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Comment:

I support the new amendment. The automatic stay and immediate appeal rule has been abused for far too long by governmental entities. It has become common practice for certain entities to file baseless motions for summary disposition, followed by immediate appeals, that end up staying cases for 18 months to 2 years. As one example, Lawrence v City of Detroit (MCA No. 332934), where a baseless motion, filed in April of 2016, did not get back to the circuit court until after the MSC denied leave in May of 2018. At the MCA hearing, the panel literally laughed at the defense arguments, and published an opinion affirming the trial court's denial of the motion.

Governmental entities with meritorious arguments that require immediate consideration can be served just as well by the regular process of applying for leave. The current rule is unfair to litigants opposing the government, and it also clogs up our overburdened Courts.

It is long past time that this rule is reversed.