
State of Michigan

Local Administrative
Order

Washtenaw County
Trial Court

Motions Referred to Domestic Relations
Referees & Interim Effect of Referee
Orders

C22 2022-02

Effective Date: January 20, 2022

This Administrative Order is issued to designate matters heard by Domestic Relations Referees and to facilitate expeditious case flow for domestic relations matters.

SCOPE AND APPLICABILITY

MCL 552.508 requires that the Circuit Court utilize Referees to expedite obtaining relief in domestic relations matters;

MCL 552.507 and MCR 3.215(G) authorizes by administrative order or by an order on a case or a court to provide that interim effect be given to a Referee's recommended order; and

MCR 3.215(b)(1) allows the Chief Judge to refer motions of a particular kind to a Referee by Administrative Order;

Therefore:

IT IS ORDERED:

1. Effective immediately, the following types of motions on case types DC, DM, DP, DS, and DZ shall be set in front of a Domestic Relations Referee:
 - a. Motions to modify child support, custody, and parenting time
 - b. Motions to modify custody and/or parenting time brought under MCL 552.517d, MCL 722.27, and/or MCL 722.27a
 - c. Motions to change domicile or legal residence brought under MCL 722.31
 - d. Motions to modify child support brought by the Friend of the Court under MCL 552.517
 - e. Motions and Orders to Show Cause to enforce support, custody, and parenting time brought by the Friend of the Court under MCL 552.511, MCL 552.631, and/or MCL 552.644.
 - f. Motions regarding post-majority support, medical support, or other issues ancillary to the calculation, payment, or receipt of child support
 - g. Motions for the administrative adjustment of arrearage payment schedules and objections to income withholding orders brought under MCL 552.607 and/or MCL 552.517e
 - h. Motions regarding joint legal custody disputes
 - i. Motions regarding grandparenting time

- j. Motions regarding school choice or other issues ancillary to custody and/or parenting time
2. Effective immediately, the following types of motions shall be set in front of a Judge:
 - a. Genetic testing or other motions under the Revocation of Paternity Act
 - b. Change of venue or determination of jurisdiction
 - c. Motions to change or establish spousal support
 - d. Motions to withdraw as counsel
 - e. Motions regarding discovery, including motions to compel discovery
 - f. Motions regarding property disputes, including enforcement of property provisions in a judgment
 - g. Motions to set aside a default or to set aside an order
 - h. Motions for exclusive use of the home or other property
 - i. Motions for alternate service requests
 - j. Objections to DNA results
 - k. Objections regarding ex parte orders
 - l. Objections to orders following a hearing sent on a 7-day notice pursuant to MCL 2.602(B)(3)
 - m. Objections to Referee recommendations pursuant to MCL 3.215(F)
 - n. All motions filed on a DO case suffix.
 - o. All other motions not specifically named in this administrative order
3. The Judge shall retain discretion to schedule a hearing before the Judge, rather than a Referee, on any matter.
4. To the extent permitted by law, the Judge may refer matters to a referee
 - a. On written stipulation of the parties
 - b. On a party's motion, or
 - c. On the Judge's own initiative
5. Except as it is limited by Court Rule, the Referees' recommended orders may take effect on an interim basis pending the 21-day objection period and request for judicial hearing. Interim effect shall be granted at the judge's discretion but shall never be granted for the following orders:
 - a. An order for incarceration
 - b. An order for forfeiture of any properties
 - c. An order regarding change of child custody
 - d. An order that changes a child's domicile
 - e. An order that would render subsequent judicial consideration of the matter moot
6. Notice shall be given when the Referee's recommended order will be an interim order by including notice of interim affect in the recommended order pursuant to MCR 3.215(G)(1).
7. The parties may waive their right to object to a Referee's recommendation for an order by consenting in writing or on the record to the immediate entry of the recommended order or by entering a consent order.

Date: January 11, 2022

Chief Judge Signature: 