Name: Rae Lynn Iaquinto

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Comment:
I am opposed to the proposed amendments to Michigan Court Rule 4.201 – Procedures utilized to address a once-in-a-hundred-years pandemic should not be made permanent. COVID-19 was a unique situation and required extraordinary measures. To make permanent the rules of justice designed to assist a public health crisis is neither appropriate nor does it further fair and efficient administration of justice.
The proposal to require personal service of process before a default judgement can be entered will further delay the court process. When you consider a defendant has already been provided with a written notice from the property owner, and the court has mailed the defendant a notice to appear, this proposal is completely unnecessary and does not advance the goal of ensuring the parties proper review of their claims.
The proposed rule change to require adjournment of the trial for at least 7 days infringes upon state law – specifically MCL 600.5735(2) – which requires landlord-tenant cases be set for trial no more than 10 days after summons.
The current proposal treats termination of tenancy cases the same as non-payment of rent cases. This change would further delay court proceedings and add an administrative burden to already overburdened court administrative staff. Michigan Law separates these two types of cases for good reason and court rules should not attempt to change that.
Adding a 30-day stay of proceedings related to rental assistance application is simply unconstitutional. State law provides for recovery of possession due to non-payment, and this requirement intrudes upon that pathway.