



THIRD JUDICIAL CIRCUIT
OF MICHIGAN

ROBERT J. COLOMBO, JR.
CHIEF JUDGE

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

(313) 224-5430

DOCKET DIRECTIVE 2018 – 03

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT

**SUBJECT: Proceedings Regarding Nuisance Abatement Actions and Drug House
Actions filed by the Detroit Land Bank Authority and the City of Detroit**

This Docket Directive rescinds and replaces Docket Directive 2017-06.

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

IT IS ORDERED THAT:

Effective: February 5, 2018

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 and Drug House Unit initiated by the Detroit Land Bank Authority and the City of Detroit. 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.

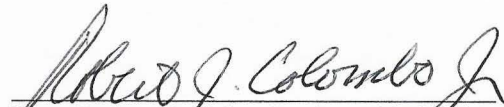
The following procedures will apply to all complaints for Nuisance Abatement and Drug House Unit and all requests for ex parte orders for alternative service filed on or after February 5, 2018:

1. All civil actions for Nuisance Abatement (CH) and Drug House Unit (CF) related to or arising out of the above captioned project will be assigned to the docket of the Chief Judge. The Detroit Land Bank Authority and City of Detroit 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 the Detroit Land Bank Authority or City of Detroit may be joined and filed as one action, not to exceed 100 separate properties.
3. Each complaint shall include allegations that the following minimum diligent inquiry efforts were made or shall be made, with respect to each current owner of record of 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 current owners of record of the subject property 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 of record of the subject properties.
 - (c) Service of process by personal service or by certified mail at the last known address of owners of record, as ascertained through diligent inquiry efforts described above.
4. For those properties wherein service has not been completed pursuant to section (3), an ex parte Motion for Alternative Service is to be filed and shall include allegations that the following minimum diligent inquiry efforts were made with respect to each owner 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 the current owners of record of the subject property 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 current owners of record of the subject properties.
 - c) Service of process of personal service or by certified mail at the last known address of owners as ascertained through diligent inquiry efforts described above.
5. The ex parte Order for Alternative Service will direct that a copy of the Order for Alternative Service be posted on the subject property and three public buildings (Frank Murphy Hall of Justice, Coleman A. Young Municipal Center, and United States Post Office) in the City of Detroit.
6. The Detroit Land Bank Authority or City of Detroit will file one ex parte order for alternative service for each action, unless the need arises to file per defendant property. The order shall list all the properties and all known current owners of record and will affirmatively state that the Order affects 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 current owner of record.
7. Upon the filing by the Detroit Land Bank Authority or City of Detroit of a notice of entry of default, or a motion for default judgment, all diligent inquiry efforts shall be specifically detailed in the notice of default or in the motion for default judgment for each property and shall otherwise be in conformity with this Docket Directive and applicable court rules.

8. 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 Record Room for the Wayne County Clerk's Office located in room B-61 of the Coleman A. Young Building and the other location may include the Detroit Land Bank Authority's website identified as such in the complaint.

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.


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

Dated: February 22, 2018