

Order

Michigan Supreme Court
Lansing, Michigan

November 16, 2022

Bridget M. McCormack,
Chief Justice

ADM File No. 2022-09

Amendment of Rule
3.703 of the Michigan
Court Rules

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment having been provided, and consideration having been given to the comments received, the following amendment of Rule 3.703 of the Michigan Court Rules is adopted, effective January 1, 2023.

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

Rule 3.703 Commencing a Personal Protection Action

(A) Filing. A personal protection action is an independent action commenced by filing a petition with a court. Where e-filing is implemented, a partially-completed personal protection order must be prepared on a form approved by the State Court Administrative Office and submitted at the same time as the petition. The petitioner, or an individual who is assisting the petitioner under MCL 600.2950b(4), shall complete in the form only the case caption and the known fields with identifying information, including protected personal identifying information of the respondent; however, at a minimum the race, sex, and date of birth or age of the respondent must be provided for LEIN entry. The personal identifying information form required by MCR 1.109(D)(9)(b)(iii) shall not be filed under this rule. There are no fees for filing a personal protection action, and no summons is issued. A personal protection action may not be commenced by filing a motion in an existing case or by joining a claim to an action.

(B)-(G) [Unchanged.]

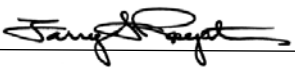
Staff comment (ADM File No. 2022-09): The amendment of MCR 3.703 is necessary for design and implementation of the statewide electronic-filing system. This amendment provides the court with necessary protected personal identifying information in an appropriate format and reduces workload preparing personal protection orders.

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.



I, Larry S. Royster, 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.

November 16, 2022


Clerk