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2016

HAPPY
NEW
YEAR

JANUARY 2016

VOLUME 2, ISSUE 2

THE COURT IS IN SESSION

It is easy to consider the first Monday after the New Year, as just another day. The 2nd floor still has marriage licenses issued on one end, divorce cases filed at the other end and attorneys are still hoping “their guy” shows up for sentencing.

The importance, however, of courthouses to any community cannot be overstated. In times of historical turbulence, a courthouse was the destination to both demonstrate and seek justice.

In our own community, we know that the abolitionists of the 1840’s held demonstrations on the steps of the Genesee County Courthouse and safe havens were nearby. We have an historical marker, *Resisting Slavery, Robert J. Cromwell*, [erected 2005] located on the courthouse grounds to commemorate these events.

In Genesee County, land was deeded by Wait Beach with the condition that it always be used for a courthouse. The first courthouse was built in 1838. The names of Beach Street and Court Street are constant reminders of our beginnings.

The Courthouse Square Project that included the implosion of the former jail, the elimination of the Probate Court Building (MacAvinchey) and the construction of the courthouse

west addition was an important time in the history of the local court.

The dedication was held on July 10, 2001. Speakers hailed the conclusion to the project and savored the finale after years of planning, jack hammers and dust.



In this same time frame, the law changed the jurisdiction of circuit courts to include juvenile matters that were previously under the jurisdiction of probate courts. January 1, 1998 was the day of new beginnings.

Circuit and probate courts were statutorily required to work together to shift a very significant part of the probate docket to the family division of circuit court.

All probate courts proudly identified with their long history of working with youth. It seemed that the institution took pride in a nearly familial way of guiding young people back on track and helping families mend.

Probate Court was the first court in Genesee County. It was in session for the first time in October 1836.

How lands and estates were handed down between families was foundational to a community. Likewise, family stability was a core community value.

Child neglect and juvenile delinquency matters were problems that probate courts were well suited to address.

As the Family Division Plan of 1998 was crafted between the Chief Judge of the Probate Court and the Chief Judge of the Circuit Court, what each court claimed as its own had to be understood and respected by the other.

It was a challenging time. In all candor, it was challenging for a long time.

Some court staff who worked for Probate Court were instantly transformed into Circuit Court employees. This most notably involved juvenile probation and juvenile records staff. (cont’d. on page 5)

THE CHIEF SPEAKS

With the winter season upon us, I thought that it would be wise to republish the joint local administrative order on court closings due to weather or other unforeseen emergency circumstance.

The following link will provide you with the opportunity to review the actual order ([LAO 2014-05.J](#)).

The Courts of Genesee County have adopted the Genesee County policy on this topic except where unique circumstances are presented by the nature of court operations.

Court staff should review the local administrative order for a clear understanding of staff related provisions.

Jury Trials

Court closed to the public and jury trial in progress

The trial is delayed until the next court business day that the court is open. If the next

business day is the regularly scheduled motion day (Monday), the trial will reconvene the following day at the same time *unless* jurors are contacted by court staff with other directions.

Court not closed to the public

For new jurors, reporting for the first day of jury service:

If the University of Michigan-Flint is closed because of inclement weather, no new jurors should report for duty. They must contact the jury hotline after 6:00 p.m. for further instruction.

For jurors seated on a case, with a trial in progress: If the University of Michigan-Flint is closed because of inclement

weather, seated jurors should not report to the court for jury duty.

They should also contact the jury hotline after 6:00 p.m. for further instruction on when to report for continuation of the trial.

Non-Jury Trials, Hearings and Other Court Proceedings

If the court is closed to the public,

the assigned judge or referee office will reschedule the matter.

If the court is not closed, but inclement weather or other unforeseen circumstance is present, the assigned judge will make decisions relative to adjournments or rescheduling. Judges are encouraged to take individual circumstances into consideration.

Dissemination of Court Closing Information

The Court will post to the court website, [7thcir-cuitcourt.com](#), all court closings or other information related to a delay in court proceedings due to weather or other unforeseen emergency.

If you sign up to follow the court on *Twitter @7thcourt*, you will also receive court closing notifications.

The court is also registered with ABC 12 and NBC 25 to be able to disseminate emergency notifications, similar to school or other governmental closings.

Have a safe winter season!

I appreciate your service to the Court and our Community.

- CJRBY



ADMINISTRATOR CORNER

ADOPTION DAY

Judge Barkey and the adoptions staff celebrated Michigan Adoption Day on November 24, 2015 by confirming several adoptions in public hearings. The highlight of the day was the first adoptee – Undray – who had been in foster care since the age of 1. He had been placed in 10 foster care placements and almost as many residential placements. At the old age of 17 his adoption was finalized! Judge Barkey also completed

three other adoptions with her customary approach of having the younger children come up on the bench to help her sign the final orders of adoption and bang the gavel with authority. It was a joyous occasion for all of the families – and the local media covered the event as well. After the hearings a reception was

held in the Jury Quarters for all of the family members, court staff, and agency work-



ers who had worked together to make this day such a success. The adoptions leadership and staff (Rhonda Ihm, Dana Anderson, Edgar Carter and Lori Long) should be commended for their hard work every year in highlighting both the need and the joy in adopting a child who needs a family.
-jb

EMPLOYEE SPOTLIGHT



Left to Right: Jillian Petersen, Leah Hurvitz

Jillian Petersen is the new Judicial Advisory Assistant for Judge Farah. She grew up in Utica, Michigan. She attended the University of Michigan and majored in history. In 2015, she graduated from Wayne State University School of Law. During law school, she served as chairperson of the Detroit Free Legal Aid Clinic. The clinic

provides legal assistance to low income and elderly residents of Wayne County in the areas of Family Law and Elder Law. In addition, she interned with federal Judge Gerald Rosen of the Eastern District of Michigan as a law school student.

Leah Hurvitz is the new Judicial Advisory Assistant for Judge Hayman. Leah was raised in Oakland County and attended Andover High School in Bloom-

field Hills. As an undergrad, she attended the James Madison College at Michigan State University (MSU). James Madison College is a residential college that offers public affairs and public policy programs. Leah attended the MSU College of Law. This is her first position since graduation from law school.

2015 COURT SURVEY WEEK

Thank you to the following staff who assisted with the court survey week.

Mark Allen
Dana Anderson
Jim Bauer
Edgar Carter
Dave Combs
Stacey Curnow
Michelle Edwards
Rob Gifford
Melissa Gifford
Cindy Grossbauer

Rhonda Ihm
Mark Kalandyk
Andrea Kirkland
Mary Langdon
Holly Lorts
Jake Maupin
Tony McDowell
Diane Melton
Kim Neville
Gail Redmond

Tom Temple
Dawn Thomason
Diana VanderVossen
Harmony Walker
Kenda Watson
Angela Westfall
Lelend Williams
Ann Williams

There were 200 court surveys for Circuit Court and 80 surveys for Probate Court forwarded to SCAO. This annual statewide initiative is mandated by the Michigan Supreme Court. The questions are standardized. The answers assist the courts to better serve the public.



• *SCAO Region II* has a new administrator. Jodi Latuzek is the new regional administrator, having worked at SCAO in other capacities. We welcome her to the position and look forward to working with her in the future.

• Thank you to the *Family Law Section of GCBA* for their holiday contribution to the Girls Court. Through their efforts the participants were able to receive support and encouragement.

• The court tech team will be hosting another *Tech Talk* session on January 21, 2016 on Navigating Windows 8. Watch your email for registration information. By the spring of 2016, all court PCs will have Windows 8 installed.

• The courthouse public address system has been repaired and is operational. The amplifier had to be replaced. Microphones are available to court security personnel for use during an emergency.

• The Emergency Response Team will meet on Thursday, January 14, 2016 at 2:00 p.m. in the Judicial Conference Room on the 2nd Floor. Many of the previous members have retired so we are looking for new volunteers!

The Emergency Response Team assists the Sheriff's Department with evacuations and evacuation drills. Members will have an opportunity to sign up for CPR/AED training. If you have any questions please call Jim Bauer at 4426.

FOREIGN LANGUAGE JEOPARDY!

This is Jeopardy! The “answer” is provided. You guess the corresponding foreign legal phrase.

JEOPARDY

\$100	\$200	\$300	\$400	\$500
The thing speaks for itself	To speak the truth	State of mind	To dismiss prosecution	An act prohibited by law

DOUBLE JEOPARDY

\$200	\$400	\$600	\$800	\$1,000
A court order that is effective as if entered on an earlier date	An inquiry into by what authority an action is taken or not taken	An order from a superior court requiring a lower court or administrative body to take specific action that it is required to do by law	An order to appear and produce certain documents related to a court proceeding	In place of a parent

THE COURT IS IN SESSION (CONT'D.)

Several years later, the adoptions staff migrated to the circuit court workforce.

As we move toward 20 years of nearly combined operations, it seems that the statutorily imposed experiment has worked. It is still organic. It has to be nurtured and tended.

Probate and Circuit Judges have worked together to make sure that the people's work is done.

There are cross assignments, case reassignments and staff support, all to provide a timely and unified response to the matters that come before the court.

Now, our district court partners are going through a time of change, as the 68th District Court becomes the 5th election division of the 67th District Court.

When the seas of change calm, what will certainly emerge is a progressive court model.

Every court case is important to the parties involved.

In some respect, the manner in which judges and court personnel treat our customers defines the institution of the court.

Anticipating another great year of service in 2016, I remain *-bam*

Answers—Jeopardy

\$100—res ipso loquitur; \$200 - voire dire; \$300 - mens rea; \$400 - nolle prosequi; \$500 - malum prohibitum

Answers—Double Jeopardy

\$200 - nunc pro tunc; \$400 - quo warranto; \$600 - mandamus; \$800 - subpoena duces tecum; \$1000 - in loco parentis

For further understanding of the foreign phrase: Black's Law Dictionary, Wikipedia or other available sources.

The first four court employees to send an email to Hearsay@7thCircuitCourt.com indicating that they answered the Jeopardy questions will receive a prize!! (previous winners are ineligible)

NEW YEAR'S RESOLUTIONS

You fill in your own for 8-10!

1. Don't send a text to someone sitting next to you or in the same room.
2. Read the manual.
3. Quit using LOL.
4. Replace the gas nozzle before driving away from the pump.
5. I will drive by the fitness center at least once a week to pay my respects.
6. I will stop setting 3 alarms on my phone, just so I can turn the volume off after the first one.
7. Read the manual again.
- 8.
- 9.
- 10.



Read All About It



Hearsay is now available on the Circuit Court website www.7thCircuitCourt.com/hearsay-newsletter

We want to hear from you! Send us an email letting us know what you would like to see in the newsletter and feedback on the current edition. You can also submit ideas and information about activity in your department. hearsay@7thcircuitcourt.com