

Probate Docket Changes

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The Probate Court has been working on several different docket changes that will affect your daily practice. Based upon modifications made to the Family Division Plan, the Probate judges will be hearing all mental health commitment hearings. Previously, the Family Division “duty judge” would hear the Monday and Thursday morning commitment hearings as well as the Emergency Transport Orders during the day. Effective January 1st, the Family Division duty judge will continue to hear Emergency Transport Orders but only Probate judges will hear the Monday and Thursday morning commitment hearings. The schedule has been worked out so that when a Probate judge is assigned to hear the mental health commitment hearings, they will also be acting as duty judge for all matters.

Changes are being made to the Probate docket as well. Based on an increasing docket and the need to have more judicial resources hearing Probate matters, the Probate judges have reallocated the docket. Currently, except for some minor guardianship files, all decedents’ estates/trusts, adult guardianships and conservatorships, DDP’s and the majority of minor guardianships are heard by either Judge Barry M. Grant or Judge Eugene Arthur Moore. Going forward, Judge Linda Hallmark and Judge

Elizabeth Pezzetti will hear a small percentage of adult and minor guardianships and conservatorships. Further, Judge Hallmark will begin to hear a small percentage of the decedents’ estates and trusts. As of the writing of this article, the exact percentages have not been determined; however, the changes will likely begin taking place in February 2004.

Judges Hallmark and Pezzetti are also contemplating hearing their Probate motions, which would include decedents’ estates, trusts, and adult and minor conservatorships, on Thursday mornings instead of Wednesday mornings. This would assist in preparation of files as well as decreasing the number of people at the Probate counter on Wednesday mornings. We will be posting signs around the Probate counter and judges’ chambers once these changes have been finalized and approved.

The docket changes outlined above respond to the changes in our Family Division Plan as well as the recognition that the number of new decedents’ estates and guardianship matters continues to increase in Oakland County. If you have any specific questions regarding the assignment of dockets in Probate Court, please contact Jill Koney Daly or me and we’d be happy to discuss it with you. Stay tuned!