

# Circuit Court News Bits

by Kevin M. Oeffner  
Circuit Court Administrator



This month's column offers a smorgasbord of items rather than a single entrée. Each item offers a brief description of the latest developments.

## OAKLAND COUNTY CIRCUIT COURT OMBUDSMAN PROGRAM

*Do you have a concern regarding an active matter before the court?*

*Joel Serlin, Oakland County Circuit Court Ombudsman, may be able to help.*

The purpose of the program is to provide a discreet forum for the informal resolution of issues and matters in which there is no other established or preferred procedure to secure redress.

The Ombudsman is a neutral, vested with the authority to act as an intermediary between attorneys and judicial officers and other personnel.

### Hallmarks of the program

**Confidentiality** | **Neutrality** | **Informality** | **Independence**

**Contact Ombudsman Joel Serlin  
at (248) 353-7620**

For additional details about the ombudsman program visit the "Member News" section of the OCBA's website at [www.ocba.org](http://www.ocba.org), or scan the QR code with your smartphone



The Circuit Court's eFiling program continues to expand. In June, Judge Lisa Gorcyca's "DO" (divorce without children) docket was added to the program, as was Judge Cheryl Matthews' "DO" docket in July. This means that the court's entire "DO" docket is now eFiling, as is the entire civil docket and a small sample of "DM" (divorce with children) cases on Judge Joan Young's docket.

On July 2, our pilot Specialized Business Docket (SBD) program was launched. The SBD was developed to determine the demand for a business court, to provide a specialized forum for business and commercial disputes, and to evaluate the most effective, efficient and fiscally responsible case management techniques and practices that lead to case resolution.

Cases eligible for inclusion on the SBD are business governance/internal affairs including shareholder derivative and oppression suits, business torts, contracts, antitrust, intellectual property, trade secrets, securities and commercial real estate. Damages sought must be in excess of \$500,000. Cases may be assigned to the SBD upon motion, stipulation of the parties, or judicial discretion following notice to the parties. More information about the SBD is in the court's Local Administrative Order at <http://www.oakgov.com/circuit/assets/docs/as/12-03.pdf>.

The governor's Indigent Defense Advisory Commission finished its fact-finding mission and issued a report outlining several recommendations to revamp the provision of indigent defense services in Michigan's trial courts. Perhaps the most noteworthy recommendation is the creation of a permanent commission on indigent defense and its authority to develop and enforce minimum statewide standards governing the provision of indigent defense services. The commission's report may be viewed in its entirety at <http://www.michigancampaignforjustice.org/docs/IDAC%20Final%20Report.pdf>.

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The Friend of the Court welcomed guests from the federal Office of Child Support Enforcement in July. Federal officials asked to tour our Friend of the Court office so that they could observe a high-volume parenting time program in operation. The inquiry by federal officials comes on the heels of the president's proposed budget that provides for parenting time establishment in the child support program.

The Finance Committee of the Oakland County Board of Commissioners recommended the adoption of a "continuation" budget for the Circuit Court for 2013. That means no additional cuts will be required, enabling the court to continue with its current funding and present service levels. This marks the first time since 2008 that the court hasn't reduced its budget from the prior year. The Board of Commissioners will vote on the budget in late September.

On May 7 the court initiated an "Attorney for the Day" policy to make uniform the method of appointment and payment for attorneys who handle violations of probation at criminal calls. In accord with the policy each judge could make arrangements with a single attorney to cover his or her criminal call.

At about that same time the court experienced a dramatic increase in the number of violations written by the Probation Department. The increase appears to be connected to recent high-profile cases in which probationers are alleged to have committed serious crimes.

To reduce the burden on a single attorney to handle the large volume of violations during a criminal call, the judges

may appoint a second Attorney for the Day if the volume warrants such action. This will ensure that sufficient legal resources are on hand to handle the larger number of violations.

Earlier this year Senate Bill 320 became law. Among other provisions, the bill allows an officer to take a child into protective custody if there is reasonable cause to believe the child is at substantial risk of harm or in surroundings that present an imminent risk of harm. The officer must contact the Department of Human Services (DHS) who in turn would contact the court to seek an order for placement. Of particular interest to us is the matter of issuing orders for placement during non-business hours.

Thanks to the ingenuity of several court employees, we developed a procedure that provides for the electronic routing of petitions and orders between DHS and the court, and affixing the electronic signatures of the applicable judge or referee. This process allows for the prompt processing of petitions for the removal/placement of children 24/7.

The Circuit and Probate Courts' Annual Report for 2011 was completed a few months ago and is available online at [http://www.oakgov.com/circuit/info\\_pub/annual-reports.html](http://www.oakgov.com/circuit/info_pub/annual-reports.html). We invite you to take a look at the report and trust that you will find it informative and useful.

Much more is happening but space is limited. As always you can visit the court's website at <http://www.oakgov.com/circuit/> for the latest news and information, or contact us at 248-858-0345 for more information about any of the topics presented in this column.



## *Racing against time*

*to make the courthouse  
filing deadline?*

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