

COURT RULES AND ADMINISTRATIVE ORDERS

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Background	Rule(s) Affected	Summary / Commentary
ADM 2013-18 Topic: Videoconferencing Date Proposed: 03-23-2016 Comment Period: 07-01-2016 Hearing Date: Date Adopted: Effective Date:	MCR 2.004©	MDOC inmates would be allowed to appear in domestic relations proceedings by telephone or videoconferencing technology. Videoconferencing is already available in most domestic relations proceedings.
ADM 2014-19 Topic: Motion Practice Date Proposed: 02-18-2015 Comment Period: 06-01-2015 Hearing Date: 09-16-2015 Date Adopted: 03-23-2016 Effective Date: 05-01-2016 \	MCR 2.119(A)(2) MCR 7.215(C)(1)	“Unpublished [Court of Appeals] opinions should not be cited for propositions of law for which there is published authority. If a party cites an unpublished opinion, the party shall explain the reason for citing it and how it is relevant to the issues presented.” Unpublished opinions do not constitute binding precedent; they are binding only on the parties to that particular case.

<p>ADM 2014-27 Topic: Discovery – Subpoenas for Documents Date Proposed: 12-23-2015 Comment Period: 04-01-2016 Hearing Date: Date Adopted: Effective Date:</p>	<p>MCR 2.305(A)(1)</p>	<p>This proposed amendment would allow a subpoena for documents to be issued without leave of the court after the defendant “has had a reasonable time to obtain an attorney”. A “reasonable time” is deemed to have elapsed 28 days after service of process.</p>
<p>ADM 2014-40 Topic: Subpoenas Date Proposed: 04-29-2015 Comment Period: 08-01-2015 Hearing Held: 09-16-2015 Date Adopted: 09-23-2015 Effective Date: 01-01-2016</p>	<p>MCR 2.506(D)(3) [New]</p>	<p>“A subpoena or order to attend directed to the Michigan Department of Corrections, Michigan Department of Health and Human Services, Michigan State Police Forensic Laboratory, other accredited forensic laboratory, law enforcement, or other governmental agency may be served by electronic transmission, including by facsimile or over a computer network. . . “</p> <p>There must be a “memorandum of understanding between the parties” that specifies a contact person and an acceptable method of service.</p> <p>A “confirmation correspondence” must be sent by the agency, and be filed with the court.</p>
<p>ADM 2015-12 Topic: Contempt – Nonpayment of Support Date Proposed: 11-25-2015 Comment Period: 03-01-2016 Hearing Date: 05-18-2016 Date Adopted: Effective Date:</p>	<p>MCR 3.606(F)</p>	<p>“The court shall not sentence a person to a term of incarceration for nonpayment unless the court has complied with the provisions of MCR 6.425(E)(3). Proceedings in which the Child Support and Parenting Time Enforcement Act, MCL 552.602 et seq, applies are subject to the requirements of that act.”</p> <p>Proposed amendments to MCR 6.425€ list six factors to consider in determining ability to pay. They include current employment, employment history, financial resources, and expenses or obligations.</p>

<p>ADM 2015-16 Topic: Disabled Customers Date Adopted: 09-15-2015 Effective Date: 09-15-2015</p>	<p>AO 2015-5 [New]</p>	<p>This rule was adopted “to ensure that persons with disabilities have equal and full access to . . . trial courts and court-operated programs. . . “</p> <p>Each trial court was required to adopt “a local administrative order that describes the procedure to be followed for a person to request accommodation in that court.”</p>
<p>ADM 2015-27 Topic: Contempt – Appointed Counsel Date Proposed: 01-11-2016 Comment Period: 05-01-2016 Hearing Date: 05-18-2016 Date Approved: Effective Date:</p>	<p>AO 2016-XX [New]</p>	<p>This administrative order promulgates minimum standards for court-appointed counsel recommended by the Michigan Indigent Defense Commission. The specific standards govern: (1) education and training, (2) initial client interview; (3) investigation and experts; and (4) presence of counsel at first appearance and other critical stages.</p>
<p>ADM 2016-6 Topic: Access to Court Files Date Proposed: 02-03-2016 Comment Period: 05-01-2016 Hearing Date: 05-18-2016 Date Adopted: Effective Date:</p>	<p>MCR 3.925(D)(2)</p>	<p>Confidential records in a child protective proceeding (NA) file may be viewed by an individual who has a legitimate purpose. This would cover caseworker reports and psychological evaluations that often contain information about a parent’s employment or earning ability.</p>