

Order

**Michigan Supreme Court
Lansing, Michigan**

September 10, 2026

Megan K. Cavanagh,
Chief Justice

ADM File No. 2026-11

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

Proposed Amendment of
Rule 2.107 of the Michigan
Court Rules

On order of the Court, this is to advise that the Court is considering an amendment of Rule 2.107 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the [Public Administrative Hearings](#) page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

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

Rule 2.107 Service and Filing of Pleadings and Other Documents

(A)-(B) [Unchanged.]

(C) Manner of Service. Except under MCR 1.109(G)(6)(a), service of a copy of a document on an attorney must be made by delivery or by mailing to the attorney at his or her last known business address or, if the attorney does not have a business address, then to his or her last known residence address. Except under MCR 1.109(G)(6)(a), service on a party must be made by delivery or by mailing to the party at the address stated in the party's pleadings.

(1)-(2) [Unchanged.]

(3) Mailing. Mailing a copy under this rule means enclosing it in a sealed envelope with first class postage fully prepaid, addressed to the person to be served, and depositing the envelope and its contents in the United States mail. Service by mail is complete at the time of mailing, regardless of the date of postal processing or the postmark applied by the United States Postal Service. A postmark is evidence of the mailing date, but it is not conclusive.

Other evidence may establish the date the envelope and its contents were deposited in the United States mail, including but not limited to:

- (a) a Postage Validation Imprint (PVI),
- (b) certificate of mailing,
- (c) certified mail receipt, or
- (d) sworn statement attesting to the date of mailing.

(4) [Unchanged.]

(D)-(G) [Unchanged.]

Staff Comment (ADM File No. 2026-11): In response to the updated definition of *postmark* by the United States Postal Service, the proposed amendment of MCR 2.107 would clarify that service is complete at the time of mailing regardless of the postmark applied and provide other types of evidence that can be introduced as evidence of the mailing date.

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.

A copy of this order will be provided to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Written comments on this proposal may be submitted by **January 1, 2027**.

The Court asks commenters to submit written comments via the Court's website to the extent possible. **To submit a comment via the Court's website**, click on the "Comment on 2026-11" button under this proposal on the [Court's Proposed & Adopted Orders on Administrative Matters](#) webpage. The Court also accepts comments by email. **To submit a comment by email**, please attach a Microsoft Word document to your email and send to ADMcomment@courts.mi.gov and refer to ADM File No. 2026-11. If you are unable to submit a written comment online or by email, the Court will accept comments during the written comment period mailed to P.O. Box 30052, Lansing, MI 48909. For more information on submitting public comments regarding Michigan Supreme Court rule proposals, see the [Public Comments on Court Rule Proposals](#) webpage.

Written comments may be posted on the One Court of Justice website under the chapter(s) affected by this proposal.



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.

September 10, 2026

Elizabeth Kingston-Miller
Clerk