



## STATE OF MICHIGAN

PROBATE/FAMILY COURT  
CASS COUNTY, MICHIGAN

HONORABLE CAROL MONTAVON BEALOR  
Judge, Cass County Probate Court  
Chief Judge, Cass County Courts

LAW & COURTS BUILDING  
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### **POLICY REGARDING ATTORNEY APPOINTMENTS FOR NEGLECT/ABUSE AND PROBATE CASES**

This policy is adopted to outline the process the Court will follow for the appointment of attorneys to Neglect/Abuse and Probate cases where parties are entitled to a court appointed attorney.

Court appointed attorney requests for Neglect/Abuse and Probate cases should be processed as follows:

1. The Circuit/Probate/Family Court Administrator will maintain and update a list of attorneys willing to accept appointments for Neglect/Abuse and/or Probate cases from the Cass County Family/Probate Court.
2. This list will be made accessible to court staff responsible for processing court appointed attorney requests for Neglect/Abuse and Probate cases.
3. Attorneys who are licensed to practice law in the State of Michigan and who are in good standing are eligible to be added to this list.
4. If there are specific training requirements for any appointment, attorneys must meet those requirements before being appointed to a case requiring any such training (i.e., GAL training).
5. The attorney list will indicate what types of cases each attorney is willing to be appointed to if the attorney has indicated a preference or limitation on appointments.
6. Attorneys will be listed on the rotational list alphabetically by last name.
7. The list shall include two parts: (1) a list of attorneys willing to be appointed, and (2) a separate list of current appointments for the year.
8. When an appointment is requested, court staff processing the appointment request will review the list of current appointments for the year and who was last appointed.

9. Staff will contact the next attorney alphabetically on the rotational list after the last attorney appointed to see if they are willing to accept the appointment, excepting conflicts due to issues like prior appointments on the case, appointments for other parties on the same case, etc.
10. When attorneys are contacted, they will be advised that they are the next attorney alphabetically on the rotational list and that the Court needs to know if they will accept an appointment and if not, then the Court will move on to the next attorney alphabetically on the rotational list.
11. If the next attorney on the list indicates that they will not accept the type of case that the appointment request is for, staff will move to the next attorney on the list.
12. If an attorney is conflicted out, declines an appointment, is skipped due to an appointment limitation indicated by the attorney, or staff are not able to timely get ahold of the next attorney, a note will be made of the attorney(s) skipped on the appointment list and those attorneys will be contacted in alphabetical order for the next appointment request before proceeding to those attorneys alphabetically listed after the appointed attorney.
13. When a Court appointed attorney is allowed to withdraw by the Court, then the process herein shall be utilized to appoint substitute counsel.
14. If an attorney accepts an appointment from the Court and has a conflict with a scheduled hearing date, he/she shall find another attorney to cover the scheduled hearing date.
15. In the event of the need to re-appoint attorneys on a case, prior attorneys who served on the case shall be contacted first to see if those attorneys can serve for efficiency and continuity; in the event such attorneys cannot serve, then attorneys will be appointed in conformity with the process set forth herein.
16. The list will be reviewed annually in December and an email sent to all attorneys on the list to confirm their contact information and that they would like to remain on the appointment rotation list.
17. When attorneys are appointed to a case, they will be provided electronic copies of relevant case filings and instructions related to billing for the cases. Paper copies of filings can be provided if requested.
18. Attorneys appointed to Neglect/Abuse Cases shall submit their invoices for the case to the Juvenile Register/Financial Officer in the Juvenile/Probation Department within 30

days of service; otherwise, those invoices shall not be paid absent good cause approved by the Chief Judge.

19. Attorneys appointed to Probate cases shall submit their invoices for the case to the Probate Register within 30 days of service; otherwise, those invoices shall not be paid absent good cause approved by the Chief Judge.
20. Vendors are paid every two weeks with invoices due the Thursday a week before the payment date.



Effective 7/1/22

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CAROL MONTAVON BEALOR, CHIEF JUDGE

DATE