

Order

Michigan Supreme Court
Lansing, Michigan

December 18, 2025

Megan K. Cavanagh,
Chief Justice

ADM File No. 2025-37

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

Proposed Amendment of
Rule 7.312 of the Michigan
Court Rules

On order of the Court, this is to advise that the Court is considering an amendment of Rule 7.312 of the Michigan Court Rules. 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 notices and agendas for each public hearing 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.

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

Rule 7.312 Briefs, Responses to Adverse Amicus Briefs, and Appendixes in Calendar Cases and Cases Argued on the Application

(A)-(D) [Unchanged.]

(E) Time for Filing. Unless the Court directs a different time for filing,

(1) the appellant's brief and appendixes, if any, are due

(a) within 56 days of the order granting the application for leave to appeal, or within 56 days of an order appointing counsel for representation in this Court or of a ruling that the defendant is not entitled to appointed counsel, or

(b) within 42 days of the order directing the clerk to schedule oral argument on the application, or within 42 days of an order appointing counsel for representation in this Court or of a ruling that the defendant is not entitled to appointed counsel;

(2)-(4) [Unchanged.]

(F)-(K) [Unchanged.]

Staff Comment (ADM File No. 2025-37): The proposed amendment of MCR 7.312 would establish rule-based briefing deadlines in leave granted and MOAA cases where it appears necessary to appoint counsel for the indigent defendant.

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, 2026 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 submitting a comment, please refer to ADM File No. 2025-37. Your comments and the comments of others will be posted under the chapter affected by this proposal.



I, Elizabeth Kingston-Miller, 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 18, 2025


Elizabeth Kingston-Miller
Clerk