Order

Michigan Supreme Court
Lansing, Michigan

June 25, 2025

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

ADM File No. 2024-25

Retention and Further
Amendment of Administrative
Order No. 2016-3

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On order of the Court, notice of the amendment 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 October 2, 2024 amendment of Administrative Order No. 2016-3 is retained. The following additional amendment of Administrative Order No. 2016-3 is adopted, effective immediately.

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

Administrative Order No. 2016-3 – Prisoner Electronic Filing Program

[Paragraphs 1-8 unchanged.]

If the filing is accepted, it will be docketed in the Court's case management system and electronically served on those persons or entities that the prisoner litigant has identified as parties to the litigation if they are registered users of MiFILE or have an email address listed in the State Bar of Michigan attorney directory. ~~The Clerks' Offices will mail copies of the prisoner litigant's filing via the U.S. Postal Service to identified parties who cannot be e-served.~~ For accepted filings, the Clerks' Offices will transmit a Notice of Acceptance to the MDOC that identifies, among other things, the names and service information of parties who were served with the filing. The Notice of Acceptance also will be electronically transmitted or mailed to the lower courts/tribunals as notice of the appeal under MCR 7.204(E), MCR 7.205(B), or MCR 7.305(A)(3), as applicable. If the filing is accepted but the persons or entities that the prisoner litigant has identified as parties to the litigation cannot be electronically served, the Clerks' Offices will advise the prisoner litigant that the prisoner litigant must mail copies of the filing via the U.S. Postal Service to identified parties and provide proof of service to the Court within 21 days of receiving such notice. The MDOC will provide a copy of the Notice of Rejection or Notice of Acceptance to the prisoner litigant as soon as practicable.

Staff Comment (ADM File No. 2024-25): The amendment of AO 2016-3 removes the requirement for Clerks' Offices to mail copies of a prisoner litigant's filings to identified parties who cannot be served electronically and sets forth a procedure for handling such filings.

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.

June 25, 2025

Clerk