

Order

Michigan Supreme Court
Lansing, Michigan

October 22, 2025

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

Proposed Amendment of
Rule 7.215 of the Michigan
Court Rules

On order of the Court, this is to advise that the Court is considering an amendment of Rule 7.215 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 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.

- (b) file with the Court of Appeals all orders entered on remand within seven 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.

In a criminal or termination of parental rights case, 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.

In all other cases, the parties may move for leave to file supplemental briefs after the proceedings on remand have concluded.

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 proposed amendment of MCR 7.215 would clarify that in cases where the Court of Appeals remands a case to the trial court, the Court of Appeals will review the decisions made on remand, and in criminal and termination of parental rights cases, the parties are afforded the right to supplemental briefing.

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. 2024-02. 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 22, 2025

Elizabeth Kingston-Miller
Clerk