

Memo

To: Amanda Riska, All Court Clerks, Judicial Secretaries and Court Staff
From: Hon. Chad Schmucker
CC: All Judges, Jackson County Bar Association
Date: March 23, 2011
Re: Temporary coverage for Judge Schmucker's cases **(AMENDED)**

At our March 15th Judge's Meeting, the Judges agreed on the following plan for covering Judge Schmucker's cases until a replacement judge is appointed.

Civil Cases (All N, C, A, and PD cases)

Judge Wilson: Cases with an **even** file number

Judge McBain: Cases with an **odd** file number

Domestic Cases (All D, U, PP, PH, & PJ cases)

Judge Beebe: Cases with an **even** file number

Judge Rappleye: Cases with an **odd** file number

Recovery Court Cases

Judge Beebe

AMENDED FAQ:

Are the cases being reassigned to the other judges?

No, cases will remain assigned to Judge Schmucker. The individual hearing will be assigned to the covering judge. The daily schedule for Judges McBain, Wilson, Beebe, and Rappleye will include the Judge Schmucker cases that respective judge will be covering.

What if there are two related cases?

The lower case number controls. For example, if two parties have a PPO and a divorce, the case with the lower file number controls. Similarly, if there is an auto accident (NI) and a related declaratory judgment (CK), the lower case number controls.

Who will docket the correct covering Judge?

The Clerk's Office will docket the hearing as usual under Judge Schmucker's docket. Patti will go in later and change the judge to the appropriate covering judge.

Who will pull the files?

The individual hearings will already be showing on the covering Judge's docket at the time files would be pulled. The corresponding Judge's staff will pull the files as they are listed on their docket.

Who will handle calls regarding these cases?

If you are calling to schedule a hearing, you should call the temporary judge's staff to get a date that corresponds to their schedule to avoid conflicts in times and days. If you are unsure of the appropriate Judge, you can call Patti and she will transfer you to the appropriate staff member.

Does this apply to both open and closed cases?

Yes.

How long will this last?

Until a replacement judge is appointed.

Will the dates and times of scheduled hearings remain the same?

Probably not. If a civil pre-trial is scheduled during the middle of Judge McBain's sentencing, it would just result in unnecessary waiting, so the civil pre-trial will probably be adjourned to another date that fits with Judge McBain's schedule. Similarly, if a case is scheduled for a divorce trial on an afternoon when Judge Rappleye has a full schedule of abuse and neglect reviews, the divorce trial will be moved. **Again, if you are scheduling a motion, show cause, etc., please call the covering judge's staff to clear a date and time when that judge does the type of hearing you are setting.**

Who will handle the rescheduling?

Patti will be reviewing the schedule and working with the other judges and their staffs to move cases. We will try to give the parties and attorneys adequate notice of the new dates.

Who should I call to schedule a motion?

You should call the covering Judge's staff to clear a date and time that works with their schedule.

Should my motion be scheduled based on Judge Schmucker's posted schedule, or the temporarily assigned judge's schedule?

Since Judge Schmucker will not be hearing your motion and it could be many months before a new judge is appointed, in the interim all motions should be scheduled in accordance with the published scheduling times of the temporarily assigned judge.

Will anything be posted on the First Floor?

There will be a notice posted in each of Judge Schmucker's posting locations to indicate the odd / even distribution schedule and each hearing will show on the covering Judge's docket.

If you have any questions about this, please contact Court Administrator Charles Adkins (517-768-8565) or Chief Judge John McBain (517-788-4390).

Approved:

John G. McBain, Chief Judge