

Theodore A. Golden, M.D.
1746 Bellwood Court
Bloomfield Hills, MI 48302
(248)626-2252

March 28, 2004

Honorable Wendy Potts
Chief Judge of the Sixth Circuit Court
1200 N. Telegraph Road
Pontiac, MI 48341

Dear Judge Potts:

In am enclosing copies of several papers that I have written concerning the administration of justice in the Sixth Circuit Court, and the conduct of two attorneys who practice in the Court. I am mainly writing to you about a complaint that I have concerning Local Court Rule: 2.119 Motion Practice.

LOCAL COURT RULE: 2.119 MOTION PRACTICE

One of several complaints that I filed against Randi P. Glanz, Esq., see letter to Attorney Grievance Commission dated March 10, 2004, was that she was late to court sessions on more than one occasion. This was always on Wednesday mornings, motions day. I had to wait an extra three hours on Wednesday, May 23, 2001, because of Mrs. Glanz. Her tardiness resulted in my attorney charging me unnecessary legal fees for the wait, and being late to mediation that same afternoon.

While waiting for Mrs. Glanz I noticed attorneys waiting in the hall. I was naive about the court system. I asked them why they had not made an appointment to see the judge with their client. They were shocked at my question. "No, the system has never run on appointments, and it never will." They were not happy having to wait. I asked them if they ever tried to change the system, and have motion hearings scheduled by appointment. No initiative to change the system. Every Wednesday these unhappy attorneys wait in the halls of justice. Where is the professionalism in wandering the halls? Are they charging their clients for the wasted time?

Mrs. Glanz was guilty of attorney misconduct for being extremely late to court. She violated court rules. But, she was also a victim of Rule: 2.119. Perhaps, she would have been on time if the motion hearing was scheduled by appointment.

In my profession, medicine, patients get angry when they have to wait too long. I ask new patients why they decided to switch physicians. Frequently, the response is, "I had to wait too long at the doctor's office." Unfortunately, Oakland County residents and their attorneys do not have the option to switch courts.

When I was a resident at a local hospital I rotated through a clinic that had a captive group of chronically ill debilitated patients. The clinic's personnel were lazy and indifferent when it came to patient scheduling. First come first serve was the policy. It was wrong. I immediately made the clinic more professional, and gave the patients the dignity and respect that they deserved. Patients were scheduled by appointment. The patients were pleased that they had a scheduled appointment. Most of the time they did not have to wait as long. It was the right and proper thing to do.

Is there a good reason why motions and petitions heard on Wednesday mornings cannot be scheduled by appointment? Take some initiative. Make Wednesday mornings by appointment only. Change Rule: 2.119 to appointment only if your judges are unwilling to make the change.

One article concerning the newly appointed judge to your court indicates that incumbent Sixth Circuit Court judges always win when running for re-election. Would Wednesday morning scheduling practices change voter sentiment?

MCR 3.216 DOMESTIC RELATIONS MEDIATION

MCR 3.216(B) Mediation Plan states that parties are to be provided information about mediation in the family division as soon as reasonably practical. This rule was issued in August, 2000. The Sixth Circuit Court has not yet complied with this rule. Please, see my enclosed paper PROPOSED CHANGES CONCERNING MCR 3.216 DOMESTIC RELATIONS MEDIATION for more information concerning why I feel that it is important for this provision to be enacted immediately.

I would like to acknowledge that Diane E. Castle-Kratz, Caseflow / ADR Supervisor, was very helpful in providing me with information during the research phase in preparing the paper. She suggested that I should write to you. I am sending the paper to the Michigan Supreme Court.

Hopefully, my complaints about LOCAL COURT RULE: 2.119 MOTION PRACTICE, MCR 3.216 DOMESTIC RELATIONS MEDIATION, and the conduct of two of it's attorneys will improve the administration of justice in the Sixth Circuit Court.

I would appreciate an acknowledgment concerning receipt of this letter. Please, feel free to communicate with me concerning the above.

Respectfully submitted,

Theodore A. Golden, M.D.

Enclosures

cc Michigan Supreme Court