

Public Policy Position**ADM File No. 2022-05: Proposed Amendments of Rules 3.977, 3.993, 7.311, and 7.316**

The Appellate Practice Section is a voluntary membership section of the State Bar of Michigan, comprised of 822 members. The Appellate Practice Section is not the State Bar of Michigan and the position expressed herein is that of the Appellate Practice Section only and not the State Bar of Michigan. The State Bar's position on this item is to support ADM File No. 2022-05.

The Appellate Practice Section has a public policy decision-making body with 22 members. On December 16, 2022, the Section adopted its position after a discussion and vote at a scheduled meeting. 17 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 5 members did not vote.

Support with Recommended Amendments**Explanation**

The Appellate Practice Section supports the proposal and suggests consideration be given to a fifth option under proposed MCR 7.306(D) consisting of a remand to the trial court for an evidentiary hearing.

Contact Person: Joseph Richotte

Email: richotte@butzel.com