

The Honorable Martha D. Anderson

Location

First Floor – West Wing Extension, Courtroom W1

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.

Orders Presented for Judge's Signature

Signatures: Original signatures must appear on all orders. Clients and Attorneys must both sign orders (if applicable).

True Copies: The court will process four true copies of each order signed, or as many true copies as there are parties, whichever is greater.

Returning Orders: True copies of orders will be mailed if a self-addressed stamped envelope is provided with the order. If an envelope is not attached, true copies will be held for two business days. Because of space constraints, orders cannot be held for a longer period. If orders are not picked up, the original order will be filed and the true copies will be discarded.

Motion Practice

Check-In Procedure: Motions are heard at 8:30 a.m. on Wednesday mornings. Hearing dates are set by the moving party. Check-in for motion call begins at 8:30 a.m. No one will be allowed to check in later than 9:30 a.m. unless good cause is shown. Due to the volume of motions that are scheduled, all motions must be ready to be heard, with all parties present in the courtroom no later than 11:30 a.m. Parties and their counsel are to meet with the Friend of the Court (if appropriate) prior to going before the Judge. The staff attorney may meet with counsel prior to a discovery motion being heard, in order to resolve disputed issues.

Judge's Copy of Motions and Briefs: A copy of the motion and response must be delivered to the Judges office by noon on the Friday before the scheduled hearing date. The Judge reviews all motions and responses prior to hearing.

Adjourned Motions: Opposing sides must seek concurrence from the moving party in order to adjourn. If the motion is adjourned, a new judges copy must be filed with the judges clerk upon rescheduling of the motion.

Late Filed Praecipis: Praecipis must be filed timely and accurately in order to have your motion placed on the docket. No add-ons are accepted.

Emergency Motions: A request for an emergency motion may be submitted at any time. To be considered, a written petition explaining the request must be submitted to the court.

Motions to Settle Orders: A transcript of the proceeding in which the order was made must be submitted to the court prior to the hearing on the motion.

Request for Evidentiary Hearing: If an issue involves a factual dispute, a motion must be filed in order to request an evidentiary hearing before the judge.

Miscellaneous: All Personal Protection Order related motions are heard on Wednesdays at 1:30 p.m. and must be scheduled directly with the Judge's Clerk.

Divorce

Settlement Conferences/Pre-Trials: Counsel and all parties are to be present at these hearings. If the case is not settled when it comes in for the settlement conference, a domestic scheduling order will be issued which will assign a trial date with cutoffs for discovery, mediation, filing of trial briefs, etc. Settlement Conferences cannot be waived.

Adjournments: Short-term adjournments of settlement conferences may be considered if good cause is shown. Only one adjournment will be allowed. Requests for first adjournment of trial, must be made timely, stipulated orders to adjourn must be submitted timely. Adjournments will not be considered the day before unless it is of an emergency nature. Any subsequent adjournments must be requested by filing a motion.

Discovery: Discovery cutoff extension requests must be brought before the cutoff date by motion.

Settlements: Settlements may be placed on the record by notifying the court clerk and requesting a time for the taking of proofs. No written motion is required.

Trials: Parties and counsel are expected to comply with all dates set forth in the domestic scheduling order. All exhibits are to be marked prior to trial and a book of proposed exhibits must be submitted to the court. Proposed findings of fact must be submitted after trial. Trial briefs must be submitted timely according to the domestic scheduling order. Oldest cases are given priority. Any other cases scheduled the same day will be placed on standby, which will put all parties on 24 hours notice.

Judgments: Judgments of divorce must be submitted within 21 days after hearing. MCR 3.211(G). All statutory language must be included in judgments of divorce. MCR 3.211, MCL 552.16, 722.31, and 552.603. Clients and Attorneys must sign all judgments of divorce and QDROs. A pretrial will be scheduled to ensure submission of the judgment, if it is not presented at the time proofs are taken. Appearance at the pretrial is mandatory if a judgment of divorce has not been entered. Failure to appear at the pretrial will cause the case to be dismissed.