



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 2016 – 08

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT

**SUBJECT: Proceedings Regarding Nuisance Abatement Actions filed by the
Wayne County Land Bank Authority**

This Docket Directive rescinds and replaces Docket Directive 2005-06.

This Docket Directive is issued pursuant to MCR 8.110 and 8.111.

IT IS ORDERED THAT:

Effective: August 15, 2016

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 Land Bank Authority. The Docket Directive is necessary for the purposes 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.

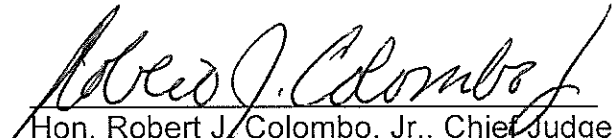
The following procedures will apply to all complaints and accompanying requests for *ex parte* orders for alternative service filed on or after August 15, 2016:

1. All civil actions for Nuisance Abatement (“CH”) related to or arising out of the blight removal filed by Wayne County and the Wayne County Land Bank Authority will be assigned to the docket of the Chief Judge. Wayne County and the Wayne County Land Bank Authority will clearly identify all actions subject to this Docket Directive at case initiation.

2. The properties identified as a nuisance due to condition or drug activity by Wayne County or the Wayne County Land Bank Authority may be joined and filed as one action, not to exceed 50 separate properties for each complaint ("Batch Filing"). Each Batch Filing shall require a single complaint filing fee.
3. Each complaint and request for *ex parte* order for alternative service shall include allegations that the following minimum diligent inquiry efforts were made with respect to each owner, interested parties, or lienholders of record in the subject properties:
 - (a) Completion of a title search of the records of the Wayne County Register of Deeds, as well as a search of the Wayne County Treasurer property tax records, to identify and locate owners, interested parties, or lienholders of record in the subject property who are entitled to notice of the quiet title and foreclosure hearing and their last known address.
 - (b) Utilization of electronic investigative tools available on the internet and other available tracking database services including but not limited to those provided by Lexis, Westlaw, ChoicePoint, or other similar services to identify the last known address of the owners, interested parties, or lienholders of record in the subject properties.
 - (c) Service of process by regular mail and 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 *ex parte* order for alternative service, once issued, on each subject properties identified in the action, and posting in public buildings.
4. Wayne County or the Wayne County Land Bank will file one *ex parte* order for alternative service for each action. The order shall list all the 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.
5. Upon the filing by Wayne County or the Wayne County Land Bank of a notice of entry of default, or a motion for default judgment, all diligent inquiry efforts relating to notice and proof of service shall be specifically detailed in an affidavit pertaining to each property and shall otherwise be in conformity with this Docket Directive and applicable court rules.
6. 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 in room B-61 of the Coleman A. Young Municipal Center and the other location may include the Wayne County Land Bank Authority's website identified as such in the complaint.

The Wayne County Clerk, the Third Circuit Court's Case Processing Department, and the Third Circuit Court's Information Technology Systems Bureau are directed to take all steps necessary to implement this Directive.


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

Dated: October 17, 2016