STATE OF MICHIGAN

IN THE 16TH JUDICIAL CIRCUIT COURT FOR THE COUNTY OF MACOMB

Local Administrative Order 2024-02
Rescinds Local Administrative Order 2020-01

APPOINTMENT OF DOMESTIC RELATIONS ATTORNEY REFEREE

This Administrative Order is issued in accordance with Michigan Supreme Court Administrative Order 2009-6, effective January 1, 2010. In accordance with MCL 552.507(1) and MCR 3.215(A), and upon approval of the State Court Administrative Office (SCAO),

IT IS ORDERED:

1. The Chief Judge of the 16th Judicial Circuit Court appoints Catherine Bernard-Cole as Attorney Referee. The Referee's contact information is:

Name	Catherine Bernard-Cole
Bar Number	P44205
Work Address	10 N. Main Street – 6th Floor
	Mt. Clemens, MI 48043
Phone Number	586-469-5960
E-mail Address	catherine.cole@macombgov.org

It is the responsibility of the Referee to notify the State Court Administrative Office of changes in the individual's contact information during the course of the appointment.

2. Catherine Bernard-Cole:

   A. Will serve at the pleasure of the Chief Judge of the 16th Judicial Circuit Court.
   B. Has taken the constitutional Oath of Office.
   C. Is a member, in good standing, of the State Bar of Michigan, pursuant to MCR 3.215.

3. The following types of motions may be heard initially by Domestic Relations Referees. Referee Catherine Bernard-Cole is authorized to perform the following duties pursuant to MCL 552.507(1) and MCR 3.215(A):
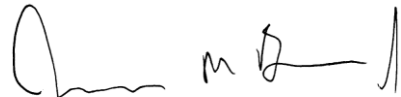
[X]   Hear all domestic relations motions.

[ ]   Hear all domestic relations motions and any ancillary (related non-domestic relations) motions that the Court determines to be related to a domestic relations case.

[ ]   Hear all domestic relations motions, with the exception of those listed below:

Exceptions:

A.
B.
C.

[ ]   The following types of domestic relations motions shall be initially heard by a Circuit Court Referee:

     A.
     B.
     C.

4. The Domestic Relations Referee is authorized to conduct the following scheduling and settlement conferences in domestic relations cases in accordance with MCR 3.215:

[X]   Scheduling conferences in domestic relations cases. The Court must review and may either approve or modify the referee's scheduling.

[X]   Settlement conferences in domestic relations cases.

5. Recommendations for certain orders by the Domestic Relations Referees shall be given interim effect pending a judicial hearing on a timely objection or pending the twenty-one (21) day waiting period as authorized by MCR 3.215(G):

[ ]   Orders establishing custody

[ ]   Orders establishing support

[ ]   Orders establishing parenting time

[ ]   Orders modifying support when custody does not change

[ ]   Orders implementing income withholding

[ ]   _____

6. If a domestic relations Referee's recommended order does not have interim effect pursuant to this Order, the Court may enter a case-specific order giving the recommended order interim effect pending the judicial hearing, unless interim effect is prohibited by MCR 3.215(G)(3).

Dated: January 16, 2024

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James M. Biernat, Jr. – Chief Judge
16th Judicial Circuit, Macomb Probate
and 42nd District Courts

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MCR 3.215 (G)(2) provides that the court may not give interim effect to a referee's recommendation for an order for incarceration, an order for forfeiture of any property, or an order imposing costs, fines or other sanctions.

MCR 3.215 (G)(3) provides that the court may not by administrative order give interim effect to a referee's recommendation for an order that falls within MCR 3.215 (G)(2), that changes a child's custody, that changes a child's domicile, or that would render subsequent judicial consideration of the matter moot.

If the court issues an administrative order that gives interim effect to a referee's recommended order, the court must notify the parties of its interim effect by including a notice, under separate heading, within the referee's recommended order. The notice should be printed in 12-point-or-larger boldface type.