

Order

Michigan Supreme Court
Lansing, Michigan

March 18, 2026

Megan K. Cavanagh,
Chief Justice

ADM File No. 2024-02

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

Amendment of Rule
7.215 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, the following amendment of Rule 7.215 of the Michigan Court Rules is adopted, effective May 1, 2026.

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

Rule 7.215 Opinions, Orders, Judgments, and Final Process for Court of Appeals

(A)-(G) [Unchanged.]

(H) Certain Dispositive Orders and Opinions ~~in Criminal Cases;~~

(1) [Numbered but otherwise unchanged.]

(2) Remand With Retained Jurisdiction. If the Court of Appeals remands a case to the trial court and retains jurisdiction, the Court of Appeals will review the decisions made by the trial court during the remand proceedings and consider any remaining issues in the appeal in the same Court of Appeals case. The parties and the trial court must not initiate a new appeal from an order entered on remand within the scope of this appeal.

Unless the Court of Appeals states a different time, the appellant must:

- (a) initiate the proceedings in the trial court within 21 days of the Court's opinion by filing an appropriate motion in the trial court.
- (b) file with the Court of Appeals all orders entered on remand within 14 days of entry by the trial court.
- (c) ensure the transcripts of all proceedings on remand are filed in the trial

court and the Court of Appeals within 21 days after completion of the proceedings.

The appellant may file a supplemental brief addressing issues resulting from the remand proceedings within 21 days after the trial court's decision or after the filing of the transcript of the remand proceedings in the trial court, whichever is later. If the appellant does not file a supplemental brief, the appellee may file a supplemental brief within 21 days after appellant's time for filing has run. A responsive brief may be filed within 14 days of service of the supplemental brief.

The parties may request oral argument in their supplemental briefs. The Court of Appeals retains discretion to grant or deny requests for oral argument.

(I)-(J) [Unchanged.]

Staff Comment (ADM File No. 2024-02): The amendment of MCR 7.215 sets out procedures for facilitating cases on remand from the Court of Appeals and clarifies that the parties are afforded the right to supplemental briefing in the Court of Appeals after remand and the opportunity to request oral argument.

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, Elizabeth Kingston-Miller, 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 18, 2026

Handwritten signature of Elizabeth Kingston-Miller in black ink, written over a horizontal line.
Clerk