

Order

Michigan Supreme Court
Lansing, Michigan

March 20, 2024

Elizabeth T. Clement,
Chief Justice

ADM File No. 2020-08

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Megan K. Cavanagh
Elizabeth M. Welch
Kyra H. Bolden,
Justices

Rescission of Administrative
Order No. 2020-17 and
Amendment of Rule 4.201
of the Michigan Court Rules

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, Administrative Order No. 2020-17 is rescinded and the following amendment of Rule 4.201 of the Michigan Court Rules is adopted, effective May 1, 2024.

[Additions to the text are indicated in underlining and
deleted text is shown by strikeover.]

Rule 4.201 Summary Proceedings to Recover Possession of Premises

(A)-(B) [Unchanged.]

(C) Summons.

(1) The summons must comply with MCR 2.102, except that it must command the defendant to appear for trial in accord with MCL 600.5735(2), unless by local court rule the provisions of MCL 600.5735(4) have been made applicable. If a court adopts a local court rule under MCL 600.5735(4), both of the following apply:

(a) Pursuant to subrule (G)(1)(b), the defendant must be allowed to appear and orally answer the complaint on the date and time indicated by the summons.

(b) The court must abide by the remaining requirements of this rule.

(2)-(3) [Unchanged.]

(D)-(P) [Unchanged.]

Staff Comment (ADM File No. 2020-08): The rescission of AO 2020-17 reflects the Court's review of the public comments received in this same ADM file regarding prior amendments of MCR 4.201. The amendment of MCR 4.201 derives from AO 2020-17 and ensures that courts with a local court rule under MCL 600.5735(4) implement their local court rule in accordance with the other provisions of MCR 4.201, including the requirement that a defendant be allowed to appear and orally answer the complaint.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 20, 2024

A handwritten signature in black ink, appearing to read "Larry S. Royster", written over a horizontal line.

Clerk