



THE THIRD JUDICIAL CIRCUIT
OF MICHIGAN

711 COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3413

DOCKET DIRECTIVE 2005-06

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

**SUBJECT: PROCEEDINGS REGARDING WAYNE COUNTY'S NUISANCE
ABATEMENT PROGRAM AND WAYNE COUNTY PROSECUTOR'S
DRUG HOUSE INITIATIVE**

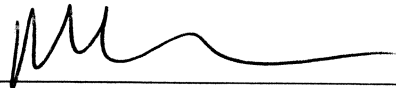
This docket directive applies to all complaints and accompanying requests for *ex parte* orders for alternative service filed in the Third Judicial Circuit Court related to or arising out of the Nuisance Abatement Program initiated by Wayne County and the Wayne County Prosecutor's Drug House Initiative. The docket directive is necessary for the purpose of administrative efficiency, judicial economy, establishing adequate minimum due process, including notice requirements, and to avoid the potential for conflicting decisions on the same issue by judges of the same court.

The following procedures will apply to all complaints and requests for *ex parte* orders for alternative service filed on or after June 13, 2005:

1. Each complaint and request for *ex parte* order for alternative service shall include allegations that the following diligent inquiry efforts were made with respect to each owner or interested parties of record in the subject property:
 - (a) Completion of a title search of the records of the Wayne County Register of Deeds, as well as a search of Wayne County Treasurer property tax records, to identify and locate owners or interested parties of record in the subject property and their last known address.
 - (b) Utilization of electronic investigative tools available on the internet and other available tracking database services such as those provided by Lexis, Westlaw, Choicepoint (Auto Track XP) or other similar database services to identify the last known address of the owners or interested parties of record in the subject property.

- (c) Service of process by certified mail at the last known address of owners or interested parties of record, as ascertained through diligent inquiry efforts described above.
 - (d) Posting a copy of the complaint on each of the subject properties identified in the action.
2. The properties identified as a nuisance by Wayne County or the Wayne County Prosecutor may be joined and filed as one action, not to exceed 70 separate properties.
 3. Wayne County or the Wayne County Prosecutor will file one *ex parte* order for alternative service for each action. The order shall list all properties and all known owners and interested parties of record and their unknown, unnamed claimants, owners, spouses of owners, lienholders, devisees heirs, or assignees. The order shall also identify the last known address of record with respect to each owner and interested party of record .
 4. Upon the filing by Wayne County or the Wayne County Prosecutor of a notice of entry of default, or a motion for default judgment, all diligent inquiry efforts shall be specifically detailed in an affidavit pertaining to each case and shall otherwise be in conformity with this docket directive and applicable court rules.
 5. Recognizing the significant costs and effort associated with providing copies of common evidence exhibits with each complaint filed in these actions, each complaint will identify all common evidence exhibits and the locations where a copy of such common evidence exhibits may be obtained. One such location shall include the Wayne County Circuit Court Clerk's office located on the 2nd floor of the Coleman A. Young Building and the other location may include the Wayne County internet website.

This Docket Directive supercedes Docket Directive 2004-11 and supplements Docket Directives 1999-09 and 2001-15.



Mary Beth Kelly
Chief Judge
Third Judicial Circuit Court of Michigan

Dated: June 5, 2005