



NANCY M. BLOUNT  
CHIEF JUDGE

KELLI MOORE OWEN  
COURT ADMINISTRATOR

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**RE: ADM File No. 2019-03**

**Proposed Amendment of MCR 8.110(D) Court Hours; Court Holidays; Judicial Absences**

Dear Chief Justice McCormack and Justices of the Supreme Court:

I am writing to you to comment on the Proposed Amendment of MCR 8.110(D) and the considerable differences in overall operational needs with respect to larger courts.

The 36<sup>th</sup> District Court utilizes a centralized scheduling system and *programmatically* assigns and schedules cases upon case entry based on our approved Local Administrative Order 2018-04, Case Assignment. This ensures the efficient and timely scheduling and adjudication of cases as set forth and in compliance with the time guidelines defined in Michigan Supreme Court Order 2013-12. I understand the reasoning behind removing the "chief judge's approval" regarding Judicial Absences, especially in relation to smaller courts and those courts that manually assign and schedule court dates. However, it is not feasible to remove the requirement of the chief judge's approval relating to larger courts, such as ours, especially given our sizeable caseload, utilization of an automated, centralized scheduling and assignment system as well as the foreseeable impact on caseload, operations and on overall public service.

Without prior and timely notification of judicial absences requiring the chief judge's approval, proper coverage could not be arranged for our voluminous dockets. Based upon when the assigned judge "notified" the chief of their absence as well the number of days they would be absent, this would directly impact not only our caseload, but also the public including parties, jurors, victims, witnesses, retained and assigned counsel, law enforcement agencies and all other justice system partners who may or may not be notified of adjournments and rescheduling timely.

Additionally, although the proposed amendment allows the chief judge to require a judge to forego vacation, judicial education, or judicial professional leave to ensure docket coordination and coverage, additional language should be added defining a reasonable amount of time that the chief judge must be notified prior to any such judicial absence.

Thank you for your time and consideration.

Sincerely,

Kelli Moore Owen  
Court Administrator