

Notice of Business Court Implementation

A Business Court docket began in the Wayne County Circuit Court on July 1, 2013. Judge Lita M. Popke, Judge Brian Sullivan, and Judge Edward Ewell, Jr. have been appointed by the Supreme Court to preside over the Business Court. All Business Court cases must be e-Filed and will be assigned by blind draw to Judge Popke, Judge Sullivan, or Judge Ewell, Jr.

A party filing a complaint is required to use a [Business Court Verification and Assignment](#) form and verify on the face of the complaint that the case qualifies for the Business Court. MCR 2.112(O)(1). Effective July 1, 2014, if a Business Court case is not identified as such using this form, a sanction of \$100 will be assessed. If a cross-claim, counterclaim, third-party complaint, amendment, or any other modification of the action includes a business dispute, the filing party shall verify on the face of the party's pleading that the case qualifies for the Business Court. MCR 2.112(O)(1). Failure to verify a complaint or other pleading in this manner and use the business code of "CB" **will** result in a rejection of the complaint or pleading.

A case must be assigned to the Business Court if:

1. The amount in controversy is greater than \$25,000, **AND**
2. All or part of the action includes a business or commercial dispute.

A business or commercial dispute is any of the following:

1. An action in which all of the parties are business enterprises.
2. An action in which 1 or more of the parties are business enterprises and the other parties are its or their present or former:
 - a) Owners
 - b) Managers
 - c) Shareholders
 - d) Members
 - e) Directors
 - f) Officers
 - g) Agents
 - h) Employees
 - i) Suppliers
 - j) Competitors

NOTE: The claim must arise out of any of the above relationships.

3. An action in which 1 of the parties is a nonprofit organization and the claims arise out of that party's organizational structure, governance, or finances.
4. An action involving the sale, merger, purchase, combination, dissolution, liquidation, organizational structure, governance, or finances of a business enterprise.

A commercial dispute does not include the following:

1. Personal injury actions like wrongful death and malpractice
2. Product liability actions where any claimant is an individual
3. Condemnation matters
4. Appeals
5. Proceedings to enforce judgments
6. Landlord-tenant, land contract or mortgage foreclosure matters involving residential property
7. Employment discrimination, and
8. Most motor vehicle insurance coverage matters

Please see MCL 600.8031(2) to see the types of actions that business or commercial disputes included and MCL 600.8031(3) to see the types of actions that business or commercial disputes excluded.

For more information, please see the [Circuit Court's website](#).