

Bar panel seeks less court delay

Are Michigan courts doing everything they can to prevent delay of cases being tried? Are prosecutors and defense lawyers too often successful in creating extended delays to suit their clients?

A State Bar of Michigan committee says the Michigan Supreme Court should establish new caseload management standards for judges.

Chaired by Oakland Circuit Judge Fred M. Mester, the committee pro-

posed a set of standards by the 150-member Representative Assembly of the State Bar.

The committee proposes the Supreme Court mandate, through court rules, that judges assume specific responsibility for supervising and controlling movement of all court cases from the date of filing of charges to final disposition.

New court rules would ensure that trials start on time with adequate ad-

vance notice and that a firm, consistent policy of minimizing delays would be set.

AMONG TIME standards are:

- 90 percent of all civil cases should be tried, settled or concluded within 12 months of the date of case filing; another 8 percent within 18 months; and the remaining 2 percent within 24 months.

- Summary hearing procedures such as small claims, landlord-tenant and replevin actions should be concluded within 30 days of filing.

- No-children divorce cases should be concluded within three months in 90 percent of all such cases; divorces of couples with children should be concluded within seven months in 90 percent of all cases.

- 90 percent of all paternity cases should be concluded within seven months of filing.

- All child custody issues should be

concluded within three months of case filing.

IN CRIMINAL cases, the committee recommends:

- 90 percent of all felony cases should be concluded within 120 days from the date of arrest.

- 90 percent of all misdemeanors, infractions and other non-felony cases should be concluded within 30 days from date of arrest or citation and 100 percent within 90 days of arrest or citation.

- Persons detained should have a determination of custodial status or bail set within 24 hours of arrest.

The proposal also sets time limits in juvenile delinquency, neglect, abuse and a variety of other cases.

Time limits are also recommended for dispositions of appeals of judgments.



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High court faster in '85

Michigan's Supreme Court said it took less time to decide its cases during 1985 than in any year during the last decade.

Speaking at a meeting of the State Bar of Michigan in Lansing, Chief Justice W. C. Mennen Williams said the Supreme Court took an average of 7 1/2 months to reach a decision on all of its 1985 cases after hearing oral arguments presented by attorneys in each case.

1984), the time between arguments and decisions has averaged about 12 months," Williams said. "In 1985, that average was reduced by more than four months."

"After all, we plan to adopt time standards for trial courts later this year in an effort to reduce delay in courts throughout the state so we should make every effort to set a good example for all of the state's courts by processing our cases in a timely manner."

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