Order

Michigan Supreme Court
Lansing, Michigan

March 10, 2025

Elizabeth T. Clement,
Chief Justice

ADM File No. 2024-11

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

Amendments of Rules 3.101, 6.412, 7.204, 7.302, 7.305, 7.306, 7.311, 7.312, and 9.114 of the Michigan Court Rules

---

On order of the Court, the following amendments are adopted, effective immediately.

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

Rule 3.101 Garnishment After Judgment

(A)-(Q) [Unchanged.]

(R) Costs and Fees.

(1) [Unchanged.]

(2) Within 28 days after receipt of the disclosure filed pursuant to subrule (H) by a garnishee of a periodic garnishment disclosing that it does not employ the defendant and is not otherwise liable for periodic payments, or from a garnishee of a nonperiodic garnishment disclosing that it does not hold property subject to garnishment and the defendant is not indebted to the garnishee, the plaintiff shall deduct any costs associated with that garnishment that may have been added to the judgment balance pursuant to MCR 2.625(L~~K~~), unless the court otherwise directs.

(S)-(T) [Unchanged.]

Rule 6.412 Selection of the Jury

(A)-(C) [Unchanged.]

(D) Challenges for Cause.

(1) Grounds. A prospective juror is subject to challenge for cause on any ground set forth in MCR 2.511(E~~D~~) or for any other reason recognized by law.

(2) [Unchanged.]

(E)-(F) [Unchanged.]

Rule 7.204 Filing Appeal of Right; Appearance

(A) Time Requirements. The time limit for an appeal of right is jurisdictional. See MCR 7.203(A). The provisions of MCR 1.108 regarding computation of time apply. For purposes of subrules (A)(1) and (A)(2), "entry" means the date a judgment or order is signed or the date that data entry of the judgment or order is accomplished in the issuing tribunal's register of actions.

(1) [Unchanged.]

(2) An appeal of right in a criminal case must be taken

(a)-(d) [Unchanged.]

A motion for rehearing or reconsideration of a motion mentioned in subrules (A)(1)(d~~b~~) or (A)(2)(d) does not extend the time for filing a claim of appeal, unless the motion for rehearing or reconsideration was itself filed within the 21- or 42-day period.

(3) [Unchanged.]

(B)-(H) [Unchanged.]

~~Rule 7.302 Electronic Filing, Service, and Notification~~

~~(A) Electronic Filing. Documents may be filed electronically in lieu of submitting paper copies unless specifically required by court order.~~

~~(B) Electronic Service. A document that is electronically filed may be served electronically on registered users of the e-filing system at their registered email addresses.~~

~~(C) Electronic Notification. The clerk may electronically transmit or provide electronic access to Court notices, orders, opinions, and other communications to the parties, attorneys, the Court of Appeals, and the trial court or tribunal.~~

Rule 7.305 Application for Leave to Appeal

(A) What to File. To apply for leave to appeal, a party must file:

(1)-(3) [Unchanged.]

(4) the fee provided by MCR 7.319(D~~C~~)(1).

(B) [Unchanged.]

(C) When to File.

(1)-(5) [Unchanged.]

(6) Effect of Appeal on Decision Remanding Case. If a party appeals a decision that remands for further proceedings as provided in subrule (C)(5~~6~~)(a), the following provisions apply:

(a)-(b) [Unchanged.]

(7) [Unchanged.]

(D)-(I) [Unchanged.]

Rule 7.306 Original Proceedings

(A)-(C) [Unchanged.]

(D) What to File. Service provided under this subrule must be verified by the clerk. To initiate an original proceeding, a plaintiff must file with the clerk all of the following:

(1)-(3) [Unchanged.]

(4) The fees provided by MCR 7.319(D~~C~~)(1) and MCL 600.1986(1)(a).

Copies of relevant documents, record evidence, or supporting affidavits may be attached as exhibits to the complaint.

(E)-(L) [Unchanged.]

Rule 7.311 Motions in Supreme Court

(A) What to File. To have a motion heard, a party must file with the clerk:

(1)-(2) [Unchanged.]

(3) the fee provided by MCR 7.319(DC)(2) or (3).

(B)-(H) [Unchanged.]

Rule 7.312 Briefs and Appendixes in Calendar Cases and Cases Argued on the Application

(A)-(G) [Unchanged.]

(H) Amicus Curiae Briefs and Argument.

(1)-(2) [Unchanged.]

(3) An amicus curiae brief must conform to subrules (A), (B), (C) and (F)., ~~and,~~

(4)-(6) [Unchanged.]

(I)-(K) [Unchanged.]

Rule 9.114 Action by Administrator or Commission After Answer

(A)-(B) [Unchanged.]

(C) Contractual Probation. For purposes of this subrule, "contractual probation" means the placement of a consenting respondent on probation by the commission, without the filing of formal charges. Contractual probation does not constitute discipline, and shall be confidential under MCR 9.126 except as provided by MCR 9.115(J)(3).

(1)-(4) [Unchanged.]

(5) The placing of a respondent on contractual probation shall constitute a final disposition that entitles the complainant to notice in accordance with MCR 9.114(FD), and to file an action in accordance with MCR 9.122(A)(2).

(D)-(G) [Unchanged.]

Staff Comment (ADM File No. 2024-11): These amendments update cross-references and make other nonsubstantive revisions to clarify the 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 10, 2025

Clerk