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Cc: [Nicholas Wood](#); [Region3 Info](#)
Subject: RESEND: C10, 2022-03, Motions Referred to FOC Referees and Interim Effect of Referee Orders - Approved
Date: Friday, August 5, 2022 10:50:52 AM
Attachments: [image001.png](#)

This LAO rescinds 2022-02.

From: Region3 Info <Region3-Info@courts.mi.gov>
Sent: Friday, August 5, 2022 10:45 AM
To: Jackson, Darnell (djackson@saginawcounty.com) <djackson@saginawcounty.com>; Leek-Booker, Jennifer (jbooker@saginawcounty.com) <jbooker@saginawcounty.com>; Tara Hofmeister (thofmeister@saginawcounty.com) <thofmeister@saginawcounty.com>
Cc: Nicholas Wood <WoodN@courts.mi.gov>; Region3 Info <Region3-Info@courts.mi.gov>
Subject: C10, 2022-03, Motions Referred to FOC Referees and Interim Effect of Referee Orders - Approved

C10, 2022-03, Motions Referred to FOC Referees and Interim Effect of Referee Orders - Approved

This is to advise that we have reviewed the above referenced administrative order and find that it conforms to the requirements of MCR 8.112(B). This order is being accepted and filed.

Sincerely,

Nick Wood

Regional Administrator - Region III
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STATE OF MICHIGAN



SAGINAW COUNTY TRIAL COURT
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JUDGES:

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DARNELL JACKSON
CHIEF JUDGE

DAVID D. HOFFMAN

ANDRE R. BORRELLO

JANET M. BOES
CHIEF JUDGE PRO-TEM

M. RANDALL JURRENS

TERRY L. CLARK

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BARBARA METER

A. T. FRANK

MANVEL TRICE III

Local Administrative Order 10th Circuit Court

2022- _03__

Rescinds LAO 2022-02: Motion Referred to FOC Referees and Interim Effect of Referee Orders

Motions Referred to FOC Referees and Interim Effect of Referee Orders

This local administrative order is issued in accordance with Michigan Court Rule 3.215, Domestic Relations Referees. The purpose of the Order is to designate matters heard by Friend of the Court Referees, to assist court staff in scheduling hearings with the appropriate Judge or Referee, and to provide attorneys and litigants with information regarding domestic relations motion practice in the 10th Circuit Court.

APPLICABILITY AND LEGAL AUTHORITY

MCL 552.508 requires that the Circuit Court utilize Referees to expedite obtaining relief in domestic relations matters.

MCL 552.507 and MCR 3.215(G) provide the Referee's scope of authority.

MCR 3.215(b)(1) allows the Chief Judge to refer motions of a particular kind to a Referee by Administrative Order.

IT IS ORDERED

All pre-judgment divorce cases (DM) and custody cases (DC) shall be set in front of the Referee for a Settlement Conference pursuant to Local Administrative Order. All other pre-judgment domestic relations cases, such as DP and DS, shall be scheduled before the Referee as follows: DP cases shall be set for a hearing to establish paternity, and DS cases shall be set for a child support hearing.

Effective March 14, 2022, all post-judgment domestic relations matters shall be noticed for hearing before the Judge or the Domestic Relations Referee according to the following designations:

A. MATTERS TO BE HEARD BY THE REFEREE

1. Motions to modify child support brought by the Friend of the Court under MCL 552.517.
2. Motions to modify child support filed under MCL 552.603(4).
3. Motions regarding tax exemptions.
4. Objections to Orders of Filiation.
5. Objections to medical reimbursement determinations.
6. Objections to Friend of the Court child support recommendations.
7. Default hearings for minor parties.
8. Motions regarding post-majority child support.
9. Motions for the administrative adjustment of arrearage payment schedules and objections to income withholding order brought under MCL 552.607 and MCL 552.517e.
10. Referrals regarding requests to opt out of the Friend of the Court services.
11. Investigative hearings on referrals from the Judge.

B. MATTERS TO BE HEARD BY THE JUDGE

1. Domestic relations pre-trials, trials, and settlement conferences.
2. Hearings to accept Judgment of Divorce or Separate Maintenance (formally known as Pro Con Hearings).
3. The following motions:
 - a. Motions to modify custody and parenting time filed under MCL 552.603(4).
 - b. Motions to modify custody and/or parenting time brought under MCL 552.517d and MCL 722.27a(12).
 - c. Motions to change domicile or legal residence brought under MCL 722.31.
 - d. Motions regarding joint legal custody disputes.
 - e. Genetic testing or motions under the Revocation of Paternity Act.
 - f. Custody motions any time the child is under the jurisdiction of the family division in a neglect/abuse or juvenile delinquency matter.
 - g. Change of venue or determination of jurisdiction.
 - h. To modify or establish spousal support.
 - i. To withdraw as attorney.
 - j. Discovery motions, including motions to compel discovery.
 - k. Property disputes, including enforcement of post-judgment property provisions.
 - l. To set aside default or set aside an order.
 - m. Grandparenting time.
 - n. Exclusive use of home or vehicle.
 - o. Alternate service requests.
 - p. Any other motion not otherwise included in this administrative order.
4. Objections to and hearings regarding Ex-Parte Orders.
5. Objections to Referee recommendations pursuant to MCR 3.215(F).
6. Objections to orders following a hearing sent on a 7-day notice pursuant to MCR 2.602(B)(3).

C. DISCRETION OF THE JUDGE

1. Nothing in this administrative order shall prevent the Judge from scheduling an emergency hearing before the Judge on any matter for good cause shown.
2. To the extent permitted by law, the Judge may refer a matter listed in Section B to a Referee.

D. INTERIM EFFECT OF ORDERS

1. Friend of the Court Referees' recommended orders will go out on a 21-day objection period.
2. Friend of the Court Referees' recommended orders will not take interim effect pending the 21-day objection period.
3. Interim effect for orders not limited by statute may be given if ordered by the Court in a specific case. MCR 3.215(G)(1).
4. The Court will not give interim effect to the following orders:
 - a. An order for incarceration.
 - b. An order for forfeiture of any properties.
 - c. An order imposing costs, fines, or other sanctions.
5. Should a Referee's recommended order be given interim effect in an individual specific case, notice will be given by including a notice under a separate heading in the Referee's recommended order.
6. Referees shall have the authority to recommend that a party be cited for civil contempt of court, fined, and/or incarcerated when the facts and applicable law support the recommendation.
7. The parties may waive their right to object to a Referee's recommendation for an order by consenting in writing or on the record to the immediate entry of the recommended order or by entering into a consent order.

Dated: August 1, 2022

Darnell Jackson

Hon. Darnell Jackson
Chief Judge, Saginaw County Trial Courts