
State of Michigan

**Local Administrative
Order**

**Washtenaw County
Trial Court**

Case Assignment

C22 2022-01J
P81 2022-02J

Effective Date: January 7, 2022

This administrative order rescinds and replaces Washtenaw County Trial Court Local Administrative Order C22 2021-01J & P81 2021-01J "Case Assignment."

CASE ASSIGNMENT

IT IS ORDERED:

Pursuant to MCR 8.110 (c)(3)(b), it is hereby ordered that the case assignments described below be implemented effective January 7, 2022.

The chief judge of the trial court may make judicial assignments and may make adjustments to equalize judicial workloads by reassigning cases, pursuant to MCR 8.111. Further, in order to expedite the processing of certain case types, to take advantage of the expertise of a particular judge or to facilitate the application of the one family/one judge concept, the chief judge may assign or reassign cases among judges to ensure the effective and expeditious handling of such cases. In addition, the chief judge may order that any judge, upon the signing of an appropriate disqualification notice, be removed from the random assignment of a given case or cases as specified in the disqualification notice. When a disqualification order has been signed the case shall be randomly assigned to another judge in the same division. If all judges of the division are disqualified, the case shall be randomly assigned to a judge in the other division of the court. If that judge is disqualified, the case shall be randomly assigned to another judge in that division.

CIVIL/CRIMINAL DIVISION – General Jurisdiction Caseload

Civil Cases:

- A. Unless there is an underlying DA or DE case, the general jurisdiction civil caseload shall be assigned randomly among the judges as follows: Conlin 25%, Connors 25%, Kuhnke 25%, and Brown 25%. These cases include the following case types as described in the State Court Administrative Office's Case File Management Standards Publication: ND, NF, NH, NI, NM, NO, NP, NS, NZ, CC, CD, CE, CF, CH, CK, CL, CP, CR, CZ, PC, PD, PR, PS, and PZ. If there is an underlying active DA or DE case, the new general jurisdiction civil case will be assigned to Judge Owdziej or Judge O'Brien (whomever has the underlying case).
- B. All AL cases shall be assigned to Judge Kuhnke.
- C. All Business Court (CB) cases shall be assigned to Judge Brown.

Criminal Cases:

- A. The general jurisdiction criminal case types described in State Court Administrative Office's Case File Management Standards Publication; AH, AP, AR, AX, DJ, FC, FH, and FJ shall be assigned randomly and equally as follows; Brown 25%, Kuhnke 25%, O'Brien 25%, and Conlin 25%. Cases involving repeat offenders, however, will be assigned or reassigned to the judge (or successor judge) who last handled a case involving that offender; the intent of this practice is to ensure that a single judge, to the extent possible, handles all matters involving a recidivist defendant.
- B. Any case referred to the Hybrid DWI/Drug Treatment Court shall be assigned to Judge Kuhnke.

FAMILY DIVISION

The Family Division is responsible for hearing all domestic relations cases, all juvenile matters, all probate matters, and all proceedings involving personal protection orders.

All newly filed domestic relations cases, DC, DM, DO, DP, DS, DZ, UD, UE, UF, UI, UM, and UN, shall be randomly assigned as follows: Van den Bergh 50%, Conlin 15%, Connors 20% and O'Brien 15%.

- A. Judge O'Brien will handle all prosecutor default cases in DS & DP cases.
- B. All NC cases shall be assigned to Judge Owdziej.
- C. Unless there is an underlying Family Division case, all proceedings for personal protection orders (case types PJ, PP, and VP and their predecessors) shall be assigned to Judge Van den Bergh. If there is an underlying pending or former Family Division case, all matters involving the PPO shall be assigned to the judge assigned to the underlying matter.
- D. All proceedings for personal protection action against stalking (non-domestic, case type PH) shall be assigned to Judge Kuhnke.
- E. All child support enforcement proceedings shall be heard by Judge Van den Bergh.
- F. All BR, CA, CY, DD, EM, GA, GL, GM, ID, LG, ML, TV, and PO cases shall be assigned to Judge Owdziej. Judge O'Brien will serve as primary back-up.
- G. All DA, DE, DH, JA, MI, PE, TR, and TT cases shall be assigned to Judge O'Brien. Judge Owdziej will serve as primary back-up.
- H. All contested AY cases involving a pending or former domestic relations case in Washtenaw County shall be assigned to the judge assigned to the domestic relations case.
- I. All AB, AC, AD, AF, AG, AM, AN, AO, AU, AY, NB, and PW shall be assigned to Judge Kuhnke. Judge Connors will serve as primary back-up.
- J. All DL and TL cases shall be assigned to Judge Owdziej except as noted in K below. Judge O'Brien will serve as primary back-up.
- K. Any youth not initially detained and who do not have a sibling actively under supervision in the juvenile court will be assigned to Judge Connors if they are;

- a. A first offense, and:
 - b. Charged with domestic violence and/or home/family related malicious destruction of a building and/or malicious destruction of personal property
- L. All JG, NA and VF cases shall be assigned to Judge Connors. Judge Owdziej will serve as primary back-up.
- M. All NB and NC cases with Indian Child Welfare Act (ICWA) applicability will be assigned to Judge Connors.

PEACEMAKING

All cases in the Washtenaw County Trial Court are eligible for Peacemaking. All cases entered into the Peacemaking Court will be assigned to Judge Connors.

APPELLATE PROCEDURE

- A. All appeals to the Washtenaw County Trial Court shall be filed with Circuit Court Services following appropriate procedures as described in Chapter 7 of the Michigan Court Rules.
- B. Appeals of criminal matters heard in the District Court shall be assigned randomly to a judge hearing general jurisdiction criminal matters.
- C. Appeals of civil matters heard in the District Court or by administrative agencies, AA, AE, AS, AV, and AW, shall be assigned randomly among the judges as follows: Kuhnke $\frac{1}{3}$, Connors $\frac{1}{3}$, and Conlin $\frac{1}{3}$.
- D. Appeals in juvenile cases shall be made, in accordance with MCR 3.993, to the Court of Appeals.
- E. All other appeals of decisions of the judges of the Washtenaw County Trial Court should be made to the Court of Appeals under the applicable court rules.

Dated: 1/5/2022



Carol Kuhnke, Chief Judge
Washtenaw County Trial Court