

Order

Michigan Supreme Court
Lansing, Michigan

October 1, 2025

Megan K. Cavanagh,
Chief Justice

ADM File No. 2022-34

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

Proposed Amendment of
Rule 3.992 of the Michigan
Court Rules

On order of the Court, this is to advise that the Court is considering an amendment of Rule 3.992 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 3.992 Rehearings; New Trial

- (A) ~~Time and Grounds~~. Except for the case of a juvenile tried as an adult in the family division of the circuit court for a criminal offense, and except for a case in which parental rights are terminated, a party may seek a rehearing or new trial by filing a written motion stating the basis for the relief sought within 21 days after the date of the order resulting from the hearing or trial. In a case that involves termination of parental rights, a motion for new trial, rehearing, reconsideration, or other postjudgment relief shall be filed within 14 days after the date of the order terminating parental rights. The court may entertain an untimely motion for good cause shown.
- (B) Grounds. Except for a motion that seeks relief from an order entered pursuant to MCR 3.991(A)(3), ~~a~~A motion will not be considered unless it presents a matter not previously presented to the court, or presented, but not previously considered by the court, which, if true, would cause the court to reconsider the case. A motion that seeks relief from an order entered pursuant to MCR 3.991(A)(3) must be considered.

(B)-(F) [Relettered (C)-(G) but otherwise unchanged.]

Staff Comment (ADM File No. 2022-34): The proposed amendment of MCR 3.992 would require courts to consider a motion for postjudgment relief when the underlying order was entered following a referee’s recommendation and before the time for filing for judicial review under MCR 3.991 has elapsed. See MCR 3.991(A)(3).

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 given 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. Comments on the proposal may be submitted by February 1, 2026 by clicking on the “Comment on this Proposal” link under this proposal on the [Court’s Proposed & Adopted Orders on Administrative Matters](#) page. You may also submit a comment in writing at P.O. Box 30052, Lansing, MI 48909 or via email at ADMcomment@courts.mi.gov. When submitting a comment, please refer to ADM File No. 2022-34. Your comments and the comments of others will be posted under the chapter 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.

October 1, 2025

A handwritten signature in black ink, appearing to read "Elizabeth Kingston-Miller".
Clerk