



## Judge Joseph J. Farah Policies & Procedures

Judicial Secretary: Karen Dearlove  
Law Clerk: Stacey Yelda  
Courtroom Location: 3<sup>rd</sup> floor  
Phone: 810.257.3270  
Court Clerk: 810.257.2718  
Transcript Request Line: 810.424.4454

### Judicial Procedures and Practice

#### MONDAY MATTERS:

11:00 a.m.	Motions Regarding Personal Protection Orders
10:00 a.m.	Civil Motions and Civil Show Causes
	Summary Disposition Motions (dates to be confirmed by court)
	Oral Arguments on Appeal (civil matters)
1:30 p.m.	Criminal Arraignments and Pleas
2:30 p.m.	Criminal Motions, Pre-trials, Sentencings
4:00 p.m.	Driver's License Restoration Motions

#### MOTIONS

**Adjournment of Motions:** The responding party must contact the moving party when seeking an adjournment. Only the moving party may adjourn motions. The Court allows three adjournments. Thereafter, the motion must be re-noticed with filing fee. Motions may not be adjourned without date.

**Motions for Summary Disposition:** All dates for dispositive motions (including adjourned dates) must be approved by the judge's staff prior to filing the motion or re-notice of hearing. Counsel should contact our office well in advance of the cutoff date inasmuch as dispositive motions are capped at four motions per day. Responses are due one week prior to the motion.

**Motions for Reconsideration** are to be filed without a hearing date. However, the standard motion fee is required. The Court will determine whether a response is required and whether oral argument will be heard.

**Motions in Limine** have to be filed and heard at least three weeks prior to the trial date.

## CIVIL MATTERS

[Scheduling Orders](#) are generated by Judge Farah's office after the filing of the answers to complaint and are strictly enforced by Judge Farah. Scheduling Orders often include referrals to facilitative mediation and case evaluation. For purposes of amending a Scheduling Order, this form may be downloaded from this website.

**Mandatory Settlement Conferences** are held on Tuesday mornings. All counsel, parties, and those with authority to settle must appear. Final witness lists are to be exchanged and exhibits marked at the settlement conference.

**Trials** are scheduled to begin Wednesday through Friday. Exhibits must be exchanged and marked by counsel, and the requested voir dire, jury instructions and verdict form must be provided to the law clerk **no later than Monday prior to trial**. All motions, motions in limine, and disputes concerning voir dire, jury instructions and verdict form **must be filed and heard at least three weeks prior to trial**. Counsel should clear their schedule so that the trial may continue uninterrupted until completed. Trials in Judge Farah's court generally are held all day Wednesdays, Thursdays and Fridays, and may continue on Tuesday mornings.

## CRIMINAL MATTERS

The Court will mail out pretrial notices after the file is received from District Court and the prosecutor files the information. When the defendant waives preliminary examination without a plea agreement in District Court, Judge Farah will **not** consider a [Cobbs](#) proposal unless the written proposal is filed in **District Court** at the time of the bindover. The [Cobbs](#) proposals must include a calculation of the PSI guidelines, the sentence proposal by counsel, and the reason for the proposal.

**Pre-trials** are held in the courtroom and Defendants are required to appear. Any pleas may be placed on the record at that time.

**Trials** are scheduled to begin Wednesday through Friday. Exhibits must be exchanged and marked by counsel, and the requested voir dire, jury instructions and verdict form must be provided to the law clerk **no later than Monday prior to trial**. All motions, motions in limine, and disputes concerning voir dire, jury instructions and verdict form **must be filed and heard at least three weeks prior to trial**. Counsel should clear their schedule so that the trial may continue uninterrupted until completed. Trials in Judge Farah's court generally are held all day Wednesdays, Thursdays and Fridays, and may continue on Tuesday mornings.

**Sentencings, probation violation and criminal show cause hearings** are heard on Tuesday afternoons and occasionally Monday afternoons. Sentencings concerning FC cases are held on Friday mornings.

**Adjournments of criminal proceedings:** Prior to requesting the Court for an adjournment, approval must be sought from the prosecutor handling the case. You may reach the criminal division of the Genesee County Prosecutor at 810.257.3232.