

In the Hall of Justice

Any member who would like more information concerning the rationale for positions taken can refer to the website at www.michbar.org/publicpolicy/home or contact Peter Cunningham at the State Bar of Michigan, 306 Townsend St., Lansing, MI 48933-2012, (800) 968-1442. For the most current status information, visit www.michiganlegislature.org.

Proposed Amendments of Rules 2.004, 3.705, 3.708, 3.804, 3.904, 4.101, 4.201, 4.202, 4.304, 4.401, 5.119, 5.140, 5.402, 5.404, 5.738a, 6.006, and 6.901 of the Michigan Court Rules (ADM File No. 2013-18)—Incarcerated Parties; Issuance of Personal Protection Orders; Contempt Proceedings for Violation of Personal Protection Orders; Consent and Release; Use of Interactive Video Technology; Civil Infraction Actions; Summary Proceedings to Recover Possession of Premises; Summary Proceedings; Land Contract Forfeiture; Conduct of Trial; Magistrates; Additional Petitions; Objections; Hearing Practices; Use of Videoconferencing Technology; Common Provisions; Guardianship of Minor; Use of Interactive Video Technology; Video and Audio Proceedings; Applicability (See *Michigan Bar Journal* May 2016, p 64.)

STATUS: Comment Period Expired 7/1/16;

Public Hearing to Be Scheduled

POSITION: Support the amendments to MCR 2.004, 3.705, 3.708(D)(7), 3.708(I), 3.804(B)(3), 4.101, 4.201, 4.202, 4.304, 4.401, 5.119(1) and (2), 5.140(A) and (B), and 5.404(B)(1).

Support the proposed amendments to MCR 3.708(H)(2) with the removal of the last sentence.

Support MCR 3.904(A) Alternative B, 3.904(A)(1) Alternative B, 3.904(A)(2) Alternative B, and 3.904(A)(2) Alternative B. This support is conditioned on the juvenile having the exclusive right to object to the use of videoconferencing proceedings at the initial post-adjudication dispositional hearing.

Support MCR 3.904(B)(1)(2) Alternative B, 3.904(B)(2)(b) Alternative B, and 3.904(B)(2)(b) Alternative B. This support is conditioned on the understanding that only the respondents may make an objection to videoconferencing at the jurisdictional hearing and termination phase and any objection to videoconferencing post-jurisdictional and pre-termination must have a reason stated.

Oppose the proposed amendments to MCR 5.738a, 5.402(F), 6.006(D), and 6.901.

Support proposed Alternative A to MCR 6.006(C)(2), and suggest an amendment to change “two-way interactive video technology” to “videoconferencing.”



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