Order

Michigan Supreme Court
Lansing, Michigan

March 19, 2025

Elizabeth T. Clement,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Megan K. Cavanagh
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas,
Justices

ADM File No. 2022-51
ADM File No. 2022-57

Amendments of Rules
6.508 and 6.509 of the
Michigan Court Rules

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On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendments of Rules 6.508 and 6.509 of the Michigan Court Rules are adopted, effective May 1, 2025.

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

Rule 6.508 Procedure; Evidentiary Hearing; Determination

(A)-(E) [Unchanged.]

(F) Reissue Order. If, while considering a motion filed under MCR 6.502, the court initially issues an order deciding the motion in part, within 7 days of entering an order deciding the remaining issue(s), the court must reissue the order so that all decisions on the motion are reflected in a single order.

Rule 6.509 Appeal

(A) Availability of Appeal. Appeals from decisions under this subchapter are by application for leave to appeal to the Court of Appeals pursuant to MCR 7.205(A)(1). The 6-month time limit provided by MCR 7.205(A)(4)(a), runs from the decision under this subchapter. For purposes of this subrule, a "decision under this subchapter" includes a decision on a motion filed under MCR 6.502, a decision on a timely-filed motion for reconsideration, and a reissued order under MCR 6.508(F). Nothing in this subchapter shall be construed as extending the time to appeal from the original judgment.

(B)-(D) [Unchanged.]

Staff Comment (ADM File Nos. 2022-51 and 2022-57): The amendments of MCR 6.508 and 6.509: (1) require trial courts that make a partial decision on a postjudgment motion for relief to reissue the order in its entirety after it decides the remaining issues, (2) clarify that a reissued order constitutes a decision under subchapter 6.500 of the Michigan Court Rules, and (3) clarify that a trial court's decision on a motion for relief from judgment and a timely-filed motion to reconsider an order deciding a motion for relief from judgment constitute a decision under subchapter 6.500 of the Michigan Court Rules.

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.

March 19, 2025

Clerk