



Judge Brian S. Pickell Policies & Procedures

Judicial Secretary: Michelle Orvis
Law Clerk: Connor McLaughlin
Courtroom Location: 5th Floor, Room 504
Phone: 810-257-3238
Court Clerk/Robert Walling 810-768-7934 rwalling@co.geneseee.mi.us
Juvenile Court Clerk/Debra Gray 810-257-3510

Transcript Request Line: 810.424.4454

Judicial Procedures and Practice

MONDAY MATTERS:

9:00 a.m.	Driver Restoration Motions
9:30 a.m.	Civil Motions/Show Cause Motions
11:00 a.m.	PPO Motions
1:30 p.m.	Summary Disposition Motions
5:00 p.m.	Docket Control

Adjournments: Civil motions may be adjourned by calling the judge's secretary, court clerk 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 adjournment, the moving party must file a Re-Notice of Hearing.

Motions for Summary Disposition: These motions are heard on the court's regular motion day at 1:30 p.m. and are to be **filed and heard** prior to motion cut-off 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 cut-off 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 Pretrial Summary and Order (consistent with the format of the original Pretrial 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.

Pretrials - Civil: Adjournments are granted only for good cause. Notice is mailed and pretrials are conducted by telephone. They are scheduled every ten (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 pretrial notice mailed has instructions for the conference call attached.)

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

After the pretrial 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 and 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 facsimile.

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 and 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 stamped, self-addressed return envelope, please make sure the envelope is large enough for copies and there is adequate postage.

Seven-Day Orders: Orders submitted under the Seven-Day Rule are held by the Clerk's Office and submitted to the Court on or about the eighth day. After signature, the order can be picked up in the judge's out box located in the foyer entrance to the judicial corridor on the 5th floor. If a stamped, self-addressed return 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 9:30 a.m.

Civil Trials: 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, disputes concerning voir dire, jury instructions and verdict forms, **must be filed and heard at least one week prior to trial.** Counsel should clear their schedule so that the trial may continue uninterrupted until completed. Trials in Judge Pickell's court generally are held all day Wednesdays, Thursdays and Fridays, and may continue on Tuesday mornings.