

Name: National Lawyers Guild, Detroit and Michigan Chapter

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Comment:

The National Lawyers Guild, Detroit and Michigan chapter (NLG), supports the proposed amendments to MCR 7.202 and 7.209.

The principle of equal protection under the law is a fundamental tenet of our justice system. However, under the current rules, plaintiffs in civil rights cases are at a disadvantage because they do not share the automatic appeal rights that government defendants enjoy. This not only delays their legitimate assertion of civil rights and relief from violation of those rights, but it also automatically delays their cases by rules which require higher courts to hear governmental appeals regardless of their merits. This imbalance in appeal rights is both unjust and unnecessary.

Moreover, the requirement to hear such appeals places a significant burden on the courts, not only in terms of resources but also in terms of delayed justice for other parties. This disadvantage affects not only the plaintiffs in these cases but all other parties having business before higher courts whose cases must be delayed due to the increased docket size.

Government defendants should not enjoy a greater right to appeal than individuals seeking relief for the denial of civil rights. The NLG strongly supports the adoption of the proposed amendments to restore the balance of equal justice in civil rights cases. We endorse the thorough analysis of the legal precedents and implications of these amendments, as presented in the comments by the American Civil Liberties Union of Michigan (ACLU) and the Michigan Association of Justice (MAJ).

In conclusion, we urge the court to adopt the proposed amendments and thus to ensure equal protection for all parties in our justice system.

Respectfully submitted,

Naomi Zikmund-Fisher, Secretary

On behalf of the Board

National Lawyers Guild, Detroit and Michigan Chapter