
DOCKET DIRECTIVE 2001 – 01

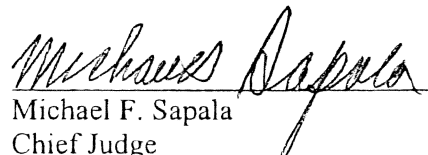
**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

SUBJECT: Docket Successor Policies and Processes

This Directive, issued pursuant to MCR 8.111, further delineates the policies and processes governing the transfer of dockets between judges within the Court as follows:

1. When a judge leaves the Court, his/her other docket of pending and post judgment matters shall be reassigned, in its entirety, to a "docket successor".*
2. When a judge remains with the Court but transfers to another division, his/her docket of pending and post judgment matters shall be reassigned, in its entirety, to a docket successor. EXCEPT FOR MOTIONS FOR RELIEF FROM JUDGMENT PURSUANT TO (MCR 6.502 et seq.)
3. When a judge leaves a division and subsequently returns to that division, he/she will assume an available docket, in its entirety.
4. When a judge switches from a criminal "trial" docket to a criminal "AOI" docket or from a criminal "AOI" docket to a criminal "trial" docket, all post-conviction matters, except cases awaiting sentencing, will be assigned to the docket successor. All cases awaiting sentencing will remain assigned to the original judge until the defendant is sentenced. After sentencing, these cases will be reassigned to the docket successor. If a defendant is bound over on a new case while on probation to a former "AOI" judge, the case will be blind drawn if a resolution is not reached before the current "AOI" judge.
5. All post-conviction matters shall be assigned to either the original judge or the docket successor as dictated by an appellate court order.
6. Any cases returning to the Court without an apparent docket successor shall be blind drawn by the Presiding Judge of the appropriate division.

*A docket successor is not always a judicial successor. Judicial succession is exclusively due to the filling of a vacancy on the Bench, either by election or appointment. Docket succession may be due to the filling of a vacancy or the reassignment of a judge to a different division within the court.



Michael F. Sapala
Chief Judge
Third Judicial Circuit of Michigan

Dated: January 17, 2001