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Tuesday, January 9, 2007

Michigan Supreme Court - Public Administrative Hearings

Public Administrative Hearings

Pursuant to Administrative Order No. 1997-11, the Michigan Supreme Court will hold a public administrative hearing on Wednesday, January 17, 2007, in the Supreme Court courtroom located on the sixth floor of the Michigan Hall of Justice, 925 W. Ottawa Street, Lansing, Michigan 48915. The hearing will begin promptly at 9:30 a.m. and adjourn no later than 11:30 a.m. Persons who wish to address the Court regarding matters on the agenda will be allotted three minutes each to present their views, after which the speakers may be questioned by the Justices. To reserve a place on the agenda, please notify the Office of the Clerk of the Court in writing at P.O. Box 30052, Lansing, Michigan 48909, or by e-mail at MSC_clerk@courts.mi.gov, no later than Monday, January 15, 2007.

Administrative matters on the agenda for this hearing are:

New: [2006-48 - Order adding Administrative Order No. 2006-8 to the Public Hearing scheduled on January 17, 2007](#)

- 1 2002-09** Proposed Adoption of Rules 3.904 and 5.738a of the Michigan Court Rules. Published at 477 Mich 1201-1202 (Part 1, 2006).

Issue: Whether to adopt MCR 3.904, which would allow family division courts to use two-way interactive video technology to conduct certain hearings for delinquency and child protective proceedings in accordance with requirements and guidelines set forth by SCAO. Whether to adopt MCR 5.738a, which would allow probate courts to use two-way interactive video technology to conduct hearings concerning initial involuntary treatment, continuing mental health treatment, and petitions for guardianship involving persons receiving treatment in mental health facilities in accordance with requirements and guidelines set forth by SCAO. All proceedings in both the family division and the probate courts would be required to be recorded verbatim by the court.

- 2 2003-21** Proposed Adoption of the Amendment of Rule 9.207 of the Michigan Court Rules. Published at 475 Mich 1218-1220 (Part 3, 2006).

Issue: Whether to adopt one of the two

proposed alternative amendments of MCR 9.207. Alternative A would allow a judge admonished by the Judicial Tenure Commission to request review of the admonishment by the Supreme Court. Alternative B would eliminate the ability of the Judicial Tenure Commission to dismiss a matter with a letter of explanation, caution, or admonishment, or recommend private censure.

- 3 2003-47** Adoption of Administrative Order No. 2006-6. Published at 476 Mich xxii-xxix (Part 1, 2006).

Issue: Whether to retain Administrative Order No. 2006-6, which prohibits the practice of "bundling," or joining, asbestos-related personal injury actions in order to maximize the number of cases settled.

- 4 2003-59** Proposed Adoption of the Amendment of Rules 2.112 and 7.206 of the Michigan Court Rules. Published at 475 Mich 1213-1215 (Part 2, 2006).

Issue: Whether to adopt amendments of MCR 2.112 and MCR 7.206, which would establish special pleading requirements in actions alleging a violation of the Headlee Amendment, Const 1963, art 9, §§ 25-34. The amendments would require that a complaint or answer state the factual basis for an alleged violation or defense with particularity. Additionally, documentary evidence supportive of a claim or defense would be required to be attached to the pleading as an exhibit.

- 5 2004-42** Amendment of Rule 8.110 of the Michigan Court Rules. Published at 477 Mich xl-xli (Part 1, 2006).

Issue: Whether to retain the amendment of MCR 8.110, which modifies the reporting requirements for the Delay in Criminal Proceedings Report to reflect the 100 percent disposition periods incorporated in Administrative Order No. 2003-7, making the reporting quarterly (instead of monthly) and eliminating the requirement to provide a reason for delay.

- 6 2004-48** Proposed Adoption of the Amendment of Rules 8.103, 8.108, and 8.109 of the Michigan Court Rules. Published at 475 Mich 1220-1222 (Part 3, 2006).

Issue: *Whether to adopt the amendments of Rules 8.103, 8.108, and 8.109 of the Michigan Court Rules, which would clarify that certified electronic operators do not have the authority to prepare transcripts.*

The amendments also would increase the late renewal fee for court reporters and recorders to \$100 and remove references to approval by the state court administrator of recording devices, requiring instead that recording systems meet SCAO-approved standards.

- 7 2005-17** Amendment of Rule 7.213 of the Michigan Court Rules.
Published at 474 Mich cclx (2006).

Issue: *Whether to retain the amendment of MCR 7.213 that requires the Court of Appeals to give priority to appeals involving election cases.*

- 8 2005-19** Proposed Adoption of the Amendment of Rules 2.512, 2.513, 2.514, 2.515, 2.516, and 6.414 of the Michigan Court Rules.
Published at 475 Mich 1223-1236 (Part 3, 2006).

Issue: *Whether to adopt amendments of MCR 2.512, 2.513, 2.514, 2.515, 2.516, and 6.414 that would enhance the quality of the jury's deliberative process and further the truth-seeking function of the jury trial.*

- 9 2005-41** Proposed Adoption of New Rule 19 of the Rules Concerning the State Bar of Michigan.
Published at 477 Mich 1205-1207 (Part 1, 2006).

Issue: *Whether to adopt SBR 19 that would codify the practice of the State Bar of Michigan with regard to ensuring the confidentiality of records maintained relating to various state bar programs.*

- 10 2005-42** Proposed Adoption of the Amendment of Rule 3.932 of the Michigan Court Rules.
Published at 477 Mich 1203-1204 (Part 1, 2006).

Issue: *Whether to adopt the amendment of MCR 3.932 that would allow a court to enter a plea for juveniles who violate the Michigan Vehicle Code, and would require a court to report to the Secretary of State violations of the Michigan Vehicle Code, committed by juveniles, that are handled on the court's consent calendar.*

- 11 2006-05** Proposed Adoption of the Amendment of Rules 6.610, 6.625, and 7.103 of the Michigan Court Rules. Published at 475 Mich 1216-1218 (Part 3, 2006).

Issue: *Whether to adopt rule amendments based on suggestions of the Representative Assembly of the State Bar of Michigan, as revised by the Court, that would ensure that individuals who are convicted in district court are aware of their right to counsel under Halbert v Michigan, 545 US ____ (2005).*

- 12 2006-26** Proposed Adoption of the Amendment of Rule 3.921 of the Michigan Court Rules. Published at 475 Mich 1236-1237 (Part 3, 2006).

Issue: *Whether to adopt the amendment of MCR 3.921 that would add a requirement mandated by 42 USC 638(b) that foster parents, preadoptive parents, and relative caregivers receive notice of hearings in child protective proceedings.*

- 13 2006-31** Proposed Adoption of the Amendment of Rule 9.227 of the Michigan Court Rules. Published at 477 Mich 1205 (Part 1, 2006).

Issue: *Whether to adopt the amendment of MCR 9.227 that would extend immunity from civil suit for statements or communications made to agents of the Judicial Tenure Commission, and would add agents to the individuals who are immune from civil suit for conduct in the course of their official duties with the commission.*

- 14 2006-48** Administrative Order No. 2006-8, entered 12/06/06.

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