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REQUEST FOR INVESTIGATION OF MACOMB COUNTY CIRCUIT COURT (16th Circuit Court & Referees & Friend of the Court Operations)

05/31/2006

State Court Administrator's Office
925 W. Ottawa Street
Lansing, MI 48913

The Michigan Court Rules clearly state in MCR 3.215 that a person has 7 days to file written objections to referee recommended orders.

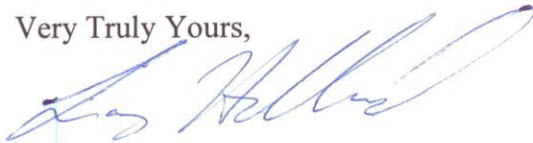
The current practice by Macomb County Circuit Court / FOC Referees are requiring litigants on Monday morning referee hearing days that litigants must file their objections by the immediate Friday following the hearing day. Advising litigants to file objections within 4 days is a clear violation of the Michigan Court Rules allowing 7 days to object, and demonstrates an undue deprivation of a pro-per litigant's right to procedural due process.

Upon review of the 16th Circuit Court Local Court Rules that are publicly available, there are no Local Rules that modify MCR 3.215 to reduce the time available for litigants to object. If there was such an LCR in place it would violate MCR 8.112(A)(1).

Upon review of the 16th Circuit Court Local Administrative Orders that are accessible through the Clerk's office there are no LOA's in place to reduce the time available for litigants to object. If there was such an LOA in place it would appear to violate MCR 8.112(B)(1).

This Request is being made pursuant to MCR 8.113 "Request for Investigation of Courts" and any additional information that you may need can be provided upon written request, including statements and witnesses from litigants that are experiencing this arbitrary reduction in available time for pro per litigants to file objections.

Very Truly Yours,



Lary Holland