

# Docket Changes

by Kevin M. Oeffner  
Circuit Court Administrator



Change is inevitable and so from time to time it is important to keep the legal community in Oakland County informed of new developments here at Circuit Court. Since news travels fast, some may be aware of these changes but if not, I trust this month's article will be helpful to you.

On Monday, July 26, the Honorable Mark Goldsmith was administered the oath of office as judge for the United States District Court – Eastern District of Michigan.

Judge Goldsmith leaves the Circuit Court as the 61st person to serve as judge in our 162-year history. He becomes the 61st judge in the nearly 147-year history of the Eastern District of Michigan. Something tells me that Judge Goldsmith's new favorite number is 61.

Judge Goldsmith served on our bench for more than six years. He was appointed in April 2004 to the judicial seat vacated by the death of Circuit Court judge Patrick Brennan.

Judge Goldsmith's credentials are lengthy in number and impressive in significance. To name but a few, he is admitted to practice in the United States Supreme Court, the United States Court of Appeals for the Sixth Circuit, the United States Court of Military Appeals, and several United States district courts.

He earned a Bachelor of Arts degree with High Distinction and High Honors in Economics from the University of Michigan and a Juris Doctor, *cum laude*, from Harvard Law School. Among his many positions of service, he is the past president of the Federal Bar Association, Eastern District of Michigan Chapter.

I am grateful for the time Judge Goldsmith served on our bench. He is a gifted judge and a good man. He was successful here and he will be successful in his new position. I want to congratulate Judge Goldsmith on his appointment – a proud moment for all of our judges and employees – and wish him the very best as he continues his public service as United States District Court judge.

As a postscript, Judge Goldsmith's brother, Merwin Goldsmith, is an accomplished actor who has appeared on Broadway and in numerous television shows spanning the last 40 years. In 2004 I saw Mr. Goldsmith at his brother's investiture and recognized him immediately. He appeared many times as an arraignment judge on the long-running television program "Law and Order." So I guess you could say that one brother is a judge and the other plays one on TV.

Judge Goldsmith's departure means that the governor will have an opportunity to appoint his successor. A couple of months may pass before the new judge is seated, so former 48th District Court Judge Edward Avadenka was assigned to preside over Judge Goldsmith's docket in the interim. Visiting Judge Avadenka will be located in courtroom 3C. The dates and times for the motion and criminal

**How can you increase  
your visibility to the general  
public and enhance the image  
of the legal profession at the  
same time?**

**The OCBA Public Service Committee  
has opportunities for you!**



**For more information about how you can  
take advantage of these opportunities,  
contact Candice Russ at (248) 334-3400**

calls will be unchanged – Wednesday mornings at 8:30 a.m. and Thursday afternoons at 1:00 p.m., respectively.

Those who practice regularly in this court may know that, until recently, Judge Avadenka presided over the Visiting Judge Civil docket in courtroom 2E. With his reassignment to Judge Goldsmith's docket, the VJ Civil docket will continue but we may not have a single judge assigned to the docket on a consistent basis. Chief Judge Nanci Grant will periodically assign visiting judges on a case-by-case basis. The clerk assigned to the VJ Civil docket will keep parties and their legal counsel notified of all court dates.

Regarding the VJ Civil docket, the judges recently reaffirmed that cases referred to the docket will be trial-ready, civil jury, with trial lengths expected to exceed five days. Exceptions to these rules can be made by authority of the chief judge in accord with MCR 8.110(C).

We also bring in visiting judges to preside over Personal Protection Order (PPO) hearings. By law, petitions for PPOs must be addressed by the court within 24 hours of their submission. PPOs are assigned to judges by blind draw. The assigned judge may grant the petition, deny it, or deny it with hearing. The latter are referred to the VJ Family docket so long as they are 1) non-domestic or 2) domestic but unrelated to any other pending cases such as an underlying divorce action.

Hearings are scheduled before the visiting judge on Thursday afternoons and all day Friday. The days of the week on which PPO hearings are scheduled may change from time to time. The clerk will always contact parties and their attorneys in advance to notify them of scheduled court appearances.

Finally, if you notice judges and referees toting time sheets this October, there's an explanation. Beginning October 4 all trial court judges and referees in Michigan must keep detailed time records as part of a judicial workload assessment project. The time study will conclude on October 31.

The purpose of the time study is to refine the weighted caseload method of determining judicial resource needs in Michigan's trial courts. The time study will take place under the oversight of the State Court Administrative Office with assistance provided by the National Center for State Courts. Compilation of the data will enable conclusions to be developed regarding the pre- and post-adjudication judicial time needed to resolve cases, which in turn will allow for the development of specific weights by case type.

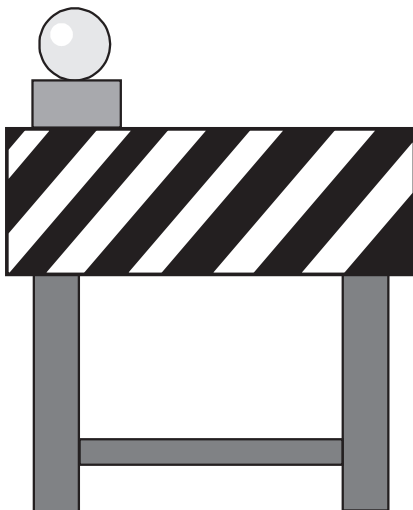
That's the latest. We will have additional information to report on docket assignments and new judges in the months ahead, so please stay tuned.

Until next time...

# AVOID CONSTRUCTION ON TELEGRAPH

## Use the OCBA *File-by-Fax* Service

*Circuit Court Mediation Summaries • Acceptances/Rejections • Motions • Witness Lists • Briefs  
Appearances • Civil Actions • Driver's Restoration • Praecipes • AND MUCH MORE!*



**Fax Transmittal forms available  
on the OCBA Web site – [www.ocba.org](http://www.ocba.org)**

**For more information contact the  
File-by-Fax clerk**

**Phone: (248) 858-1585 – Fax: (248) 338-9540**

*The File-by-Fax office is in the OCBA Lawyers Conference Room located  
on the first floor of the West Wing Annex of the Oakland County Courthouse*

*Copies only 10 cents/page • Fax services discounted for OCBA members • We bill you for copies & faxes*