

District Judges

**THOMAS J. PHILLIPS**  
(231) 922-4543

**MICHAEL S. STEPKA**  
(231) 922-4579



**STATE OF MICHIGAN**  
**86th Judicial District Court**  
GRAND TRAVERSE - LEELANAU - ANTRIM COUNTIES

**GRAND TRAVERSE COUNTY**  
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Traverse City, Michigan 49684  
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**LEELANAU COUNTY**  
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ADMINISTRATIVE ORDER 2019-01  
Rescinds Order 2018-04

ASSIGNMENT OF CASES

The 86<sup>th</sup> District Court serves Grand Traverse, Leelanau and Antrim Counties. The court has two elected District Court judges. In addition, the Probate Judge in Antrim County will assist with the docket in Antrim County on a regular basis.

It is anticipated this Order will be effective for January and February 2019 and a subsequent Administrative Order will be effective March 1, 2019.

All cases, civil or criminal, upon receipt in the court offices are to be assigned a case number in the order of their receipt in the office and are to be assigned to one of the judges as indicated below:

1. OUIL 2nd and 3rd cases which are accepted into the 86th District Court Sobriety Treatment Court Program are to be assigned to Judge Michael S. Stepka.
2. In Grand Traverse County, all misdemeanor Domestic Violence cases and cases with similar charges filed with the court after January 1, 2019, that are stamped by the prosecutor with DV will be assigned to Judge Robert A. Cooney, jury selection and trials for odd cases will be done by Judge Robert A. Cooney while jury selection and trials for even cases will be done by Judge Michael S. Stepka, all convictions with post sentencing actions will be handled by Judge Robert A. Cooney.

Cases charged prior to January 1, 2019 and sentenced after January 1, 2019, will be sentenced by Judge Michael S. Stepka and reassigned to Judge Robert A. Cooney for any post-sentencing events.

3. In Grand Traverse County, cases that are approved for Drug Court will be assigned to Judge Robert A. Cooney. Cases charged prior to January 1, 2019 and sentenced after January 1, 2019, will be sentenced by Judge Michael S. Stepka and reassigned to Judge Robert A. Cooney for post-sentencing events.
4. In Grand Traverse County, all criminal cases and General Civil cases with even case numbers are to be assigned to Judge Michael S. Stepka, all odd numbered cases are to be assigned to Judge Robert A. Cooney.
5. In Grand Traverse County, all pending criminal cases assigned to Judge Thomas Phillips, charged before January 1, 2019 will be reassigned to Judge Michael S. Stepka.
6. In Grand Traverse County, Landlord/Tenant cases will be assigned to Judge Robert A. Cooney.
7. In Antrim County, all criminal cases and General Civil case will be assigned to Judge Robert A. Cooney and Judge Norman Hayes, with Judge Cooney getting two for every one assigned to Judge Hayes. Judge Hayes will conduct District Court cases on Thursday, Judge Cooney on Wednesday.
8. In Antrim County, Landlord Tenant cases will be assigned to Judge Robert A. Cooney.
9. In Antrim County and Grand Traverse County, all Small Claims cases are assigned to the Attorney Magistrate.
10. All Small Claims appeals shall be assigned to Judge Robert A. Cooney.
11. In Leelanau County, cases will be assigned to Judge Robert A. Cooney with court being held on Thursdays.
12. All Community Outreach Court cases will be assigned to Judge Michael S. Stepka.

When a court action arises out of the same transaction or occurrence, the court will follow MCR 8.111(D). The assignment of a judge in this situation will not result in a deviation from the rotation.

When the judge assigned to a case is unavailable as a result of vacation, illness or other reason, the other judges may take such action, including reviewing bail, granting adjournments, arraigning, accepting pleas, signing orders, et cetera, as is deemed necessary to avoid delay or inconvenience to the parties.

When Preliminary Exams are scheduled with and heard by a judge other than the one assigned to the case, upon remand, the case should be reassigned to that judge. When the Preliminary Exam is adjourned, the case should be rescheduled with the judge assigned to the case.

When a plea is taken by a judge other than the one assigned to the case, the case is reassigned to the judge taking the plea unless the case is a Treatment Court or Domestic Violence Court case. In that situation, the judge taking the plea must obtain a waiver of sentencing as part of the plea and the specialty court judge will sentence.

Cases involving co-defendants shall all be assigned to the same judge. Whichever judge is assigned the first of the co-defendant cases under the normal rotation, shall be assigned all remaining co-defendant cases.

In all cases where there are two more case files generated from one transaction; e.g., operating without insurance and DWLS, these case files shall be consolidated and assigned to the same judge and shall be treated as one case for the purpose of appointing counsel.

Any judge may preside over the mass selection of juries in all cases then awaiting jury selection, regardless of which judge is assigned to the case. The judges will alternate in presiding over jury panels.

Under no circumstances are case files to be assigned out of order in order to vary from a random assignment. Intentional manipulation of files in order to affect the choice of judge will not be tolerated.

Date:



Michael S. Stepka, Chief Judge