

Protocol for Judge Anderson

Location

Third Floor – Oakland County Courthouse

Telephone: (248) 858-7954

Procedural Guidelines for Practice in Judge Martha D. Anderson's Courtroom

In order to better serve the attorneys and litigants appearing in Judge Anderson's courtroom, we have adopted the following guidelines. Please advise your clients and staff so that there are no misunderstandings.

E-Filed Cases

Judge Anderson participates in the Electronic Filing Program. Therefore all pleadings filed in such a case should be done electronically. **Paper copies of Summary Disposition Motions, Motions for Reconsideration, Findings of Fact & Conclusions of Law, Trial Briefs and Appellate Briefs must be hand delivered to chambers as well as electronically filed. It is the responsibility of the attorneys and in proper parties to prepare orders following all hearings and motions. The Court only prepares orders granting or denying Summary Disposition Motions and Amended Scheduling Orders.**

Scheduling Conference

Scheduling Orders are computer generated by the Case Management Office. The Court may hold settlement conferences on request. All parties must attend. Criminal sentences, pretrials and arraignments are held at 8:30 a.m. on Mondays. Adjournments are permitted by motion only. The Court does not allow arraignments by mail.

Motion Practice

All motions must be in writing, properly filed and noticed for hearing. Oral (unwritten) responses are not permitted. The combined length of all motions and briefs must comport with the Court Rules. Motion call is conducted promptly at 8:30 a.m. on Wednesdays. Motions are heard on a first come/first serve basis. Attorneys are encouraged to be on time and to check in with the court clerk upon arrival. Oral arguments are at the Judge's discretion. As a general rule, if the brief is thorough, oral arguments are not necessary. Cases will not be added on unless there was a clerical error on the part of our court staff.

Moving party sets the hearing date for motions, except summary disposition. **All summary disposition motions must be scheduled directly with the court's staff attorney prior to being filed.**

TRO/ Injunction

All requests for TRO's must be made pursuant to Court Rule and case law. The Court does grant ex parte relief under MCR 3.310 if irreparable harm can be shown. Request for injunctive relief must be supported with the proper factual and legal basis at the time the request is made.

Discovery

Discovery is controlled by the Scheduling Order. Extensions for discovery are heard by motion only. The Court will consider appointment of a discovery facilitator dependent on circumstances.

Pretrials

The Court issues a Pretrial Order which governs the course of trial on both civil and criminal cases. Pretrial conferences on civil cases are scheduled by the Court. Pretrials on criminal cases are set for 8:30 a.m. on Mondays. The Court will accept Cobbs pleas at arraignment or pretrial, but not on the day of trial.

Trials

Trials are scheduled by the Case Management Office. Adjournments are handled by motion, not by stipulation of the parties. Again, the Court issues a Pretrial Order which governs the course of trial on both civil and criminal cases. Exhibits must be marked prior to trial; you may obtain stickers from the court clerk. Plaintiffs use numbers and Defendants use letters for exhibits. Court conducts some voir dire and allows attorneys to conduct voir dire.

The Court requires proposed jury instructions on both civil and criminal cases. All jury instructions are to be received one week prior to trial. Jury instructions are to be one per page, double-spaced, 14-point font, Arial, bold print with headers centered on the page.

Please submit on a CD-Rom in Microsoft Word format or e-mail them to the Judge's secretary no later than one week prior to trial. Jury is charged after final argument and may take instructions into deliberations along with exhibits. Trial hours are from 8:30 a.m. until 5:00 p.m. All proceedings are expected to begin on time.

General

Court is open to all ADR techniques. Follow Court Rules for license restoration. District Court appeals as per Court Rules.