

Honorable Cheryl A. Matthews

Courtroom 2C, Second Floor - Oakland County Courthouse

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BACKGROUND

Judge Matthews is a graduate of the University of Michigan and Fordham University School of Law. She was elected to the Oakland County Circuit Court bench in November 2004. Prior to her election, she was an assistant prosecuting attorney with the Oakland County Prosecutor's Office from 1991 through 2004, serving as Chief of the Child Sexual Assault Section from 1997 to 2004. From 1989 -1991, she was an associate at the law firm of Chadbourne & Parke in New York.

SCHEDULING CONFERENCE

Civil

A scheduling conference may be held in a case of change of venue. Status, settlement, and pretrial conferences may be held at the request of parties or by the Court's order.

Telephone conferences are seldom allowed and must be approved in advance by the Court.

Judge-On-Line: <https://www.oakgov.com/courts/jol>

The Court utilizes a final Pretrial Order, filed shortly after issuance of a scheduling order, which includes various pretrial deadlines.

The Court encourages and is open to all forms of ADR.

Parties are expected to appear on the date and time set for trial if no final order has been entered by 4:30 p.m. on the prior business day or their action will be dismissed.

Criminal

Arraignments, pretrial, sentence, and violation of probation hearings are held weekly on Monday at 1:30 p.m. Parties are expected to utilize the sign-in sheet provided on the clerk's desk.

Arraignment by mail (ABM) submission will be considered with good cause showing.

Criminal bench warrant arraignments are conducted daily at 10:30 a.m. before the chief judge. Call chambers for more information on criminal bench warrants.

MOTION PRACTICE

Motions are heard weekly on Wednesdays at 8:30 a.m. Cases are called on a first-come, first-serve basis; check in with the clerk. Add-ons are allowed dependent on docket and length of the motion. Parties are encouraged to arrive with proposed orders granting/denying the requested relief.

The Court requires parties to file responses to all contested motions. Failure to file a response may result in the Court dispensing with oral argument. MCR 2.119(E)(3).

Dispositive Motions

Hearings on motions for summary disposition are scheduled pursuant to a separate, independent briefing scheduling order issued by the Court. A hearing date will be scheduled after the motion is filed. A separate motion must be filed to exceed page limit (see MCR 2.119(A)(2)). A judge's copy is required of all summary disposition briefs.

Motion for Reconsideration

A judge's copy is required. Unless the Court otherwise indicates, no hearing is scheduled and no response is required. (See MCR 2.119(F))

Motions in Limine

Must be filed at least two weeks prior to the date of trial and heard no later than one week prior to the date of trial (dependent on compliance with all other scheduling order provisions).

Motions for Alternate Service

A process server Affidavit indicating the specific attempts at personal service (minimum of three attempts, varied in time and day of week) is required. Specific requirements of the proposed order may include: (1) Certified mail (return receipt requested) to the last known address; (2) Posting/affixing to the last known address; (3) Publication in the "Oakland County Legal News" for three consecutive weeks; and/or (4) First class mail.

Motions for Second Summons

A 45-day (or 60-DAY) extension will be considered when appropriate. Must show at least one attempt of personal service or sufficient other attempts to accomplish service. A separate motion for each defendant must be filed.

TEMPORARY RESTRAINING ORDERS/INJUNCTIONS

The Court strictly adheres to the Michigan Court Rules, including MCR 3.310(B)(1). Please ensure compliance before such a request is brought.

DISCOVERY

The Scheduling Order dictates the time for discovery. It can be extended by stipulation.

CASE EVALUATION

Adjournments allowed by motion.

TRIAL

The docket is computer-generated. Adjournments are allowed by motion for good cause. A trial brief is due one week prior to trial; all exhibits must be marked and agreed to by the parties prior to the start of trial. Exhibits shall be labeled as follows: Plaintiff – numbers; Defense – letters. The Court requires a bench book of exhibits for all trials. Motions *in limine* must be heard no later than one week before trial or pursuant to an issued scheduling or pretrial order.

Trial days are Monday 8:30 a.m. to 12:00 p.m.; Wednesday 1:30 p.m. to 4:30 p.m.; and Tuesday, Thursday, and Friday 8:30 a.m. to 4:30 p.m. The Court requires proposed findings in bench trials. The Court conducts initial *voir dire* for jury trials; counsel participates.

Preliminary jury instructions must be submitted to the Court on plain paper, without citation to case law, no later than one week prior to the scheduled date of trial. The jury is charged after final argument. Upon request, the jury may take notes in lengthy matters and into jury deliberations.

***NOTE:** If a civil case is settled prior to trial, an order disposing of the case must be filed prior to the trial date. If no order is filed, the parties must appear on the trial date to place the settlement on the record or the court will issue a dismissal order.

GENERAL

Follow court rules for license restoration; district court appeals as per court rules.