFDH	NFTT	REDE	OPDE	

Section B: Wills - New Filings, Reopened Cases, and Other Matters

WSWS

Section C: Civil, Other Matters - New Filings, Reopened Cases, and Other Matters

BPCZ	NFBR	NFML
BPML	NFCZ	RECZ

Section D: Guardianships, Conservatorships, Admissions, Mental Health Commitments - New Filings, Reopened Cases, and Other Matters

BPCA	BPGL	BPMI	NFDD	NFJA	REMI	OPGA	PSOMI
BPCY	BPGM	BPPO	NFGA	NFLG	OPCA	OPGL	PCOMI
BPDD	BPJA	NFCA	NFGL	NFMI	OPCY	OPGM	APMI
BPGA	BPLG	NFCY	NFGM	NFPO	OPDD	OPLG	

2.3.3.2 Part 2: Record Or Method Of Disposition And Record Of Closed Cases

Section A: Estates, Trusts - Record or Method of Disposition and Record of Closed Cases

GRDA	ODDE	DEPE	TRTT	WDPE	ACDA	CCDE
GRDE	ODDH	DETT	TRTV	WDTT	ACDE	CCTT
GRPE	DEDA	DETV	WDDA	WDTV	ACTT	CCTV
GRTT	DEDE	TRDA	WDDE	TCDA	ACTV	SADA
GRTV	DEDH	TRDE	WDDH	TCDE	CCDA	

Section C: Civil, Other Matters - Record or Method of Disposition and Record of Closed Cases

JVCZ	UDSCZ	DPCZ	ISCZ	GRML	TRML
BVCZ	TRCZ	DCCZ	ODCZ	DEML	WDML

Section D: Guardianships, Conservatorships, Admissions, Mental Health Commitments -

Record or Method of Disposition and Record of Closed Cases

GRCA	GRPO	DELG	TRGM	WDGA	TCCA	TCPO	OSCY
GRCY	SOGMI	DEMI	TRJA	WDGL	TCCY	ACCA	OSDD
GRDD	DECA	DEPO	TRLG	WDGM	TCDD	ACCY	OSGA
GRGA	DECY	SODMI	TRMI	WDJA	TCGA	ACDD	OSGL
GRGL	DEDD	TRCA	TRPO	WDLG	TCGL	ACGA	OSGM
GRGM	DEGA	TRCY	COGMI	WDMI	TCGM	ACGL	OSLG
GRJA	DEGL	TRDD	WDCA	WDPO	TCJA	ACGM	
GRLG	DEGM	TRGA	WDCY	CODMI	TCLG	ACLG	
GRMI	DEJA	TRGL	WDDD	DFMI	TCMI	OSCA	

2.3.3.4 Part 4: Case Age

Section A: Estates, Trusts – Case Age

DP1DA	DP2DH	DP3TV	PE1DE	PE2TT	PE4DA
DP1DE	DP2TT	DP4DA	PE1DH	PE2TV	PE4DE
DP1DH	DP2TV	DP4DE	PE1TT	PE3DA	PE4DH
DP1TT	DP3DA	DP4DH	PE1TV	PE3DE	PE4TT
DP1TV	DP3DE	DP4TT	PE2DA	PD3DH	PE4TV
DP2DA	DP3DH	DP4TV	PE2DE	PE3TT	
DP2DE	DP3TT	PE1DA	PD2DH	PE3TV	

Section C: Civil, Other Matters – Case Age

DP5CZ	DP7CZ	DP9ML	PE5CZ	PE7CZ	PE9ML
DP6CZ	DP8CZ	DP10ML	PE6CZ	PE8CZ	PE10ML

Section D: Guardianships, Conservatorships, Admissions, Mental Health Commitments – Case Age

DP11CA	DP12PO	DP14LG	PE11CY	PE13CA	PE14PO
DP11CY	DP13CA	DP14PO	PE11DD	PE13CY	PE15MI
DP11DD	DP13CY	DP15MI	PE11GA	PE13DD	PE15JA
DP11GA	DP13DD	DP15JA	PE11GL	PE13GA	PE16MI
DP11GL	DP13GA	DP16MI	PE11GM	PE13GL	PE16JA
DP11GM	DP13GL	DP16JA	PE11LG	PE13GM	PE17MI
DP11LG	DP13GM	DP17MI	PE11PO	PE13LG	PE17JA
DP11PO	DP13LG	DP17JA	PE12CA	PE13PO	PE18MI
DP12CA	DP13PO	DP18MI	PE12CY	PE14CA	PE18JA
DP12CY	DP14CA	DP18JA	PE12DD	PE14CY	PE19MI
DP12DD	DP14CY	DP19MI	PE12GA	PE14DD	PE19JA
DP12GA	DP14DD	DP19JA	PE12GL	PE14GA	PE20MI
DP12GL	DP14GA	DP20MI	PE12GM	PE14GL	PE20JA
DP12GM	DP14GL	DP20JA	PE12LG	PE14GM	
DP12LG	DP14GM	PE11CA	PE12PO	PE14LG	