

Delay in Matters Submitted (DMS) System Q & A

Who is required to submit a DMS report?

All trial court judges are required to submit DMS reports. A staff person can be assigned as an authorized user to enter the DMS reports on behalf of the judge. Contact the Data Project Coordinator at 517-373-5538 or SCAO_App_Info@courts.mi.gov to request an authorized user form, which must be signed by the judge.

The person normally responsible for submitting the DMS report is no longer with the court. Should I notify SCAO?

Yes. Please contact the Data Projects Coordinator at 517-373-5538 or SCAO_App_Info@courts.mi.gov to remove him or her from MCAP and from SCAO's database.

When are the quarterly DMS reports due?

DMS reports are due to the chief judge on the first business day of January, April, July, and October of each year. A report may be printed from DMS for submission to the chief judge. DMS reports are due to SCAO through MCAP no later than 7 days after the first business day of January, April, July, and October.

Does the chief judge automatically receive a copy of the verified report?

No. The authorized user should provide the chief judge with a printed copy of the report.

When can I enter matters into DMS?

DMS is available for data entry throughout the entire year. Information about matters can be entered in DMS when the matter is submitted to the judge. Decision dates can be entered at the time the decision is rendered.

When do I have to verify the quarterly report?

Verification should be submitted through MCAP no later than 7 days after the first business day of January, April, July, and October. Verification cannot be submitted until the quarter is over.

What types of matters should be included in the DMS report?

A "matter" is any issue submitted to a judge requiring a decision, such as a pretrial motion, postjudgment motion, plea under advisement pursuant to MCR 6.302(F) or MCR 3.941(D), post-judgment request for transcripts/records made pursuant to MCR 6.433, and requests for appointment of counsel made pursuant to MCR 6.425, etc.

Which matters should be included in the DMS report?

All matters submitted to the judge for which a decision on that matter has been delayed by 56 days or more shall be included. Both decided and pending matters shall be included. Include matters from another court to which the judge has been assigned and all matters under consideration by referees.

I have no matters that exceeded 56 days. Must I submit a report through DMS?

Yes. All trial court judges shall submit a report through DMS whether or not there are any matters to report. If there are no matters to report, go directly to the verification screen, select the judge's name, and check the box indicating there are no matters to report. Then select the chief judge or judges who received a copy of the report and click verify.

Are referees required to submit a report?

Any matter under consideration by a referee shall be reported on a trial judge's report, if the matter meets the criteria for inclusion.

My case management system has a report of pending matters. Can I use this to complete the DMS report?

If the report includes both decided and pending matters that have aged 56 days since submission using the appropriate date to start aging the matter and it provides a reason for delay, it may be a complete source of information for DMS.

Is a reason for delay required for all matters?

No. A reason for delay is only required for matters exceeding 56 days that were decided during the quarter.

When does a matter start to age for the DMS report?

Matters begin to age when the last argument or presentation in the matter is made or when the time allowed for filing the last brief or production of transcripts expires. The date the matter begins to age should be entered into DMS as the Date Matter Submitted.

Why does the verification screen have more than one chief judge?

Some judges are assigned from a probate court or district court to the family division of the circuit court. The regional administrator may instruct judges to submit their DMS reports to either the chief judge of the court to which they were elected and/or the chief judge of the court to which they are assigned.

I am a chief judge. Do I have to verify that I submitted a DMS report to myself?

MCR 8.107(B) requires that "every trial judge shall file a certified statement with the chief judge..." DMS was developed following the court rule and verification is required.

After I verify a report, can I make changes to the report?

Once a quarterly report is verified, it is locked and further editing is prevented. Contact your regional office if you need to modify a verified report.

Does DMS save the pending matters from last quarter?

Yes. Any matter entered into DMS that exceeds 56 days that does not yet have a decision date will automatically appear on the quarterly report. It is important for users to review the pending matters and enter any decision dates before verifying each report.

Which court rule applies to the Delay in Matters Submitted to Judge Report?

MCR 8.107

If a matter is decided on the 56th day after submission, should I include it on my DMS report?

No, if a matter is decided on the 56th day after submission it should not be included on your DMS report. It is important to note that the day a matter is submitted does not count as the 1st day; instead the day after the matter was submitted is counted as the 1st day.

Who do I contact for additional help?

The fastest way to receive help is to submit a question to the MCAP Help Desk, located on the Utilities menu. You may contact your regional office, particularly if you have questions about which matters to report, which chief judge to select, or how to modify a verified report. Finally, you may also contact the Data Projects Coordinator at 517-373-5538 or [SCAO App Info@courts.mi.gov](mailto:SCAO_App_Info@courts.mi.gov).