

Order

**Michigan Supreme Court
Lansing, Michigan**

December 14, 2022

Elizabeth T. Clement,
Chief Justice

ADM File No. 2022-37

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

Proposed Administrative
Order No. 2022-X

Proposed Creation of a
Vendor-Neutral Citation
System

On order of the Court, this is to advise that the Court is considering an administrative order that would create a vendor-neutral citation system for Michigan appellate decisions. 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 notice and agendas for public hearings 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.

Administrative Order No. 2022-X – Creation of a Vendor-Neutral Citation System

Traditional appellate opinion citations are prescribed by commercial vendors and assume that every person has access to the vendors' print publications. Vendor-neutral citations, also known as public-domain citations, are different in that they do not depend on a proprietary publication. Vendor-neutral citations are also available immediately upon release of a court opinion or order, eliminating the waiting period for a permanent citation. In early 2022, the Michigan Supreme Court (MSC) and Michigan Court of Appeals (COA) formed an internal workgroup to consider whether Michigan should adopt vendor-neutral citations, and if so, what those citations would look like. That workgroup supported the idea of using citations that are tied to the Courts' integrated docketing systems. Adoption of vendor-neutral citations has no bearing on the continued publication of the Michigan Reports and Michigan Appeals Reports.

Under this system, each citation includes the year of decision, the Court abbreviation ("MI" for the Michigan Supreme Court and "MI App" for the Court of Appeals), and a unique identifier consisting of the docket number and the event number at which the opinion or order was docketed. The event number can be found on the Courts'

website. To find the event number, go to the [case search page](#), search for the case by name or docket number, click on the case name to view the case information page, and scroll down to the list of docketed events; the event numbers are listed to the right of the event dates. For Court of Appeals opinions, the event number to be used for the citation is the event number used to docket the lead opinion, even if the reference is to a minority opinion. As is standard in Michigan appellate decisions, when citing a minority opinion a parenthetical should be included that indicates the author and the type of minority opinion (e.g., concurring in part; dissenting). An unpublished Court of Appeals opinion or order must also have “-U” appended to the Court abbreviation. Pinpoint citations are based on the page numbers of the opinion or order as released or revised by the Court. The following list provides a description of each citation type and an example:

MSC Opinion

Citation description:

[*Case Caption*], [Year] MI [Docket No.]-[Event No.].

Example:

Meyers v Rieck, 2022 MI 162094-77.

MSC Opinion with Pinpoint Reference

Citation description:

[*Case Caption*], [Year] MI [Docket No.]-[Event No.], p [Page No.].

Example:

Meyers v Rieck, 2022 MI 162094-77, p 11.

MSC Order

Citation description:

[*Case Caption*], [Year] MI [Docket No.]-[Event No.].

Example:

People v Christian, 2021 MI 162354-72.

COA Published Opinion

Citation description:

[*Case Caption*], [Year] MI App [Docket No.]-[Event No.].

Example:

Campbell v Mich Dep't of Treasury, 2020 MI App 350248-19.

COA Dissenting/Concurring Opinion

Citation description:

[*Case Caption*], [Year] MI App [Docket No.]-[Event No.] ([JUDGE'S LAST NAME], [Judicial Position Indicator], [Opinion Type]).

Example:

In re Baby Boy Doe, 2021 MI App 353796-35 (RONAYNE KRAUSE, P.J., dissenting).

COA Unpublished Opinion

Citation description:

[*Case Caption*], [Year] MI App-U [Docket No.]-[Event No.].

Example:

People v Edwards, 2020 MI App-U 348807-64.

COA Published Order

Citation description:

[*Case Caption*], [Year] MI App [Docket No.]-[Event No.].

Example:

In re AST, 2022 MI App 362349-7.

COA Unpublished Order

Citation description:

[*Case Caption*], [Year] MI App-U [Docket No.]-[Event No.].

Example:

People v Peeler, 2021 MI App-U 357754-22.

Therefore, on order of the Court, this vendor-neutral citation system is adopted for Court of Appeals and Michigan Supreme Court opinions and orders beginning [Date]. After that date, the Michigan Supreme Court and the Michigan Court of Appeals must assign a vendor-neutral citation to their opinions and orders using this system.

Staff Comment (ADM File No. 2022-37): This administrative order would create a vendor-neutral citation system for Michigan appellate decisions. This new system would allow for permanent citations to be available immediately upon release of a court opinion or order, eliminating the waiting period for a permanent citation.

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 April 1, 2023 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 filing a comment, please refer to ADM File No. 2022-37. Your comments and the comments of others will be posted under the chapter affected by this proposal.



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.

December 14, 2022

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk