



Report on Public Policy Position

Name of Section:

Appellate Practice Section

Contact Person:

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Proposed Court Rule or Administrative Order Number:

2004-47 - Proposed Amendment of Rule 7.302 of the Michigan Court Rules

Proposed Amendment is to MCR 7.302(C)(4) - Application for Leave to Appeal; When to File.

Date position was adopted:

January 20, 2005

Process used to take the ideological position:

Discussion by Section council.

Number of members in the decision-making body:

23

Number who voted in favor and opposed to the position:

The council members who were present voted unanimously in favor of this position. A quorum was present.

FOR SECTIONS ONLY:

- ✓ This subject matter of this position is within the jurisdiction of the section.
- ✓ The position was adopted in accordance with the Section's bylaws.
- ✓ The requirements of SBM Bylaw Article VIII have been satisfied.

If the boxes above are checked, SBM will notify the Section when this notice is received, at which time the Section may advocate the position.

Position:

The Appellate Practice Section supports the proposed amendment of MCR 7.302(C)(4) (ADM File No. 2004-47). The Section believes that the amendment will add clarity and certainty to the procedures for seeking leave from Court of Appeals remand orders or Court of Appeals orders denying timely motions for rehearing.

The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:

<http://courts.michigan.gov/supremecourt/Resources/Administrative/2004-47.pdf>