

Order

**Michigan Supreme Court
Lansing, Michigan**

June 5, 2013

Robert P. Young, Jr.,
Chief Justice

ADM File No. 2012-36

Michael F. Cavanagh
Stephen J. Markman

Administrative Order No. 2013-6

Mary Beth Kelly

Brian K. Zahra

Implementation of
Business Court Standards

Bridget M. McCormack

David F. Viviano,
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following administrative order is adopted, effective September 1, 2013.

Business courts, as defined by MCL 600.8031, are specialized dockets within a circuit court. Business courts are intended to provide a case management structure that facilitates timely, effective, and predictable resolution of complex business cases. Specialized dockets improve the efficiency of the courts, which benefits all litigants. This order provides specific direction to circuit courts in the establishment of their business courts.

1. Each business court shall develop a local administrative order for operation of its business court docket. That local administrative order must be approved by the State Court Administrative Office in accordance with MCR 8.112(B).
2. Judges appointed to the business court must attend training provided by the Michigan Judicial Institute. Business court judges are encouraged also to participate in training provided by other organizations as local funding permits.
3. A business court judge should preside over the assigned business court cases from filing through disposition of the matter. If the business court judge is unable to preside over a business court matter, the chief judge may temporarily assign another judge to preside over the business court matter pursuant to MCR 8.111(C).
4. Courts shall establish specific case management practices for business court matters. These practices should reflect the specialized pretrial requirements for business court cases, and will typically include provisions relating to scheduling conferences,

alternative dispute resolution (with an emphasis on mediation scheduled early in the proceeding), discovery cutoff dates, case evaluation, and final settlement conferences.

5. Case management and scheduling conferences shall be conducted by the assigned business court judge. Courts should facilitate the processing of business court cases by utilizing electronic filing (if authorized by the Supreme Court), telephonic and video conferencing.

6. Business court opinions shall be transmitted to the SCAO within 7 days after the trial court enters the opinion. Court opinions generated as part of the business court docket must meet the requirements established by the SCAO.

7. Business courts shall maintain data as prescribed by the SCAO, and shall provide data to the SCAO upon request.

Staff Comment: The administrative order establishes procedures for courts that are required to or choose to implement a business court.

The staff comment is not an authoritative construction by the Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 5, 2013

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk