

## Honorable Edward Sosnick

### Protocol for Judge Sosnick:

#### Orders Presented for Judge's Signature

- **TRUE COPIES:** Our clerks will be happy to process as many true copies as there are parties of each order signed. Attorneys should present copies for processing.
- **RETURNING ORDERS:** Upon request, we will hold true copies for seven business days in chambers. If you would like true copies mailed, please include a stamped envelope and the clerk's office will mail out the true copies.

#### Preparing for Motion Call

- **JUDGES' COPY OF MOTIONS OR BRIEFS:** Frequently, the file does not contain pleadings for a praeciped motion. To allow the Judge adequate time to prepare for your motion, please submit a Judge's copy of your motion/brief directly to the judge's office by noon on the Friday (or sooner) before the scheduled hearing date. Be sure to print the hearing date on the top of the first page or attach a copy of the notice of hearing or praecipe so we know when the motion is scheduled
- **RESPONSIVE PLEADINGS:** Your answer or responsive brief is just as important to the judge. Please deliver responsive pleadings by noon on Tuesday (or sooner) before the Wednesday motion call. Late responses may not be read by the Judge.
- **ADJOURNED MOTIONS:** If the moving party is going to adjourn a motion, please contact the Judge's chambers by 4:00 on Tuesday afternoon. Due to storage issues, if you adjourn a motion, you will need to file a new judge's copy of the pleadings. All judge's copies will be discarded after motion call as we have no way of knowing which motions will be rescheduled and which have been abandoned.
- **PRAECIPES FILED LATE:** If you were unable to timely or properly file a motion, we cannot add it to the motion call. You may re-praecipe the motion for hearing on a subsequent motion day. Be sure to check the legal newspapers to find out if your motion is scheduled. If it is not on the call, check with the Caseflow Office. Notify opposing counsel to avoid needless trips to the courthouse.
- **MOTIONS FOR SUMMARY DISPOSITIONS:** Please schedule motion hearing with Judge Sosnick's judicial assistant.
- **EMERGENCY MOTIONS:** The Judge may consider hearing an emergency motion at any time. Once the motion is filed, a written petition explaining a request for an emergency motion can expedite the court's handling of emergency matters.
- **MOTIONS TO SETTLE ORDERS:** Present the judge with a transcript of the proceeding in which an order was made. Requests to review the DVD of an earlier hearing must be made prior to the hearing on the motion.
- **REQUESTS FOR EVIDENTIARY HEARING:** If you have an issue that involves a factual dispute, you must file a motion in order to request an evidentiary hearing before the judge. Requests for hearing before a referee may be made at the Early Intervention Conference without filing a motion.

### **Motion Call Check-In Procedure**

Domestic motions are heard on Wednesdays beginning at 8:30 a.m. on a first-come/first-served basis. Check in by listed number on the docket, which is posted outside of the courtroom, with the court clerk and you will be directed where to go.

Pursuant to Local Court Rule 2119(C), if the moving party of a praeciped motion has not checked in with the clerk by 9:30 a.m., the court may dismiss the motion on its own or upon request of the opposing party. If counsel for the opposing party in a motion praeciped for hearing has not checked in with the clerk by 9:30 a.m., the clerk shall call the case upon request of the moving party and, if appropriate, the Court shall grant the requested relief.

### **Pretrial/Settlement Conferences**

- **ATTENDANCE:** Attorneys and their clients must attend any scheduled conference
- **ADJOURNMENTS:** No adjournments will be granted without permission of the court and requests must be made two days prior to the date. While adjournments should be requested only when absolutely necessary, the court will consider stipulated requests without the necessity of a formal motion provided the adjournment does not interfere with any other scheduled dates. The stipulation and order should state the reason for the adjournment and further should comply with MCR 2.503
- **SCHEDULING ORDER:** The court clerk will issue a scheduling order following the conference. Be sure to take your copy with you as that will be the only notice of subsequent dates. The order will contain deadlines for discovery cutoff, witness list exchange, mediation, and other important information. A mediator will be named, if needed, and a trial date will be set. Ask the clerk for the form when checking in.
- **EXTENSION OF DATES IN SCHEDULING ORDER:** Counsel are encouraged to communicate and work together. Scheduled deadlines may be extended by stipulation provided there is no interference with mediation or trial dates. Once a scheduling order is issued, adjournment of trial and/or mediation require the filing of a motion.

### **Judgments of Divorce**

- **TRIALS:** Trial dates are set at the settlement conference. Requests to adjourn must be made by written motion. Stipulated orders may be considered. All orders for adjournment must comply with 2.503.
- **TRIAL BRIEFS:** Trial briefs must be filed in all cases. Refer to Scheduling Orders for specific requirements. Be sure to identify uncontested issues.
- **SETTLEMENTS:** Settlements may be placed on the record by notifying the court clerk and requesting a time for hearing. No written motion is required.
- **DEFAULT JUDGMENTS:** Prior to presenting proofs, check to be sure you have filed a Default against the defendant. You must give notice and serve a copy of the proposed Judgment if you intend to take a Default Judgment, unless judgment is requested on the day of trial. Proofs of service should be filed at the time on or before taking a Default Judgment. MCR 2.603

- **JUDGMENTS:** Whenever possible, the moving party should present the judge with a written judgment, approved by counsel and parties who have appeared, immediately before requesting judgment. All judgments must be presented for signature no later than 21 days after the judgment is granted, unless an extension is permitted by the court. MCR 3.211(G).