



**52nd District Court
for the State of Michigan, County of Oakland**

52-1ST
48150 GRAND RIVER AVE
NOVI, MI
48374
(248) 305-6511

52-2ND
5850 LORAC DR
CLARKSTON, MI
48346
(248) 625-4880

52-3RD
700 BARCLAY CIRCLE
ROCHESTER HILLS, MI 48307
(248) 853-5553

52-4TH
520 WEST BIG BEAVER RD
TROY, MI
48084
(248) 525-0400

HON. TRAVIS M. REEDS
CHIEF DISTRICT JUDGE

Administrative Order 2025-02
Rescinds Administrative Order 2001-02

ORDER ADOPTING JOINT LOCAL ALTERNATIVE DISPUTE RESOLUTION PLAN

IT IS ORDERED:

This administrative order is issued in accordance with Michigan Court Rule 2.410 Alternative Dispute Resolution, effective November 1, 2024. The purpose of this order is to adopt the Local Alternative Dispute Resolution Plan appended to this Order upon approval by the State Court Administrative Office. This Plan is to be administered by each division's ADR clerk in coordination with the Oakland County Bar Association and the Oakland Mediation Center. Any previous LAO regarding mediation services is hereby rescinded effective April 11, 2025.

Administrative Order 2025-02

This Court intends to submit cases to ADR processes under MCR 2.410 and hereby adopts the following ADR Plan:

LOCAL ALTERNATIVE DISPUTE RESOLUTION PLAN

Background

Pursuant to MCR 2.410(A) all civil cases are subject to alternative dispute resolution processes unless otherwise provided by statute or court rule. However, as a practical matter, not all cases are appropriate for referral to ADR. The purpose of the Court's ADR Plan is to screen and

identify those cases where mediation would be appropriate given an initial assessment as the facts and circumstances of the case, the amount in controversy, the ability of the parties to pay for ADR services, and the potential benefit to the parties when compared to the cost of extensive litigation before trial. Three major factors were identified in the screening process. The first is whether any of the parties are *pro se* litigants. The second is the complexity of the case and the third, the amount in controversy.

The first factor attempts to try and address the special needs of the *pro se* litigant. A significant and increasing percentage of a district court's civil caseload involves parties that are not represented by counsel. Traditional court procedures can create an unequal forum for the resolution of disputes when one side is either represented by an attorney or is familiar with the law and court procedures. The use of a neutral mediator can provide a facilitative process that is a less formal forum for resolving these disputes. The nature of the complaint and the amount in controversy assist in determining the benefits of mediation as the costs of protracted litigation for both *pro se* and represented parties increases along with the amount in controversy. For those cases where the assessment of the factors makes a non-lawyer mediator appropriate, the Court has the option of utilizing the Oakland Mediation Center. Cases where the legal issue or amount in controversy make a lawyer mediator more appropriate, the Court shall refer to the OCBA Mediation Service program.

Based on the above, the Court must assume the primary responsibility for identifying cases that could benefit from mediation and for providing access and an opportunity for mediation services including the selection and payment of mediators. The Plan developed by the Court simplifies and streamlines procedures to the greatest extent possible while still providing parties with procedural options to select and pay for their own mediator.

Program Description

All General Civil (GC cases) may be sent to mediation in the discretion of the court, however, Landlord Tenant (LT cases) may only be sent to mediation upon the agreement of the parties, and pursuant to MCR 2.410 in accordance with this Plan.

The Court Administrator shall be the designated ADR clerk, who may delegate the responsibility of assisting in processing ADR referrals to the assignment clerk or such other person as the Court Administrator shall determine necessary to manage caseload and avoid unnecessary delay.

This ADR Plan shall be posted to the Court's website and shall be available for inspection at the courthouse to litigants and the public.

Parties who qualify for a waiver of fees pursuant to MCR 2.002, or whom the Court determines on other grounds are unable to pay for ADR services, are exempt from referral to

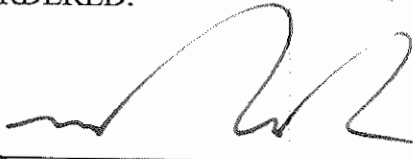
mediation.

The Court, after consultation with the parties, may enter a Pre Trial/Scheduling Order which provides the parties a set time frame in which to agree upon a mediator. An agreed upon mediator must confirm the ability to complete the mediation within 90 days. In the event the parties cannot agree upon a mediator, then the Court shall Order mediation through the Oakland County Bar Association's Mediation Service program or The Oakland Mediation Center. Both the OCBA program and the Oakland Mediation Center will maintain a randomly assigned list of qualified mediators, assign and schedule the mediation, provide for a system to notify the Court of the results of the mediation process pursuant to MCR 2.411(C)(3), and verify that the costs of mediation have been paid. No final Order shall enter without verification of the payment of the parties' payment of the costs of mediation.

The cost of mediation shall be divided between the parties on a pro-rata basis unless otherwise agreed by the parties or ordered by the court. The mediator's fee shall be paid in accordance with MCR 2.411(D)(2).

Mediation communications are confidential except as provided in MCR 2.412(D).

IT IS SO ORDERED.



HON. TRAVIS M. REEDS
Chief Judge, 52nd District Court

4/4/25
Date