

Ingham County Circuit Court
30th Judicial Circuit
P.O. BOX 40771
LANSING, MI 48901-7971
TELEPHONE: (517) 483-6500

JANELLE A. LAWLESS
Chief Circuit Judge

DAVID L. EASTERDAY
Circuit Court Administrator



SHAUNA DUNNINGS
Deputy Court Administrator /
Friend of the Court

RHONDA K. SWAYZE
Deputy Court Administrator /
General Trial Division

MAUREEN WINSLOW
Deputy Court Administrator /
Juvenile Division

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM

PLAN FOR THE CREATION OF A
SPECIALIZED BUSINESS COURT

2013-01

IT IS ORDERED:

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 30th 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:**

Judge Joyce Draganchuk has been appointed by the Michigan Supreme Court as a business court judge. Her term expires on April 1, 2019.

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). They are defined as business or commercial disputes, and include any off the following:
 - i. Cases in which all of the parties are business enterprises.
 - ii. Cases in which one or more of the parties is a business enterprise and the other parties are its or their present or former owners, managers,

shareholders, members, directors, officers, agents, employees, suppliers, or competitors, and the claims arise out of those relationships.

- iii. Cases in which one of the parties is a nonprofit organization and the claims arise out of that party's organizational structure, governance, or finances.
- iv. Cases involving the sale, merger, purchase, combination, dissolution, liquidation, organizational structure, governance, or finances of a business enterprise.

b. Business or commercial disputes also include, but are not limited to, the following types of cases:

- i. Cases involving information technology, software, or website development, maintenance, or hosting.
- ii. Cases involving the internal organization of business entities and the rights or obligations of shareholders, partners, members, owners, officers, directors, or managers.
- iii. Cases arising out of contractual agreements or other business dealings, including licensing, trade secret, intellectual property, antitrust, securities, noncompete, nonsolicitation, and confidentiality agreements if all available administrative remedies are completely exhausted, including, but not limited to, alternative dispute resolution processes prescribed in the agreements.
- iv. Cases arising out of commercial transactions, including commercial bank transactions.
- v. Cases arising out of business or commercial insurance policies.
- vi. Cases involving commercial real property.

3. **Judicial Review of Pleadings:**

A judge assigned to the business court shall review all pleadings in which a party has verified that the case meets the statutory requirements to be assigned to the business court. 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 under this section is not appealable.

4. **Case Assignment to Judges in the Business Court**

- i. Cases identified as business court cases shall be assigned to the business court judge.
- ii. A case assigned to a business court judge may be reassigned by blind draw to another judge 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 by blind draw to a business court judge.

5. **Docket Management:**

Parties will be required to attend an early scheduling conference for the purpose of addressing considerations outlined in MCR 2.401(B), (C), and (D) and to assess the most effective schedule for alternative dispute resolution.

6. **Technology:**

Operator-assisted telephonic conferencing and video conferencing is available and will be used in all instances where authorized by the Michigan Court Rules, and where a determination has been made by the Business Court Judge that use of this technology will enhance the efficient processing of business court cases.

7. **Opinions:**

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

8. **Local Administrative Staff:**

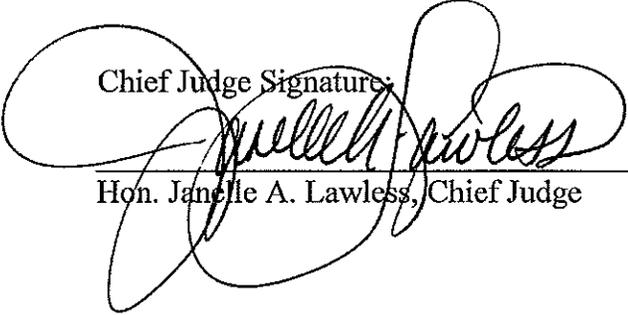
The court has provided the State Court Administrative Office with the name of a local staff person who has been designated as the primary contact for the business court.

Effective Date: July 8, 2013

Date:

6/27/13

Chief Judge Signature:



Hon. Janelle A. Lawless, Chief Judge