

**THIRD JUDICIAL CIRCUIT
OF MICHIGAN**

ROBERT J. COLOMBO, JR.
CHIEF JUDGE

701 COLEMAN A. YOUNG MUNICIPAL CENTER
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DETROIT, MICHIGAN 48226-3413

(313) 224-5430

DOCKET DIRECTIVE 2014 – 05

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

SUBJECT: WAIVER OF e-FILING REQUIREMENTS FOR PRISONER COMPLAINTS

This Docket Directive is issued pursuant to § 3(b) of Supreme Court Administrative Order 2011-1 (as amended effective May 22, 2013), and MCR 8.110(C)(3), to further the administrative efficiency in implementing the E-filing Project with respect to filings by parties who are held in local, state or federal jails, penitentiaries or other correctional facilities.


IT IS ORDERED:

Effective: March 7, 2014

1. The mandatory e-filing and e-service requirements pertaining to documents filed in connection with cases having certain case codes in the Civil Division shall be waived with respect to parties who are held in local, state or federal jails, penitentiaries or other correctional facilities (hereinafter referred to as prisoners) pursuant to an order of the Chief Judge of the Third Circuit Court, the form of such order is attached hereto.
2. The Wayne County Clerk, upon the receipt of documents from prisoners, shall then present an order granting a waiver of the mandatory e-filing and e-service requirements to the Chief Judge for his or her signature. Upon the issuance of such order, the Clerk shall e-file these documents, including the order, subject to the requirements for the waiver of fees generally provided for in MCR 2.003 and specifically for prisoners as provided for in MCL 600.2963.
3. The Wayne County Clerk shall then cause documents filed by prisoners to be e-served on other parties to the action. Pursuant to § 6(e) of Supreme Court Administrative Order 2011-1 (as amended effective May 22, 2013), service of the complaint or third party complaint must be performed in accordance with traditional means as specified by the Michigan Court Rules and statutes. The prisoner, not the Clerk, remains responsible for the service of the complaint or third party complaint.

4. Non prisoner parties to cases subject to this Docket Directive shall continue to be subject to the mandatory e-filing and e-service requirements as provided by Administrative Order 2011-01, except that non prisoner parties shall serve prisoner parties in the traditional manner.
5. The Wayne County Clerk, the Third Circuit Court Case Processing Department and the Third Circuit Court Information Technology Systems Bureau are directed to take the steps necessary to accomplish this Directive.

Date: March 7, 2014


Hon. Robert J. Colombo Jr., Chief Judge
Third Judicial Circuit

STATE OF MICHIGAN
IN THE THIRD CIRCUIT COURT

PLAINTIFF(s)

v

Case No.
Hon.

DEFENDANT(s)

At a session of said Court held in
the Coleman A. Young Municipal Building
Detroit, Michigan
on: _____
Present: Hon Robert J. Colombo, Jr.
Chief Judge

WAIVER OF E FILING REQUIREMENT.

It has come to the Court's attention that in the above encaptioned case the **[plaintiff or defendant]** is held in a local, state or federal jail, penitentiary or other correctional facility. Now therefore, pursuant to § 3(b) of Supreme Court Administrative Order 2011-1 (as amended effective May 22, 2013), and MCR 8.110(C) (3):

IT IS ORDERED that the mandatory e-filing and e-service requirements pertaining to documents filed in connection with this case are waived with respect to the **[plaintiff or defendant]**.

IT IS FURTHER ORDERED that the Wayne County Clerk, upon the receipt of documents from the **[plaintiff or defendant]** , shall then e-file these documents subject to the requirements for the waiver of fees generally provided for in MCR 2.003 and specifically for prisoners found in MCL 600.2963.

IT IS FURTHER ORDERED that the Wayne County Clerk shall then cause documents, other than a complaint or third party complaint, filed by the **[plaintiff or defendant]** to be e-served on other parties to the action. Pursuant to § 6(e) of Supreme Court Administrative Order 2011-1 (as amended effective May 22, 2013).

IT IS FURTHER ORDERED that service of the complaint or third party complaint must be performed in accordance with traditional means as specified by the Michigan Court Rules and statutes. The plaintiff, or third party plaintiff, not the Clerk, remains responsible for the service of the complaint or third party complaint.

IT IS FURTHER ORDERED that the non-prisoner parties to this case shall continue be subject to the mandatory e-filing and e-service requirements as provided by Administrative Order 2011-01, except that non prisoner parties shall serve prisoner parties in the traditional manner.

Robert J. Colombo Jr., Chief Judge
Third Circuit Court