

July 29, 2022

Larry S. Royster
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

RE: ADM File No. 2021-16 – Proposed Amendment of Rule 7.305 of the Michigan Court Rules

Dear Clerk Royster:

At its July 22, 2022 meeting, the Board of Commissioners of the State Bar of Michigan considered ADM File No. 2021-16. In its review, the Board considered recommendations from the Civil Procedure & Courts Committee, Children’s Law Section, and Family Law Section. The Board voted to support clarification of Rule 7.305, but recommends that, as opposed to the proposed amendment as published, the timeframe for filing an application for leave to appeal should be made consistent for all civil appeals, including appeals from orders terminating parental rights, at 42 days.

Uniformity will eliminate litigant confusion about the applicable timeframe for an application for leave to appeal and provide litigants in termination of parental rights cases with additional time, on par with other civil litigants, to secure appellate counsel.

We thank the Court for the opportunity to convey the Board’s position.

Sincerely,



Peter Cunningham
Executive Director

cc: Sarah Roth, Administrative Counsel, Michigan Supreme Court
Dana M. Warnez, President