

JON A. VAN ALLSBURG  
CHIEF CIRCUIT JUDGE – FAMILY DIVISION

JON HULSING  
CIRCUIT JUDGE – TRIAL DIVISION

KENT D. ENGLE  
CIRCUIT JUDGE – FAMILY DIVISION

KAREN J. MIEDEMA  
CIRCUIT JUDGE – TRIAL DIVISION

MARK A. FEYEN  
CHIEF PROBATE JUDGE – FAMILY DIVISION

STATE OF MICHIGAN



TWENTIETH JUDICIAL CIRCUIT COURT  
OTTAWA COUNTY

KEVIN J. BOWLING, JD  
CIRCUIT COURT ADMINISTRATOR

Local Administrative Order  
20<sup>th</sup> Circuit Court 2019-0\_\_

**PLAN FOR THE CREATION OF A SPECIALIZED BUSINESS COURT**

Rev. 7/19

Rescinds LAO C20 2013-03

**IT IS ORDERED:**

This local administrative order is issued in accordance with MCL 600.8031 *et seq.* It establishes a plan for a specialized business court in the 20<sup>th</sup> Circuit Court, Ottawa County, for the purposes outlined in MCL 600.8033(3). The business court has jurisdiction over business and commercial disputes as defined in MCL 600.8031(1)(c) in which the amount in controversy exceeds \$25,000.

1. **Judicial Resources/Services:**

Chief Judge Jon A. Van Allsburg has been appointed by the Michigan Supreme Court as a business court judge. His term expires on April 1, 2025. This appointment will be reviewed annually to evaluate performance and relative caseloads within the 20<sup>th</sup> Circuit Court.

2. **Cases Eligible for Assignment to the Business Court:**

- a. Cases eligible to be assigned to the business court are identified in MCL 600.8031(2). They are defined as business or commercial disputes, and include any of the following:
  - i. Cases in which all of the parties are business enterprises.
  - ii. Cases in which one or more of the parties is a business enterprise and the other parties are its or their present or former owners, managers, shareholders, members, directors, officers, agents, employees, suppliers, or competitors, and the claims arise out of those relationships.
  - iii. Cases in which one of the parties is a nonprofit organization and the claims arise out of that party's organizational structure, governance, or finances.
  - iv. Cases involving the sale, merger, purchase, combination, dissolution, liquidation, organizational structure, governance, or finances of a business enterprise.

- b. Business or commercial disputes also include, but are not limited to, the following types of cases:
  - i. Cases involving information technology, software, or website development, maintenance, or hosting.
  - ii. Cases involving the internal organization of business entities and the rights or obligations of shareholders, partners, members, owners, officers, directors, or managers.
  - iii. Cases arising out of contractual agreements or other business dealings, including licensing, trade secret, intellectual property, antitrust, securities, noncompete, nonsolicitation, and confidentiality agreements if all available administrative remedies are completely exhausted, including, but not limited to, alternative dispute resolution processes prescribed in the agreements.
  - iv. Cases arising out of commercial transactions, including commercial bank transactions.
  - v. Cases arising out of business or commercial insurance policies.
  - vi. Cases involving commercial real property.
  
- c. Business or commercial disputes expressly exclude the following types of actions.
  - i. Personal injury actions including, but not limited to, wrongful death and malpractice actions.
  - ii. Product liability actions in which any claimant is an individual.
  - iii. Matters within the jurisdiction of the family division of circuit court.
  - iv. Proceedings under the probate code of 1939, 1939 PA 288, MCL 710.21 to 712A.32.
  - v. Proceedings under the estates and protected individuals code, 1998 PA 386, MCL 700.1101 to 700.8206.
  - vi. Criminal matters.
  - vii. Condemnation matters.
  - viii. Appeals from lower courts or any administrative agency.
  - ix. Proceedings to enforce judgments of any kind.
  - x. Landlord-tenant matters involving only residential property.
  - xi. Land contract or mortgage foreclosure matters involving residential property.
  - xii. Motor vehicle insurance coverage under the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, except where 2 or more parties to the action are insurers as that term is defined under section 106 of the insurance code of 1956, 1956 PA 218, MCL 500.106.
  - xiii. Insurance coverage disputes in which an insured or an alleged insured is an individual consumer.
  - xiv. Employment discrimination.
  - xv. Civil rights including, but not limited to, an action brought under any of the following:
    - 1. The Elliott-Larsen civil rights act, 1976 PA 453, MCL 37.2101 to 37.2804.
    - 2. The persons with disabilities civil rights act, 1976 PA 220, MCL 37.1101 to 37.1607.
    - 3. Chapter XXI of the Michigan penal code, 1931 PA 328, MCL 750.146 to 750.148.