

THE 10TH CIRCUIT COURT



111 SOUTH MICHIGAN AVENUE
SAGINAW, MICHIGAN 48602
AREA CODE 989-790-5470
FAX 989-793-8180

Administrative Order 2013-06

**PLAN FOR THE CREATION OF
A SPECIALIZED BUSINESS COURT**

IT IS ORDERED:

This local administrative order is issued in accordance with MCL 600.8031 *et seq.* It establishes a plan for a specialized business court in the 10th Circuit Court for Saginaw County for the purposes outlined in MCL 600.8033(3). The business court has jurisdiction over business and commercial disputes as defined in MCL 600.8031(1)(c) in which the amount in controversy exceeds \$25,000.

1. Judicial Resources/Services

The Business Court shall consist of a judge or judges appointed by the Michigan Supreme Court as a business court judge.

2. Cases Eligible for Assignment to the Business Court

- (A) Cases eligible to be assigned to the business court are identified in MCL 600.8031(1)(c) and (2).
- (B) Types of actions that are excluded by MCL 600.8031(3) may nonetheless be assigned to the business court if the statutory requirements of MCL 600.8035(3) are met.

3. Review of Pleadings and Case Assignment to the Business Court

- (A) If a party (1) verifies on the face of its initial pleading, cross-claim, counterclaim, third-party complaint, amendment, or any other modification of the action, that the case meets the statutory requirements to be assigned to the business court, or (2) files a motion for determination that the case is eligible for assignment to the business court, the pleadings shall be reviewed by a business court judge to determine whether the action meets the

statutory requirements of MCL 600.8031.

- (B) If the business court judge determines that the action meets the statutory requirements of MCL 600.8031, the case shall be assigned to the business court.
- (C) Upon motion of a party, the chief judge of the judicial circuit may review assignments under MCL 600.8035(7) to the business court docket. The ruling of the chief judge under this section is not appealable.

4. Case Assignment to Judges in the Business Court

- (A) Cases shall be assigned to a business court judge by blind draw, pursuant to the court's case assignment local administrative order.
- (B) A case assigned to a business court judge may be reassigned by blind draw to another judge if the action ceases to include a business or commercial dispute.

5. Docket Management

The business court will use scheduling conferences, pretrial conferences, alternative dispute resolution (e.g. facilitative mediation, case evaluation, and arbitration), and final settlement conferences to encourage early case resolution and eliminate the need for a trial.

6. Technology

The business court will use current technology, including e-filing, when permitted, and telephone and/or video conferencing in accordance with Michigan court rules.

7. Opinions

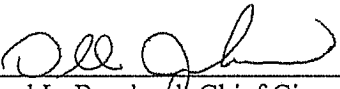
All written opinions shall be e-mailed to the State Court Administrative Office for publication on an indexed website.

8. Local Administrative Staff

The court has provided the State Court Administrative Office with the name of a local staff person who has been designated as the primary contact for the business court.

Effective Date: September 1, 2013

Date: August 6, 2013



Fred L. Borchard, Chief Circuit Court Judge
Acting in the Absence of
Hon. Fred L. Borchard
CIRCUIT JUDGE