Order

Michigan Supreme Court
Lansing, Michigan

Megan K. Cavanagh,
Chief Justice

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

September 2, 2026

ADM File No. 2026-05

Proposed Addition of Rule 3.231 of the Michigan Court Rules

On order of the Court, this is to advise that the Court is considering an addition of Rule 3.231 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.

[NEW] Rule 3.231 Cases Involving Abusive Relationship

(A) Applicability.

(1) The court may apply the protections in this rule in an action when a court has entered between the same parties, a personal protection order under MCL 600.2950 or an Extreme Risk Protection Order under MCL 691.1801 *et. seq*., or an equivalent order under the law of another jurisdiction, provided the order between the parties is final and effective at any time the action is pending. The court may also apply the protections in this rule when the court finds after a hearing in the action that a party has directly or through the use of surrogates engaged in a pattern of behavior designed to exercise power or control over the other party, including, but not limited to engaging in conduct that would be grounds for issuing a personal protection order under MCL 600.2950.

(a) A party may request the protections in this rule in the pleadings initiating the action, by motion, or when the conditions of subrule (A)(1) have been met, during a scheduling or settlement conference.

(b) The court may, on its own motion, apply the protections in this rule when the conditions of subrule (A)(1) have been met.

(c) The court may order the conference in subrule (E) without making any preliminary findings.

(B) Change in Venue. Notwithstanding MCR 2.222(B), the court may, on its own motion or a party's motion, under MCR 2.222, change venue to the circuit court in a county in which another court has issued a personal protection order, an extreme risk personal protection order, or in which another action involving the parties or their children is pending. The court may not enter an order changing venue unless:

(1) jurisdiction and venue would be proper in that circuit,

(2) the new venue will be safe and convenient for the abused party, and

(3) the new venue will coordinate the actions and assign the same judge.

All costs of the proceeding in another county are to be borne by the court ordering the change of venue.

(C) Hearings and Trials. The court may, on its own motion or a party's motion, order any of the following protective measures for hearings, trials, or conferences in the action when the court finds the protective measures are necessary for the safety or participation of a party who may be intimidated without the protective measure because of the party's domestic abuse experience.

(1) The court may exclude an abusive party's relatives, friends, and colleagues from attending an in-person hearing in the action to prevent intimidation of the abused party. Unless the excluded person is a witness, the court must provide the person with an opportunity to view the proceeding remotely.

(2) The court may allow one or more parties to attend any hearing or conference remotely by videoconferencing technology.

(3) The court may require any cross-examination questions directly from one party to the other to be asked through the court.

(D) Pretrial Proceedings. The court may order any of the following protective measures for amendments, motions, discovery, or information provided to the court or friend of the court.

(1) If the court finds that a party is attempting to amend the pleadings to delay the proceedings or to control or harass the other party, in addition to the conditions in MCR 2.118(A), the court may limit the scope of amendments to the pleadings to issues that could not have been pled earlier or place limits on the time for filing a future motion for leave to file an amended pleading.

(2) If the court finds that a party is filing motions to delay the proceedings or to control or harass the other party, in addition to any sanctions allowed under MCR 1.109(E), the court may do any of the following:

(a) Require the offending party to file all motions at a single time.

(b) Require the offending party to file all motions by a date certain.

(c) Require all motions to be heard on a single date.

(3) The court may limit discovery to the Verified Financial Information Form in MCR 3.206(C) and documents that may be acquired from third parties and agencies pursuant to subpoena. If the court limits discovery, the court shall permit additional discovery upon motion of a party demonstrating that the discovery is necessary to prepare for trial. If the court permits additional discovery, the court may impose conditions necessary for the protection of a witness, a party, or a child in the case.

(4) The court may enter an order limiting disclosure of information to an abusive party, including but not limited to the residential address or place of employment that the abused party provides to the court or friend of the court. An individual who recklessly or deliberately discloses information contrary to an order entered under this rule is in contempt of court and subject to sanctions under MCL 600.1701 *et. seq*.

(E) Court User Safety Planning Conference. When the court through the pleadings or otherwise becomes aware of potentially abusive behavior, the court may order the parties to attend a "court user safety planning conference" to determine what other safety measures may be necessary to protect the parties and their children during the action.

(1) The State Court Administrative Office shall establish the qualification and training requirements for individuals to hold a "court user safety planning conference." If an individual does not meet the training and qualification requirements but demonstrates other qualifications and experience that would enable the individual to conduct the conference, the State Court Administrative Office may approve the individual to conduct the conference.

(2) The individual conducting the conference must meet separately with each party. The purpose of the conference is to advance the safety of a party who has been or is at risk of being abused by limiting opportunities for potentially abusive parties to engage in abusive behavior and to avoid situations where a potentially abusive person could engage in behavior that would have negative consequences for that person. The conference is not designed to

assess blame, punish, or reward either party.

(3) The individual conducting the conference will explain the next steps in the process and what steps each party should take to make the process safer by following court orders, avoiding violating provisions to keep each party safe, and explain precautions available to each party to access the court safely.

(4) Following the conference, the individual conducting the conference may recommend provisions to the court allowed under this rule to protect the parties.

Staff Comment (ADM File No. 2026-05): The proposed addition of MCR 3.231 would allow a trial court to apply procedural protections in domestic relations actions to allow parties in an abusive relationship to safely participate in case-related proceedings.

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 provided 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. Written comments on this proposal may be submitted by **January 1, 2027**.

The Court asks commenters to submit written comments via the Court's website to the extent possible. **To submit a comment via the Court's website**, click on the "Comment on 2026-05" button under this proposal on the Court's Proposed & Adopted Orders on Administrative Matters webpage. The Court also accepts comments by email. **To submit a comment by email**, please attach a Microsoft Word document to your email and send to ADMcomment@courts.mi.gov and refer to ADM File No. 2026-05. If you are unable to submit a written comment online or by email, the Court will accept comments during the written comment period mailed to P.O. Box 30052, Lansing, MI 48909. For more information on submitting public comments regarding Michigan Supreme Court rule proposals, see the Public Comments on Court Rule Proposals webpage.

Written comments may be posted on the One Court of Justice website under the chapter(s) 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.

September 2, 2026

Clerk