

LOCAL COURT RULES  
**PROBATE COURTS**

Allegan Probate

**Rule: 2.402 Facsimile Transmission of Documents**

Local court rule 2.402 is rescinded, effective January 1, 2004.

Barry Probate

**Rule: 2.402 Facsimile Transmission of Documents**

Local court rule 2.402 is rescinded, effective January 1, 2004.

Eaton Probate

**Rule: 2.402 Facsimile Transmission of Documents**

Local court rule 2.402 is rescinded, effective January 1, 2004.

Genesee Probate

**Rule: 2.119 Motion Practice**

(A) Motion Certification by Attorney. The following certificate signed by the attorney of record or by the party in propria persona shall be attached to or incorporated in the motion and notice of hearing filed with the clerk:

I hereby certify that I have made personal contact with \_\_\_\_\_ [name] on \_\_\_\_\_ [date], requesting concurrence in the relief sought with this motion and that concurrence has been denied, or that I have made reasonable and diligent attempts to contact counsel requesting concurrence in the relief sought with this motion.

(B) Proposed Orders. A proposed order must be attached to and served with the motion.

(C) Application. This rule applies to all motions filed in the circuit court and to motions filed in civil actions in the probate court.

## Grand Traverse Probate

### **Rule 3.800 Notice for Court Appointed Special Advocates**

In the interest of justice, the Court Appointed Special Advocate appointed to work for a child in any abuse and neglect case shall be afforded notice of any adoption hearing that may occur on behalf of the child.

## Ingham Probate

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## Kalamazoo Probate

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## Menominee Probate

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## Oakland Probate

### **Rule: 2.402 Use of Communication Equipment**

Local court rule 2.402 is rescinded, effective January 1, 2004.

### **Rule: 3.205 Prior and Subsequent Orders and Judgments Affecting Minors**

(A) Venue. This rule applies whenever the prior and subsequent courts are Oakland County courts.

(B) Notice to Prior Court, Friend of the Court, Juvenile/Probate Register or Prosecuting Attorney.

(1) As used in this rule, "appropriate official" means the friend of the court, juvenile/probate register or Prosecuting Attorney, depending on the nature of the prior or subsequent action and the court involved.

(2) If a minor is known to be subject to the prior continuing jurisdiction of an Oakland County court, the plaintiff or other initiating party must file written notice of proceedings in the subsequent court with

(a) the clerk or register of the prior court, and

(b) the appropriate official of the prior court.

(3) The notice must be filed at least 21 days before the date set for hearing. If the fact of continuing jurisdiction is not then known, notice must be given immediately when it becomes known.

(4) The notice requirement of this subrule is not jurisdictional and does not preclude the subsequent court from entering interim orders before the expiration of the 21-day period, if required by the best interests of the minor.

(C) Prior Orders.

(1) Each provision of a prior order remains in effect until the provision is superseded, changed, or terminated by a subsequent order.

(2) A subsequent court must give due consideration to prior continuing orders of other courts, and may not enter orders contrary to or inconsistent with such orders, except as provided by law.

(D) Duties of Officials of Prior and Subsequent Courts.

(1) Upon receipt of the notice required by subrule (B), the appropriate official of the prior court

(a) must provide the assigned judge of the subsequent court with the docket sheet;

(b) may appear in person at proceedings in the subsequent court, as the welfare of the minor and the interests of justice require.

(2) The appropriate official of the prior court shall furnish documents upon request of the subsequent court.

(3) Upon request of the prior court, the appropriate official of the subsequent court

(a) must notify the appropriate official of the prior court of all proceedings in the subsequent court, and

(b) must send copies of all orders entered in the subsequent court to the attention of the clerk or register and the appropriate official of the prior court.

(4) If a circuit court awards custody of a minor pursuant to MCL 722.26b, the clerk of the circuit court must send a copy of the judgment or order of disposition to the probate court that has prior or continuing jurisdiction of the minor as a result of the guardianship proceedings, regardless of whether there is a request.

(5) Upon receipt of an order from the subsequent court, the appropriate official of the prior court must take the steps necessary to implement the order in the prior court.

**Rule: 5.503 Adjournments in the Estates Division**

[Local Rule 5.503 is rescinded effective October 24, 2012]

## Oscoda Probate

### **Rule: 2.402 Facsimile Transmission of Documents**

Local court rule 2.402 is rescinded, effective January 1, 2004.

## St. Joseph Probate

### **Rule: 2.402 Use of Facsimile Communication Equipment for Purposes of Filing Court Documents**

Local court rule 2.402 is rescinded, effective January 1, 2004.