

KALAMAZOO COUNTY  
CONCURRENT JURISDICTION PLAN

9<sup>th</sup> Circuit Court  
Kalamazoo County Probate Court  
8<sup>th</sup> District Court

CONCURRENT JURISDICTION PLAN APPLICATION

A. Application Summary

1. *Applicant:* 9<sup>th</sup> Circuit Court  
Kalamazoo County Probate Court  
8<sup>th</sup> District Court

Address: 227 West Michigan Avenue, Kalamazoo, Michigan 49007  
150 East Crosstown Parkway, Kalamazoo, Michigan 49001  
1536 Gull Road, Kalamazoo, Michigan 49048

2. *Contact Person:* District Judge Christopher T. Haenicke and Circuit Judge Gary C. Giguere, Jr.

Address: 227 West Michigan Avenue, Kalamazoo, Michigan 49007  
150 East Crosstown Parkway, Kalamazoo, Michigan 49001

Phone: (269) 384-8103 and (269) 384-8190  
Email: cthaen@kalcounty.com and gcgigu@kalcounty.com

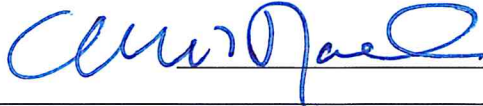
3. *Concurrent Jurisdiction Plan Type:* Circuit, Probate and District Court Jurisdictions

4. *Chief Judge Signatures:*

Multi-court Chief Judge  
(Circuit and Probate):  
Gary C. Giguere, Jr.

 Date: 11-17-22

Chief District Court Judge:  
Christopher T. Haenicke

 Date: 11-14-22

## **B. Plan Description**

### **1. Concurrent Jurisdiction Plan Goals**

The Kalamazoo County Concurrent Jurisdiction Plan is an agreement between the 9<sup>th</sup> Circuit Court, the Kalamazoo County Probate Court and the 8<sup>th</sup> District Court. The main goals of the plan are to:

- Adjudicate disputes in an efficient and timely manner
- Balance caseloads among the judges for the efficient administration of justice
- Promote the cause of justice and the economic use of scarce resources through cooperation between the Courts
- Continue to work together to improve various process and procedures to improve the administration of justice

### **2. Judicial Resources**

Except as otherwise provided, cases will be assigned to the court and the judges of that court as set forth in the courts' case assignment LAOs as they may be amended from time to time, hereby incorporated by reference.

#### Circuit Court – Family Division

The current Family Court Plan, as it may be amended from time to time, is hereby incorporated by reference.

#### Problem Solving Courts

The Circuit Court, District Court, and Probate Court judges may be cross-assigned to preside over any problem solving court established by the Circuit Court, District Court, or Probate Court. Cross-assignment requires the approval of the Chief Circuit Judge and the Chief District Judge.

#### Business Court

Circuit and Probate judges may be appointed to the Business Court pursuant to MCL 600.8037(1),(7) and may exercise the power and jurisdiction of the business court.

#### All Courts

All judges are cross-assigned to cover judicial need.

#### Supervision of Certain Circuit Court Defendants by District Court Probation Officers

Pursuant to MCR 6.008 (E), the Circuit Court and District Court enter into an agreement for District Court probation officers to supervise on probation defendants who either plead guilty to, or are found guilty of, a misdemeanor in Circuit Court. Such cases shall remain under the jurisdiction of the Circuit Court.

### **3. Court Governance and Administration**

The judges of Kalamazoo County agree to form an Executive Judicial Council consisting of two Circuit, one Probate, and two District Judges. The Chief Circuit Judge shall assign the two Circuit Judges, the Chief Probate Judge shall assign the one Probate Judge, and the Chief District Judge shall assign two District Judges. These assignments will be made by January 15 of each even-numbered year, and unless terminated early by the assigning Chief Judge, shall continue for two years. Appointees to the Executive Judicial Council may only be involuntarily removed from the council for good cause upon motion from the Chief Judge of the court from which they are assigned and the unanimous consent of the remaining members of the Executive Judicial Council. Upon filing of the motion for removal, the Executive Judge of the council shall give notice of hearing on the motion to the judges of the three courts. In the event the Executive Judge is the movant or subject of the removal action, another member of the council from a different court shall be appointed to give notice and preside over the hearing. At hearing, both the moving Chief Judge and the member subject to removal will have an opportunity to be heard. Voting on the motion shall be by roll call of the members of the council not a party to the removal action.

The Executive Judicial Council shall meet at least quarterly unless otherwise agreed by a majority of its members. The meetings are open to all judges of the three courts.

The Executive Judicial Council shall elect an Executive Judge to preside over the meetings and to report on the activities of the Executive Judicial Council with the funding units, the public, and the media as necessary. Unless otherwise agreed by a majority of the Executive Judicial Council membership, the term of the Executive Judge shall be two years.

The Executive Judicial Council shall designate one member to be the Secretary to record the minutes of the meetings. The term of the Secretary shall be two years. Minutes of all Executive Judicial Council meetings shall be promptly prepared and timely sent electronically to each judge in Kalamazoo County.

All five members of the Executive Judicial Council must agree in order to activate any administrative change or reassignment. Any administrative change or reassignment shall consider the caseload data, performance measures and standards provided by SCAO, internal court data, input from judges and administrators and, when practicable, the stated preference of assignment by individual affected.

The Executive Judicial Council shall be a forum and catalyst for the Courts to agree upon and implement meaningful changes with the judicial system and to continue to improve the administration of justice.

The Executive Judicial Council shall determine the appropriate portion of judicial and administrative resources needed to best process the three courts' responsibilities, including individual judicial and administrative assignments. The Executive Judicial Council shall have the option of reassigning judges and/or employees and/or portions of a caseload in order to properly balance the work between and within the courts.

The Executive Judicial Council is empowered to implement change in compliance with the court rules.

Except as determined by the Executive Judicial Council, management authority of each court continues to be vested in the Chief Judge of each court pursuant to MCR 8.110.

#### **4. Human Resources**

There is a common job classification system in place for all of the courts in Kalamazoo County. However, the Circuit Court and the District Court each have collective bargaining units. Court employees also attend coordinated education/training sessions.

#### **5. Budget and Fiscal Management**

This plan contemplates retention of the current budget process and fiscal management policies and procedures unless the Executive Judicial Council shall deem it appropriate to modify. Current areas of coordination include:

- Jail population control
- Combined annual report
- Coordinated assessment, screening, and supervision of defendants awaiting adjudication through the Office of Community Corrections
- Coordination of common court forms
- Use of common file for adult felony matters
- Videoconferencing projects to maximize use

#### **6. Funding Unit**

This Concurrent Jurisdiction Plan will be submitted to the lone funding unit, the Kalamazoo County Board of Commissioners, for a review of the plan's financial implications.

#### **7. Records Management**

The records of the circuit court and probate court shall continue to be maintained by the circuit court clerk in compliance with an agreement with the county clerk and probate register and in the same manner as the method employed for record management before adoption of this plan. The records of the district court shall be maintained by the district court clerk in the same manner as the method employed for record management before adoption of this plan.

#### **8. Information Systems**

This plan contemplates retention of the current information systems used by each of the three courts within Kalamazoo County unless the Executive Judicial Council shall deem it appropriate to modify. The Circuit Court utilizes the Odyssey case management system; the Probate Court utilizes the JIS case management system and is in the process of migrating to the Odyssey case management system; the District Court utilizes the JIS case management

system. Currently the courts have “read-access” to each other’s system. This plan does contemplate data sharing between the courts.

## **9. Facilities and Infrastructure**

Current areas of cooperation/coordination in facilities and their utilization (including security, courtroom utilization, court hours, records maintenance, or location of support activities) include:

- Coordinated facility usage
- Equipment sharing
- Partnering for facilities planning
- Common video system for all courtrooms
- Joint membership in a Courthouse Security Committee
- Joint participation in a county-wide Criminal Process Committee together with prosecuting agencies and law enforcement agencies
- Common holiday schedule and standard hours of operation
- Coordinated court-wide pandemic plan
- Technology Planning & Advancement Team

## **10. Jury Management**

The courts in Kalamazoo County utilize a common jury system with one day/one trial jury service. There are also coordinated webpages dedicated to jury service.

## **11. Planning Process/External Relations**

Upon adoption of this plan, persons and entities will be informed of any changes in court policies, procedures, and processes via normal routes of disclosure including public media outlets, Kalamazoo County Bar communications, and the Kalamazoo County website.

## **12. Training**

For successful implementation, this plan contemplates appropriate training and materials for judicial and court support staff.

## **13. Effective Date**

This plan shall be effective ninety-one (91) days after it is approved by the Michigan Supreme Court.

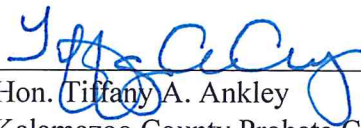
If the Michigan Supreme Court selects a single Chief Judge for all three Kalamazoo County courts, then this plan is deemed unnecessary and shall immediately become null and void.


## **14. Amendments**


Amendments to the concurrent jurisdiction plan require a two-thirds (2/3) majority vote of the judges of Kalamazoo County.

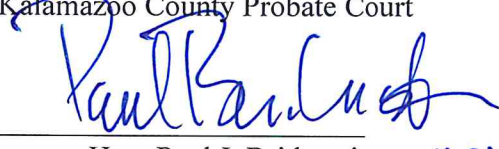
C. Certification of Plan Approval


By signing this document, we, the Judges of Kalamazoo County, confirm that this Concurrent Jurisdiction Plan has been adopted by a majority vote of the judges of the participating courts.

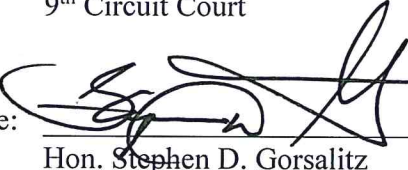
Date:   
Hon. Tiffany A. Ankley  
Kalamazoo County Probate Court

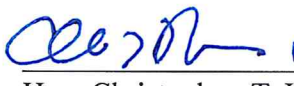
Date:   
Hon. Curtis J. Bell  
Kalamazoo County Probate Court


Date:  11/16/22  
Hon. Alisa L. Parker-LaGrone  
8<sup>th</sup> District Court


Date:  11-21-2022  
Hon. Paul J. Bridenstine  
9<sup>th</sup> Circuit Court


Date:  11-17-22  
Hon. Gary C. Giguere, Jr.  
9<sup>th</sup> Circuit Court

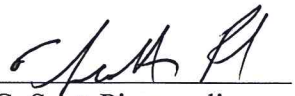
Date:  11/23/2022  
Hon. Stephen D. Gorsalitz  
9<sup>th</sup> Circuit Court

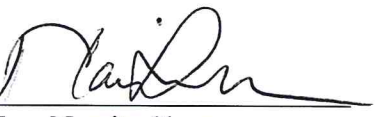
Date:  11.14.22  
Hon. Christopher T. Haenicke  
8<sup>th</sup> District Court

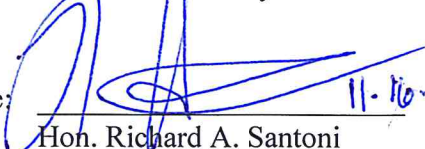
Date:  11/16/22  
Hon. Kathleen P. Hemingway  
8<sup>th</sup> District Court

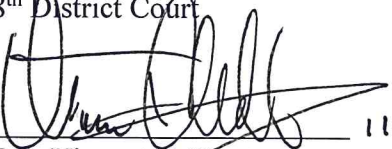
Date:   
Hon. Pamela L. Lightvoet  
9<sup>th</sup> Circuit Court

Date:   
Hon. Alexander C. Lipsey  
9<sup>th</sup> Circuit Court

Date:   
Hon. G. Scott Pierangeli  
Kalamazoo County Probate Court

Date:   
Hon. Namita Sharma  
8<sup>th</sup> District Court

Date:  11-16-22  
Hon. Richard A. Santoni  
8<sup>th</sup> District Court

Date:  11-16-22  
Hon. Vincent C. Westra  
8<sup>th</sup> District Court