


Thirty-Seventh Judicial Circuit of Michigan
Calhoun County

James C. Kingsley
Circuit Judge

Justice Center
161 E. Michigan Ave.
Battle Creek, MI 49014
269-969-6502

LAO C37-2013-06

RE: Business Court

This local administrative order is issued in accordance with MCL 600.8031 *et seq.* It establishes a plan for a specialized business court in the 37th Circuit Court for the purposes outlined in MCL 600.8033(3). The business court has jurisdiction over business and commercial disputes as defined in MCL 600.8031(1)(c) in which the amount in controversy exceeds \$25,000.

1. Judicial Resources/Services:

The Business Court shall consist of a judge or judges appointed by the Michigan Supreme Court as a business court judge.

2. Cases Eligible for assignment to the Business Court:

- a. Cases eligible to be assigned to the business court are identified in MCL 600.8031(2).
- b. Cases that are excluded by MCL 600.8031(3) may be assigned to the business court if the assigned judge determines that it meets the statutory requirements of MCL 600.8035(3). Upon motion of a party, the chief judge of the judicial circuit may review assignments under MCL 600.8035(7) to the business court docket. The ruling of the chief judge is not appealable.

3. Review of Pleadings:

The judicial assistant to the judge or judges assigned to the business court shall screen pleadings of cases assigned to the business court to assure the case meets statutory requirements for a business court case. The judicial assistant shall utilize a check list approved by the judge. Any case not appearing to meet the

requirements shall be referred to the business court judge for final determination. The judicial assistant will notify counsel of record and the court clerk of any case determined as not being in compliance with statutory requirements. Any case determined not in compliance shall be returned to the court clerk for normal civil case assignment.

4. Case Assignment to the Business Court:

- i. Eligible cases shall be assigned directly to the business court judge.
- ii. A case assigned to the business court judge may be reassigned in accordance with the local administrative governing case assignments to eligible judges if the action ceases to include a business or commercial dispute.
- iii. A case that does not initially include a business or commercial dispute but that subsequently includes a business or commercial dispute as a result of a cross-claim, counterclaim, third-party complaint, amendment or any other modification of the action, shall be reassigned to the business court judge.

5. Docket Management:

Business court cases shall be scheduled consistent with the rules of subchapter 2.400 of the Michigan Rules of Court. Early status conferences will be set for each business court case. Early mediation will be required as directed by the court. Status and all other subchapter 2.400 conferences shall be conducted by the business court judge.

6. Technology:

Parties are encouraged, whenever possible, to perform service by e-mail pursuant to MCR 2.107 (C)(4).

Use of telephone conferencing is also encouraged.

7. Opinions:

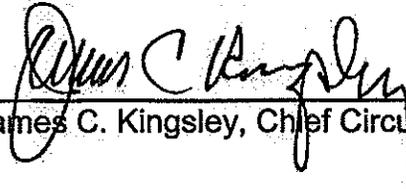
All opinions shall be e-mailed promptly to the State Court Administrative Office for publication on an indexed website.

8. Local Administrative Staff:

The Judicial Assistant to the business court judge is the primary contact person for the business court. The court has provided the State Court Administrative Office with the name of the person who has been designated as the primary contact.

Effective date: Upon approval by the State Court Administrator.

Date: 6/26, 2013


James C. Kingsley, Chief Circuit Judge