



Judge Judith A. Fullerton Policies & Procedures

Judicial Secretary: Marcia McCree
Law Clerk: Craig Datz
Courtroom Location: 3rd floor
Phone: 810.257.3257
Court Clerk: 810.768.7926
Transcript Request Line: 810.424.4454

Judicial Procedures and Practice

MONDAY MATTERS:

8:15 a.m.	Incarcerated Criminal Plea Hearing by Video - Counsel to report to County Jail for Criminal Plea Hearing
8:15 a.m.	Defendants on bond Criminal Plea Hearings - Counsel to report to the Courtroom for Criminal Plea Hearing
8:30 a.m.	Criminal Motions
9:00 a.m.	Driver Restoration Motions
10:00 a.m.	Appeals, Show Causes, Civil PPO Motions and Creditor/Debtor Exam
10:30 a.m.	Civil Motions
2:00 p.m.	Criminal Sentencings
3:00 p.m.	Probation Violation Sentencings
3:30 p.m.	Criminal Show Causes
3:30 p.m.	Probation Violation Hearings
5:00 p.m.	Docket Control matters

Criminal Plea Hearings: Scheduled on Mondays at 8:15 a.m. If the defendant is entering a plea and is in jail, the attorney must report to the jail at the video arraignment room (1st floor) promptly at 8:15 a.m. If the defendant is entering a plea and is on bond, the attorney must report to the courtroom at 8:15 a.m. If the defendant is not pleading a scheduling order will be sent to the attorney with a pretrial date, motion cutoff date and trial date.

Adjournments: Civil motions may be adjourned by calling the judge's secretary or law clerk by 5:00 p.m., on the date the motion was originally scheduled. If no contact with the court is made, the motion will automatically be dismissed. Only two adjournments of any motion are permitted. Only the moving party can request an adjournment. Upon request for adjournment, the moving party must send a letter confirming conversation with either the secretary or law clerk. A copy of the letter, including the new date should be sent to all counsel.

Motions for Summary Disposition: These motions are heard on the court's regular Motion Day at 10:30 a.m. and are to be **filed and heard** prior to motion cutoff date, pursuant to the Michigan Court Rules and in compliance with the Court's Pretrial Summary and Order. A judge's copy must be delivered to the court's law clerk. Do not file the judge's copy with the original motion in the Clerk's Office. Response briefs must be filed no later than the Wednesday preceding the motion. If a summary disposition motion is filed after motion cutoff or case evaluation date, a \$500.00 sanction fee must be paid by the moving party.

Motions to Extend Deadlines: If the court grants a motion to extend deadlines, counsel for the prevailing party is to submit an Amended Pre-trial Summary and Order (consistent with the format of the original Pre-trial Summary and Order) for the Court's signature within one week of the hearing.

Case Evaluation: If a motion to adjourn case evaluation is granted, sanctions must be paid by the requesting party. Contact the case evaluation clerk to find out if there are outstanding fees.

Criminal Matters: Criminal pre-trials are conducted in open court on the record. It is expected that any plea offers will be communicated to the defendant on the record at that time. Motions are to be filed and heard by the Pre-trial/Motion Cut-off. A judge's copy must be delivered to the court's law clerk. If an evidentiary hearing is needed, the request should be made at the earliest possible date so that a suitable time can be scheduled prior to trial.

Note: If the defendant is incarcerated and during the pendency of the case posts bond or is incarcerated on a different offense in another county, please contact the Court to (1) advise that the client has posted bond or (2) advise that the client is incarcerated in another county so that a writ can be prepared for a return to Genesee County for further proceedings.

Pre-trials - Civil: Adjournments are granted only for good cause. Notice is mailed and pre-trials are conducted by telephone. They are scheduled every 5 or 10 minutes. It is plaintiff's responsibility to initiate and arrange the conference call, and have all counsel of record present on the telephone before the court joins. (Every pre-trial notice mailed has instructions for the conference call attached)

When a pre-trial date has been scheduled, it is the plaintiff's responsibility to advise any new attorney entering the case of the scheduled date.

After the pre-trial conference has been held, a Pretrial Summary and Order will be generated outlining cut-off dates and setting a trial date. If scheduled deadlines need to be changed, i.e., discovery, motion, case evaluation, trial, the request must be brought before the Court by way of Motion and Notice of Hearing. Nothing will be done by telephone, stipulation, or FAX.

Mandatory Settlement Conferences: Mandatory settlement conferences are scheduled approximately two to three weeks before trial. It is important that the order attached to the Notice of Hearing scheduling the settlement conference be strictly adhered to, i.e., trial counsel, parties or people with authority to settle must be present. Adjournment of a mandatory settlement conference must be made with the judicial secretary so that a new date can be arranged.

Orders: If an order (with copies) is submitted with a return, stamped, self-addressed envelope, please make sure the envelope is large enough for copies and that there is adequate postage.

7-Day Orders: Orders submitted under the 7-day rule are held by the Clerk's Office and submitted to the Court on or about the 8th day. After signature, the order can be picked up in the "out box" located in the foyer entrance to the judicial corridor on the 3rd floor. If a stamped, self-addressed envelope is attached to the order, the order will be returned to the Clerk's Office for processing. If an objection is filed, the moving party must file, pursuant to court rule, a notice of hearing for any Monday at 10:30 a.m.

Faxed Materials: The Clerk's Office will not accept FAXED orders and the Court will not sign them. This office does NOT accept any documents by fax.