

ELIZABETH A. KELLY
Policies & Procedures

Judicial Administrative Secretary: Melissa Bishop
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Court Clerk Nichole Ruby
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Courtroom Location 306W

Zoom Id# 9123389166

Phone: (810) 257-3257

Transcript Request Line: (810) 424-4454

MONDAY HEARINGS:

8:30 a.m.	PPO Motions – in person
9:00 a.m.	Misc. Civil Motions
10:00 a.m.	Summary Disposition Motions
1:30 p.m.	Criminal Motions – in person
2:00 p.m.	Criminal Sentencings – in person
3:00 p.m.	Drivers License Appeals

COURT FILINGS: Court filings must be addressed to the Court Clerk, 900 S. Saginaw St., Flint, MI 48502. **ORIGINAL DOCUMENTS WILL NOT BE PROCESSED BY THE JUDICIAL OFFICE.**

JUDGE’S COPIES: Judge’s copies are required on ALL motions consistent with MCR 2.119(A)(2) (d). Failure to do so may result in delay, waiver of oral arguments or assessment of fines. Judge’s copies must be delivered to the judge’s office no later than noon the Thursday before set motion .

HEARINGS VIA ZOOM: PLEASE HAVE DEVICES IDENTIFIED WITH YOUR NAME AND THE CASE NUMBER OF THE CASE YOU ARE PARTICIPATING IN.

ADJOURNMENT OF MOTIONS: Only moving party may adjourn by contacting the judicial office. Two adjournments are allowed without re-noticing.

SUMMARY DISPOSITION MOTIONS: Must be filed and heard prior to case evaluation. Motion dates are obtained by contacting the judicial office.

MANDATORY SETTLEMENT CONFERENCES: Held on **Wednesdays**. All counsel, parties, and those with authority to settle **must appear in person**. Final witness lists are to be exchanged, and jury instructions must also be prepared and exchanged in accordance with the scheduling order.

JURY TRIALS AND BENCH TRIALS: Jury trials are scheduled to begin on Tuesdays; bench trials are scheduled for Wednesdays and will continue through to Friday. Counsel should clear their schedule so that the trial may continue uninterrupted until completed. **Regardless of your case age ranking, you must be prepared for trial.**

Requested Voir Dire, Verdict Form, Jury Instructions, Trial Brief and Theory shall be **presented to the law clerk by noon on Friday of the week prior to trial.**

All motions and disputes concerning voir dire, jury instructions and verdict form **must be filed and heard in accordance with the scheduling order.**

Motions in Limine **must be filed and heard two weeks prior to trial.**

When calling to inquire about a case, please have the case number available.

When submitting any pleading, please comply with MCR 2.113(C)(1) (e), (f) and (g), which requires the name, business address, telephone number and state bar number of the pleading attorney; the name address and telephone number of a pleading party appearing without an attorney; and the name and state bar number of each other attorney who has appeared in the action. **Including email addresses on pleadings would be appreciated.**

ORDERS SUBMITTED FOR JUDGE'S SIGNATURE: Please specify in the entitlement what type of Order it is, pursuant to MCR(C)(1)(d).

JUDGMENTS SUBMITTED FOR JUDGE'S SIGNATURE: When submitting a Judgment that resolves the last pending claim and closes the case or an order that disposes of the last pending claim, these documents must state, immediately preceding the judge's signature, whether it resolves and closes the case pursuant to MCR 2.602(A)(3).

CRIMINAL CASES

JUDGE'S COPIES: Judge's copies are required on ALL motions consistent with MCR 2.119(A)(2) (d). Failure to do so may result in delay, waiver of oral arguments or assessment of fees.

CRIMINAL CASES: Pre-trial dates are set by the judicial office; all parties are required to participate in pre-trials. Pleas are to be held in courtroom unless Defendant is incarcerated in another County or State, and agrees to participate via zoom, in which the prosecutor will submit a writ for signature and processing. No plea to a reduced charge will be accepted after the plea cut-off date without good cause shown.

CRIMINAL TRIALS: Trials are scheduled to begin Tuesday through Friday. Exhibits must be exchanged and marked by counsel, and the requested voir dire, jury instructions and verdict **must be provided to the law clerk no later than noon on Friday 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 two weeks prior to trial. Counsel should clear their schedule so that the trial may continue uninterrupted until completed.

CRIMINAL MOTIONS: Criminal motions are Mondays at 1:30 in person. Bond motions will need to be scheduled far enough in advance (at least 14 days) to allow Community Corrections time to interview and prepare their report for the hearing. Once the judge's copy of motion is received, the judicial office will send a request to Community Corrections.

COBBS PROPOSALS: When a defendant waives preliminary examination without a plea agreement in District Court, Judge Kelly will not consider a **Cobbs** proposal unless a written proposal is filed and must include a calculation of the PSI guidelines, the sentence proposal by counsel, and the reason for the proposal.

SENTENCINGS: Are held on Mondays at 2:00 p.m. and are scheduled by Judge Kelly. Presentence reports are available for pickup the Thursday before scheduled date. Challenges to sentencing guidelines must be submitted in writing no later than **9:00 a.m. the morning of sentencing.**

ADJOURNMENTS OF CRIMINAL PROCEEDINGS: Approval of adjournments must be sought from the opposing party. You may reach the criminal division of the Genesee County Prosecutors at (810) 257-3232.