

Effective Date: January 1, 2001

The purpose of this administrative order is to confirm the procedure for the selection of case evaluators and case evaluation panels in accordance with MCR 2.404. This order rescinds LAO 1997-7D.

A. CASE EVALUATION PLANS:

The court designates the local bar Case Evaluation Committee, which is appointed by the court under local administrative order, as the body responsible for the recruitment, training, approval and removal of circuit level evaluators in the Washtenaw County Trial Court.

B. LISTS OF EVALUATORS:

1. Case Evaluator Application:

The Case Evaluation Committee shall establish and provide to the Case Evaluation Office a list of qualified evaluators. The court has modified MC 34, Case Evaluator Application, and it is appended to this Administrative Order.

2. Case Evaluator Eligibility:

Applicants must meet the eligibility requirements established in the Case Evaluator Appointment Plan that is also appended to this Administrative Order.

3. Review of Applications:

The Committee shall review applications and qualify evaluators based upon the appended Case Evaluator Appointment Plan, which outlines the specific eligibility requirements for evaluators and the procedures established for approval by the Case Evaluation Committee.

4. Specialized Lists:

The list of qualified evaluators shall be divided into three panels: negligence, employment and commercial. The negligence and employment panels will have three categories of attorneys. Those categories are:

- a. Attorneys who primarily represent plaintiffs.
- b. Attorneys who primarily represent defendants.
- c. Attorneys who represent both plaintiffs and defendants.

5. **Term of Placement on the List:**

Evaluators are placed on the list for at a period of time between one and five years, as determined by the Case Evaluation Committee at the time of appointment. The Case Evaluation Committee shall update the list of evaluators at least annually.

6. **Removal from List:**

The Case Evaluator Appointment Plan governs removal of an evaluator from the list.

7. **Orientation and Training:**

Orientation and training are the responsibility of the Case Evaluation Committee. The Central Scheduling Coordinator in the Central Assignment Office distributes materials regarding the case evaluation process in Washtenaw County.

C. **ASSIGNMENT TO PANELS:**

The Central Scheduling Coordinator shall select evaluators for panels in accordance with their qualifications. The Central Scheduling Coordinator shall maintain two identical lists of approved evaluators. Evaluators shall be selected as follows:

1. The first list shall be used to select evaluators to sit on scheduled panels in the order in which they appear on the list. Upon timely notification by an evaluator that he or she cannot serve on the date assigned, the Central Scheduling Coordinator will select the next name on the list. The evaluator originally selected will then be put back into the rotation.
2. The second list shall be used to select evaluators to act as alternates on specific case evaluations or as substitutes for previously selected evaluators who do not provide timely notice of the inability to serve.
3. Evaluators shall be selected in a rotating manner to ensure that all evaluators on each list are assigned approximately the same number of cases over a period of time.

The Central Scheduling Coordinator shall keep a record of the selection process for review by the Case Evaluation Committee or the court. Records shall be kept in accordance with the Supreme Court's recommended record retention schedule.

Date

Timothy P. Connors, Chief Judge