

ELIZABETH A. KELLY

Policies & Procedures

Judicial Administrative Secretary: Melissa Bishop-mbishop@geneseecountymi.gov

Paralegal: Madeline Herman-mherman@geneseecountymi.gov

Court Clerk: Nichole Ruby-Nruby@geneseecountymi.gov

Phone: (810) 257-3257

Courtroom: Room 306W

Zoom ID: 9123389166

Transcript Request Line: (810) 424-4454

CD Request Link: <https://7thcircuitcourt.com/cd/>
<https://geneseecounty.payitgov.com/form/62b11b23-90cc-402d-ad4f-e9ea7031e536>

***** COURTROOM TECHNOLOGY *****

USE OF COURTROOM TECHNOLOGY MUST BE TESTED IN ADVANCE OF HEARINGS

MONDAYS HEARINGS:

8:30 a.m. - PPO Motions - in person
9:00 a.m. - Criminal Motions - in person
10:00 a.m. - Civil and Appeal Motions
1:30 p.m. - Criminal Sentencings

CIVIL PROCEDURES

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 Thursday before set motion.

ZOOM HEARINGS: Make sure to sign in with your name and the case you are appearing on.

ADJOURNMENT OF MOTIONS: Only the 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, 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 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 **provided to the law clerk no later than noon on Friday 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 submitting pleadings, 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 SIGNATURE: Please specify in the entitlement what type of Order it is, pursuant to MCR(C)(1)(d).

JUDGMENTS SUBMITTED FOR SIGNATURE: Judgments that resolve the last pending claim and close the case, or an order that disposes of the last pending claim, must state, immediately preceding the judge's signature, whether it resolves and closes the case pursuant to MCR 2.602(A)(3).

CRIMINAL PROCEDURES

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. Pleas are held in the courtroom unless Defendant is incarcerated in another County or State and agrees to participate via zoom. Pleas to a reduced charge will not 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 form **must be provided to the law clerk no later than noon on Friday prior to trial.** All motions 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 heard on Mondays at **9:00 a.m.** in person. Bond motions need to be scheduled for two weeks out to allow Genesee County Community Engagement and Justice Services time to interview and prepare their report for the hearing. Once the judge's copy of bond motion is received, the judicial office will send a request to GCCEJ.

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 **1:30 p.m.** and are scheduled by Judge Kelly. Presentence reports are available on Thursday before scheduled date. Challenges to sentencing guidelines must be submitted in writing to the judge's office and opposing party 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.

PREPARATION OF WRITS: Prejudgment proceedings - Prosecution
Post judgment proceedings - Defense