

## **Michigan Court of Appeals 90/90 Plan Practitioner Feedback Form**

The Michigan Supreme Court has requested that the Court of Appeals Delay Reduction Work Group monitor the expedited docket program and provide the Court with written updates on the program at both the twelve month and eighteen month anniversaries. The Appellate Practice Section has created the following form as a means to obtain information from appellate practitioners regarding their experiences in handling appeals on the expedited track. The Section will collect and analyze the information submitted by the practitioners and relay this information to the Work Group and the Supreme Court. Practitioners' "real life" experiences handling appeals on the expedited track will be invaluable to this process and will greatly assist the Work Group and the Court in analyzing the effectiveness of this program in reducing delay in the Court of Appeals.

### **INSTRUCTIONS:**

Providing information regarding your name and the specifics of your case is optional. If you wish to file this form in anonymity, the form will, of course, still be considered. However, the more case specific details which you are able and willing to provide in this form, the more useful your comments will be to the Appellate Practice Section in seeking to present your concerns to the courts and in making suggestions for revisions or refinements to the fast track procedures.

You may want to submit this form more than once throughout the progression of a particular appeal, rather than wait until the end of the appeal. For example, you may wish to submit Sections I and II upon resolution of transcript and motion for removal issues, followed by submission of Sections III, IV and V upon completion of briefing, etc. If you choose to submit this form more than once throughout the course of a particular appeal, and you choose not to identify yourself or the case by name, please provide some other type of case identifier so that the Section will be able to properly track the appeal. With each submission for a particular appeal, identify the case by the same case identifier so that the information provided is properly tracked.

Please attach any orders, opinions, pleadings or correspondence which may be relevant to or illustrative of the comments contained in this form. You may black out any identifying information.

Please email the form to [fasttrack@mail.michbar.org](mailto:fasttrack@mail.michbar.org) or mail it to the following address:

**State Bar of Michigan - Appellate Practice Section  
P.O. Box 43042  
Detroit, Michigan 48243-0042**

**Michigan Court of Appeals 90/90 Plan  
Practitioner Feedback Form**

**Name**  
**Address**  
**Phone**  
**Email**

**CASE NAME/#:**

**OTHER CASE IDENTIFIER\*:**

\*Please reference this identifier consistently, if submitting this form more than once in any particular appeal

Appellant  
Appellee  
Cross-Appellant  
Cross-Appellee

**TYPE OF PRACTICE:**

Solo practitioner  
Less than 5 attorneys  
5-20 attorneys  
Over 20 attorneys

What percentage of your practice is appeals?                      summary disposition motions?  
How many attorneys in your firm specialize in appellate practice?

**I.        TRANSCRIPTS**

Did appellant order transcript?                      If no, did appellee?  
Did ordering party encounter problems securing transcript(s) within time provided in rules? If yes, please explain.

## **II. REMOVAL FROM FAST TRACK**

Did appellant file motion to remove?            Did appellee?

If yes, when was motion filed?

If yes, was motion filed on basis of:

    Matter of first impression

    First construction of statute or court rule

    Pages of deposition transcripts - how many?

    Pages of pleadings, exhibits or other documents - how many?

    Other, please explain:

What, if any, relief was granted?

Was case removed by court?            If so, when did court remove?

    If so, were parties allowed to rebrief?

    Were parties allowed to supplement briefs?

        In what manner?

    Was oral argument held?

        When, in relation to removal?

    Other? Please explain:

## **III. EXTENSIONS OF TIME**

Did Appellant file motion to extend time for brief?

    For what reason?

    What relief, if any, was granted?

Did Appellee file motion to extend time for brief?

    For what reason?

    What relief, if any, was granted?

## **IV. EXTENSIONS OF PAGES**

Did Appellant file motion to extend pages for brief?

    For what reason?

    What relief, if any, was granted?

Did Appellee file motion to extend pages for brief?

    For what reason?

    What relief, if any, was granted?

If no relief, or less than full relief, was granted, what effect do you think that had on the quality of the brief?

**V. BRIEFING**

Was Appellant's brief timely filed? If no, what consequence?

Was Appellee's brief timely filed? If no, what consequence?

Did this appeal proceed from an Application for Leave to Appeal?

If yes, did appellant submit a new brief on appeal or rely on the application?

Were you involved in preparing the motion/brief at the trial court level?

**VI. OPINIONS/ORDERS**

Was an opinion issued in case? An Order? Other? (Please explain)

Within how many days was opinion/order entered:

From filing of claim of appeal?

From submission of all briefs?

From notice of assignment to panel?

Was Supreme Court Application filed in case? By whom?

What relief granted?

**VII. ECONOMICS OF PRACTICE**

Have you had to turn away an appeal, or give an appeal to another attorney in your firm, due to the demands of the fast track program? If yes, please explain

Were you required to shift responsibilities in your firm in order to handle this appeal?

Were you fined by the court in this case?

If so, did you choose to incur this fine in order to secure additional time?

### **VIII. COMMENTS**

With specific regard to this appeal, what, if anything, would you change about the fast track procedures?