Proposed Amendment of Rule 5.801, 5.802, 7.102, 7.103, 7.108, 7.109, 7.202, 7.203, 7.205, 7.208, 7.209, 7.210, 7.212, and 7.213 of the Michigan Court Rules

Proposed Amendment of Rule 7.121 of the Michigan Court Rules

To read ADM File No. 2016-32, dated November 23, 2016; and ADM File No. 2016-29, dated November 23, 2016; visit **http://courts.michigan.gov/courts/michigansupremecourt** and click "Administrative Matters & Court Rules" and "Proposed & Recently Adopted Orders on Admin Matters."

Administrative Order No. 2016-4 Adoption of Administrative Order to Expedite Disposition of Pending Probate Appeals in Circuit Court

On order of the Court, dated November 23, 2016, the need for immediate action having been found, the notice requirements are dispensed with and this administrative order is adopted, effective immediately.

Expedited Consideration of Probate Appeals in Circuit Court

2016 PA 186 provides that all final orders issued by the probate court are appealable to the Court of Appeals beginning September 27, 2016. To facilitate disposition of the appeals of orders pending in the circuit court on September 27, 2016, each circuit judge is directed to:

(1) Insofar as possible, expedite the consideration of pending appeals from orders of the probate court; and

(2) On March 1, 2017, and every 6 months thereafter, file a report with the State Court Administrator listing each such appeal that remains pending, including a statement of the reasons the appeal has not been concluded.

STAFF COMMENT: This administrative order directs circuit courts to expedite disposition of pending appeals, and report unresolved appeals beginning March 1, 2017.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

Administrative Order No. 2016-5 Adoption of New Antinepotism Policy and Rescission of Administrative Order No. 1996-11

On order of the Court, dated December 7, 2016, notice of the proposed new antinepotism order and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, Administrative Order No. 2016-5 is adopted and replaces Administrative Order No. 1996-11, which is rescinded, effective January 1, 2017.

Administrative Order No. 2016-5
Antinepotism Order

1. *Policy.* All courts in Michigan are committed to make all business decisions—including decisions regarding employment, contracting with vendors, and selecting interns—on the basis of qualifications and merit, and to avoid circumstances in which the appearance of impropriety or possibility of favoritism exist. On the basis of this policy, the following situations are prohibited:
   (a) A superior-subordinate relationship existing at or developing after the time of employment between any related employees;
   (b) A related chief judge and a court administrator working in the same court, regardless of whether there is a superior-subordinate relationship;
   (c) Except as waived under this order, a related judge and court employee working in the same court.

   All other relatives of court personnel who meet established requirements for job vacancies, court contract, or internship opportunities based on their qualifications and performance are eligible for judiciary employment, contracts, or internships in the same court. But advocacy of one relative on behalf of the other is prohibited in all circumstances.
2. *Definitions.* For purposes of this order, the following definitions apply:
   (a) "Relative" includes spouse, child, parent, brother, sister, grandparent, grandchild, first cousin, uncle, aunt, niece, nephew, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, and father-in-law, whether natural, adopted, step, or foster. The term also includes same-sex or different-sex individuals who have a relationship of a romantic, intimate, committed, or dating nature, which relationship arises after the effective date of this policy. The definition of relative does not include two related judges who are elected to or appointed to serve in the same court.
   (b) "Court Administrator" includes the highest level of administrator, clerk, or director of the court who functions under the general direction of the chief justice or chief judge, including but not limited to state court administrator, circuit court administrator, friend of the court, probate court administrator, juvenile court administrator, probate register, and district court administrator/clerk.
   (c) A "superior-subordinate relationship" is one in which one employee is the direct supervisor of the other employee.
   (d) An intern is a student or trainee who works for the court, with or without pay, to gain work experience.
   (e) A vendor is an individual or someone appearing on behalf of a corporation or other entity that offers to provide or provides goods or services to the court.
3. *Application.* This policy applies to all applicants for employment, as well as all full-time and part-time employees, temporary employees, and contractual employees, including independent contractors, interns, vendors, and personal service contracts.
4. *Affected Employees.* No person shall be transferred, promoted, or rehired following separation in a position that would create a nepotic relationship in violation of this policy.
5. *Collective Bargaining Agreements.* After the date this order enters, chief judges and court administrators are prohibited from entering into collective bargaining agreements inconsistent with this policy.
6. *Conflicts; Waiver.* The chief judge of a court shall resolve any employment situations that conflict with or would conflict with this policy, unless the conflict involves a relative of the chief

judge. In such a situation, the State Court Administrator shall resolve the issue.

In making a hiring decision, a chief judge (or the State Court Administrator, if the chief judge of a court is a relative of the prospective employee) may waive the prohibition in Paragraph 1(c) if the following requirements are met:

(a) The position for which the waiver is sought must have been announced or advertised to the public in the same manner and for the same duration as other vacancies within the court.
(b) The prospective employee's judge relative cannot have participated in any way in the selection process.
(c) Other qualified applicants must have been considered.
(d) Selection of a candidate who is related to a judge must have been based on merit and qualifications, including evidence that the candidate meets the minimum requirements for the position.
(e) The chief judge (or the State Court Administrator, if applicable) completes and files with the State Court Administrative Office a form approved by the State Court Administrative Office in which the chief judge affirms that the court has followed this procedure.

If an employee is employed by a court and a relative of the employee subsequently becomes a judge in that court, the prohibition does not apply as long as the judge is not in a superior-subordinate position with the employee and as long as the employee retains the current employment status. If the employee seeks a different position, a court may seek a waiver only if it complies with the waiver procedure outlined above.

In making a decision about a waiver, the chief judge or State Court Administrator must determine whether the requirements listed above have been met, and whether such employment would create an appearance of impropriety or possibility of favoritism.

A decision rendered by a chief judge or the State Court Administrator under this order is not appealable or otherwise subject to review.

7. *Chief Judge Appointments.* Nothing in this policy prohibits the Supreme Court from selecting any judge as a chief judge of a court. If such selection occurs, and such selection creates a nepotic relationship, the putative chief judge shall provide to the Court, and the Court shall approve, an alternative means by which the relative of the chief judge shall be supervised.
8. *No New Rights Created.* Adoption of this policy creates no new rights for employees or prospective employees.
9. *Grandfather Clause.* This policy shall not apply to any person who is an employee of a court on the date this order enters. However, from the date this order enters, no person may be transferred, promoted, or enter into a nepotic relationship in violation of this policy, except as provided herein.

Proposed Amendment of Rules 3.203 and 3.208 of the Michigan Court Rules

On order of the Court, dated November 23, 2016, this is to advise that the Court is considering an amendment of Rules 3.203 and 3.208 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter also will be considered at a public hearing. The notices and agendas for public hearings are posted at Administrative Matters & Court Rules page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 3.203 Service of Notice and Court Papers in Domestic Relations Cases

(A) Manner of Service. Unless otherwise required by court rule or statute, the summons and complaint must be served pursuant to MCR 2.105. In cases in which the court retains jurisdiction

(1)–(2) [Unchanged.]

(3) Alternative Electronic Service

(a) A party or an attorney may file an agreement with the friend of the court to authorize the friend of the court to serve notices and court papers on the party by any of the following methods:
(i) e-mail;
(ii) text message;
(iii) sending an e-mail or text message alert to log into a secure website to view notices and court papers.

(b) Obligation to Provide and Update Information
(i) The agreement for service by e-mail or e-mail alert shall set forth the e-mail addresses for service. Attorneys who agree to e-mail service shall include the same e-mail address currently on file with the State Bar of Michigan. If an attorney is not a member of the State Bar of Michigan, the e-mail address shall be the e-mail address currently on file with the appropriate registering agency in the state of the attorney's admission. Parties or attorneys who have agreed to service by e-mail or e-mail alert under this subsection shall immediately notify the friend of the court if the e-mail address for service changes.
(ii) The agreement for service by text message or text message alert shall set forth the phone number for service. Parties or attorneys who have agreed to service by text message or text message alert under this subsection shall immediately notify the friend of the court if the phone number for service changes.

(c) The party or attorney shall set forth in the agreement all limitations and conditions concerning e-mail or text message service, including but not limited to:
(i) the maximum size of the document that may be attached to an e-mail or text message;
(ii) designation of exhibits as separate documents;
(iii) the obligation (if any) to furnish paper copies of e-mailed or text message documents; and
(iv) the names and e-mail addresses of other individuals in the office of an attorney of record designated to receive e-mail service on behalf of a party.

(d) Documents served by e-mail or text message must be in PDF format or other format that prevents the alteration of the document contents. Documents served by alert must be in PDF format or other format for which a free downloadable reader is available.

(e) A paper served by alternative electronic service that the friend of the court or an authorized designee is required to sign may include the actual signature or a signature block with the name of the signatory accompanied by "s/" or "/s/." That designation shall constitute a signature for all purposes, including those contemplated by MCR 2.114(C) and (D).

(f) Each e-mail or text message that transmits a document or provides an alert to log in to view a document shall identify in the e-mail subject line or at the beginning of the text message, the case by court, party name, case number, and the title or legal description of the document(s) being sent.

(g) An alternative electronic service transmission sent after 4:30 p.m. Eastern Time shall be deemed to be served on the next day that is not a Saturday, Sunday, or legal holiday. Service under this subrule is treated as service by delivery under MCR 2.107(C)(1).

(h) A party or attorney may withdraw from an agreement for alternative electronic service by notifying the friend of the court in writing at least 28 days in advance of the withdrawal.

(i) Alternative electronic service is complete upon transmission, unless the friend of the court learns that the attempted service did not reach the intended recipient. If an alternative electronic service transmission is undeliverable, the friend of the court must serve the paper or other document by regular mail under MCR 2.107(C)(3), and include a copy of the return notice indicating that the electronic transmission was undeliverable. The friend of the court must also retain a notice that the electronic transmission was undeliverable.

(j) The friend of the court shall maintain an archived record of sent items that shall not be purged until the conclusion of the case, including the disposition of all appeals.

(B)–(C) [Unchanged.]

(D) Administrative Change of Address. The friend of the court office ~~shall~~may change a party's address administratively pursuant to the policy established by the state court administrator for that purpose when:

(1) a party's address changes in another friend of the court office pursuant to these rules, or

(2) notices and court papers are returned to the friend of the court office as undeliverable or the friend of the court determines that a federal automated database has determined that mail is not deliverable to the party's listed address.

(E)–(H) [Unchanged.]

(I) Notice to Attorneys.

(1) Copies of notices required to be given to the parties also must be sent to the attorneys of record.

(2) The notice requirement of this subrule remains in effect until 21 days after judgment is entered or until postjudgment matters are concluded, whichever is later.

(J) [Former subrule "(I)" relettered as "(J)," but otherwise unchanged.]

Rule 3.208 Friend of the Court

(A)–(C) [Unchanged.]

~~(D) Notice to Attorneys~~

~~(1) Copies of notices required to be given to the parties also must be sent to the attorneys of record.~~

~~(2) The notice requirement of this subrule remains in effect until 21 days after judgment is entered or until postjudgment matters are concluded, whichever is later.~~

STAFF COMMENT: The proposed amendment of MCR 3.203 would allow the friend of the court to use automated databases such as the United States Postal Services' National Change of Address database to identify outdated addresses and update them to correct addresses. The proposed amendments would allow a party or a party's attorney to agree to receive notices and other court papers from the friend of the court electronically. The proposed amendments would move the requirement to provide notices to attorneys of record from MCR 3.208.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be sent to the Supreme Court Clerk in writing or electronically by March 1, 2017, at P.O. Box 30052, Lansing, MI 48909, or ADMcomment@courts.mi.gov. When filing a comment, please refer to ADM File No. 2015-22. Your comments and the comments of others will be posted under the chapter affected by this proposal at Proposed & Recently Adopted Orders on Admin Matters page.

Proposed Amendment of Rule 3.208 of the Michigan Court Rules

On order of the Court, dated November 23, 2016, this is to advise that the Court is considering an amendment of Rule 3.208 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter also will be considered at a public hearing. The notices and agendas for public hearings are posted at Administrative Matters & Court Rules page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 3.208 Friend of the Court

(A) [Unchanged.]

(B) Enforcement. The friend of the court is responsible for initiating proceedings to enforce an order or judgment for support, ~~visitation~~ parenting time, or custody.

(1) If a party has failed to comply with an order or judgment, the friend of the court may ~~petition for an order~~ schedule a hearing before a judge or referee for the party to show cause why the party should not be held in contempt.

(2) ~~The order to~~ Notice of the show cause hearing must be served personally, ~~or~~ by ordinary mail at the party's last known address, or in another manner permitted by MCR 3.203.

(a) The notice of the show cause hearing signed by an attorney for the friend of the court or other person designated by the chief judge to sign the notice has the force and effect of an order signed by the judge of that court ordering the party to appear.

(b) For the purpose of this subrule, an authorized signature includes but is not limited to signatures written by hand, printed, stamped, type written, engraved, photographed, or lithographed.

(c) A notice under this subrule must:

(i) be entitled in the name of the People of the State of Michigan;

(ii) be imprinted with the seal of the Supreme Court of Michigan;

(iii) have typed or printed on it the name of the court in which the matter is pending;

(iv) state the time and place where the hearing is scheduled;

(v) state that the party is required to appear;

(vi) state the title of the action in which the person is ordered to appear;

(vii) state the file designation assigned by the court;

(viii) state the amount past due and the source of the alleged past due amount if the contempt hearing is for nonpayment of support and, if the contempt hearing is for violation of an order other than a support order, the act or failure to act that constitutes a violation of the court order; and

(ix) state that failure to obey the notice or reasonable directions of the signer as to time and place to appear may subject the person to whom it is directed to penalties for contempt of court.

The state court administrator shall develop and approve a show cause hearing and notice form for statewide use. The show cause hearing and notice form may be combined in a single document.

(d) A person must comply with the notice unless relieved by order of the court or written direction of the person who executed the notice.

(3) The show cause hearing ~~on the order to show cause~~ may be held no sooner than seven days after the ~~order~~ notice is served on the party. If service is by ordinary mail, the hearing may be held no sooner than nine days after the ~~order~~ notice is mailed.

(4) The court may hold the show cause hearing without the friend of the court unless a party presents evidence that requires the court to receive further information from the friend of the court's records before making a decision. If the party fails to appear ~~in response to the order to~~ at the show cause hearing, the court may issue an order for arrest.

(5)–(6) [Unchanged.]

(C) Allocation and Distribution of Payments.

(1) Except as otherwise provided in this subrule, all payments shall be allocated and distributed as required by the guidelines established by the ~~state court administrator~~ office of child support for that purpose.

(2) If the court determines that following the guidelines established by the ~~state court administrator~~ office of child support would produce an unjust result in a particular case, the court may order that payments be made in a different manner. The order must include specific findings of fact that set forth the basis for the court's decision, and must direct the payer to designate with each payment the name of the payer and the payee, the case number, the amount, and the date of the order that allows the special payment.

(3) [Unchanged.]

~~(4) A notice of income withholding may not be used by the friend of the court or the state disbursement unit to determine the specific allocation or distribution of payments.~~

(D) [Unchanged.]

(E) Exceptions to Friend of the Court Enforcement.

(1) The friend of the court is not required to enforce or modify a child support order when the payee is excused from cooperating in enforcing, establishing, or modifying a child support order for good cause relating to the safety of a payee or child pursuant to Title IV, Part D of the Social Security Act, 42 USC 651 *et seq.*

(2) The friend of the court is not required to enforce or modify a child support order when the case is no longer eligible for federal funding because a party fails or refuses to take action to allow the friend of the court's activities to receive federal funding or because the federal child support case is closed pursuant to Title IV, Part D of the Social Security Act, 42 USC 651 *et seq.*

STAFF COMMENT: The proposed amendment of MCR 3.208 would implement 2014 PA 378 permitting alternate procedures to set contempt proceedings to reduce the steps necessary to schedule a hearing. The proposed amendments also would clarify when the FOC must participate in a contempt hearing. In addition, the proposed amendments would implement 2014 PA 381 making the Office of Child Support responsible for determining allocation and distribution of child support payments, and would allow the friend of the court to refrain from enforcing child support orders in situations in which it is inappropriate or unproductive for the friend of the court to continue to enforce child support orders.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be sent to the Supreme Court Clerk in writing or electronically by March 1, 2017, at P.O. Box 30052, Lansing, MI 48909,

or ADMcomment@courts.mi.gov. When filing a comment, please refer to ADM File No. 2016-11. Your comments and the comments of others will be posted under the chapter affected by this proposal at Proposed & Recently Adopted Orders on Admin Matters page.

Proposed Amendment of Rules 7.306 and 7.316 of the Michigan Court Rules

On order of the Court, dated November 30, 2016, this is to advise that the Court is considering an amendment of Rule 7.306 and Rule 7.316 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter also will be considered at a public hearing. The notices and agendas for public hearings are posted at Administrative Matters & Court Rules page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 7.306 Original Proceedings

(A) When Available. A complaint may be filed to invoke the Supreme Court's superintending control power

(1)–(2) [Unchanged.]

When a dispute regarding court operations arises between judges within a court that would give rise to a complaint under this rule, the judges shall participate in mediation as provided through the State Court Administrator's Office before filing such a complaint. The mediation shall be conducted in compliance with MCR 2.411(C)(2).

(B)–(I) [Unchanged.]

Rule 7.316 Miscellaneous Relief

(A) Relief Obtainable. The Supreme Court may, at any time, in addition to its general powers

(1)–(6) [Unchanged.]

(7) enter any judgment or order that ought to have been entered, and enter other and further orders and grant relief as the case may require; ~~or~~

(8) if a judgment notwithstanding the verdict is set aside on appeal, grant a new trial or other relief; or

(9) order an appeal submitted to mediation. The mediator shall file a status report with this Court within the time specified in the order. If mediation results in full or partial settlement of the case, the parties shall file, within 21 days after the filing of the notice by the mediator, a stipulation to dismiss (in full or in part) with this Court pursuant to MCR 7.318.

(B)–(C) [Unchanged.]

STAFF COMMENT: Under the proposed amendment of MCR 7.306, judges in an intra-court dispute would be required to submit to mediation before filing a complaint for superintending control under this rule. The proposed amendment of MCR 7.316 would explicitly provide that the Supreme Court may order an appeal to mediation.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be sent to the Office of Administrative Counsel in writing or electronically by March 1, 2017, at P.O. Box 30052, Lansing, MI 48909, or ADMcomment@courts.mi.gov. When filing a comment, please refer to ADM File No. 2014-25. Your comments and the comments of others will be posted under the chapter affected by this proposal at Proposed & Recently Adopted Orders on Admin Matters page.

MARKMAN, J. (*concurring*). This proposal would amend MCR 7.316(A) to allow the Court to "order an appeal submitted to mediation." I concur in its publication because this affords bench and bar, and the public, the opportunity to consider this proposal carefully and to share their thoughts with the Court. While I am by no means averse to mediation, and indeed am supportive of the process in many contexts, I do respectfully have concerns about the instant proposal and pose the following questions:

(1) For the past 180 years, indeed until just a few weeks ago, see *Huntington Woods v Oak Park*, 500 Mich ___ (November 2, 2016) (Docket No. 152035), this Court has never ordered parties to engage in mediation. What now warrants a change in this policy?

(2) Is the mediator better equipped than the seven justices of this Court to resolve cases or controversies that are the subject of appeal in this Court, and under what circumstances?

(3) Given that the seven justices of this Court were specifically chosen by the people of this state to resolve "cases and controversies" brought to their highest court, while the mediator was not, why should this responsibility now be subject to delegation?

(4) Even more to the point, no matter how capable the mediator, is mediation the process by which the parties, and the people of this state, intended their Supreme Court would dispose of legal "cases and controversies"? Or did they intend rather that such disputes would be decided by a collective exercise of the "judicial power" under their Constitution by the seven justices of their highest court? In other words, do parties file appeals in this Court to obtain a legal judgment or so that the Court might assign a mediator to negotiate a settlement? Should it be the role of this Court to broaden the manner in which disputes brought before it may be resolved by including a mediative process, thereby narrowing the possibility that a dispute will be resolved in accordance with the rule of law?

(5) Although mediation may constitute a useful tool for resolving *disputes*, is it an equally useful tool for resolving the *law*? What guidance, for example, does it afford regarding what the law will be in the next 100 similar or related cases?

(6) When parties file appeals in this Court, are they seeking a judicial determination of "what the law is," *Marbury v Madison*, 5 US (1 Cranch) 137, 177 (1803), or a decision-making process focused on which outcome would optimize the overall satisfaction of the parties? Are such parties *disinterested* in which of these processes is brought to bear in resolving their disputes?

(7) The proposed rule states only that this Court can "order an appeal submitted to mediation." Will parties be allowed to opt out of mediation or will it be mandatory? Will parties have a voice in choosing who their mediator will be or whether he or she will be a judge? Will a mediator be required to have training or experience, either in mediation in general or in the specific subject matter of the case before the Court? Who will bear the costs of mediation? How will mediation confidentiality be preserved? Will all types of cases potentially be subject to mediation? If not, what *standards* will determine which cases are subject to mediation?

(8) How would the proposed mediation procedure affect parties contemplating an appeal in this Court? Before filing an appeal, and in the absence of mediation-submission standards, will *every* party find it necessary to assess the likelihood that it may be required to mediate, thus having to consider at least the following: (a) the risk of incurring additional costs (mediation may save time and resources when freely pursued on day 1 of the legal process, but will it do the same when it is compelled on day 821, especially after oral arguments have already been heard in the Court on day 815); (b) the risk of a more drawn-out appellate process; (c) the risk of 55-45 outcomes that may be far more prevalent in a mediation process compared to 95-5 outcomes typifying the judicial process; (d) the risk of which person will be selected by the Court to serve as mediator; and (e) the risk of failing to obtain a precedential legal judgment that may be of relatively high value to a litigant pursuing a "test case," a litigant involved regularly in disputes of a similar kind, or a litigant whose interests reflect those of significant numbers of similarly placed litigants within the same industry or association?

(9) As a practical matter, how effective is mandatory mediation likely to prove for parties who—at considerable time, expense, resources and anxiety—have undergone the trial process, the intermediate appellate process (which may also include a mediation process), and the filing process in this Court without having voluntarily chosen to engage in mediation?

(10) Finally, while recognizing that an appellate mediation procedure has been established at the Court of Appeals, see MCR 7.213, are there differences between these courts that might warrant an appellate mediation procedure at one but not the other? Are there, for example, relevant differences between an intermediate "error-correcting" appellate court, having largely mandatory jurisdiction, and a "law-developing" court of last resort, having largely discretionary jurisdiction that warrant distinctive approaches? Moreover, is the specific mediation procedure in the Court of Appeals properly described as "mandatory"?

Appointment of Chief Judge of the 25th Circuit Court and Marquette County Probate Court (Dated November 23, 2016)

On order of the Court, effective January 1, 2017, the Honorable Jennifer A. Mazzuchi is appointed chief judge of the 25th Circuit Court and Marquette County Probate Court for the remainder of a term ending December 31, 2017.

Appointment of Chief Judge of the 87A District Court (Gaylord) (Dated November 23, 2016)

On order of the Court, effective January 1, 2017, the Honorable Michael K. Cooper is appointed chief judge of the 87A District Court for the remainder of a term ending December 31, 2017.

Supreme Court Appointments to the Committee on Model Civil Jury Instructions (Dated November 23, 2016)

On order of the Court, pursuant to Administrative Order No. 2001-6, the following persons are reappointed to the Committee on Model Civil Jury Instructions for terms beginning January 1, 2017, and ending December 31, 2019:

Hon. Jane M. Beckering
Hon. David A. Teeple
Hon. Kathleen A. Feeney
Daniel J. Schulte
Mark R. Bendure
William B. Forrest III

In addition, Judith A. Susskind is appointed for the remainder of a term beginning January 1, 2017, and ending December 31, 2018.

In addition, Amy M. Johnston is appointed for a new term beginning January 1, 2017, and ending December 31, 2019.

Supreme Court Appointments to the Committee on Model Criminal Jury Instructions (Dated November 23, 2016)

On order of the Court, pursuant to Administrative Order No. 2013-13, the following persons are reappointed to the Committee on Model Criminal Jury Instructions for terms beginning January 1, 2017, and ending December 31, 2019:

Hon. Timothy G. Hicks
Timothy A. Baughman
Stacia J. Buchanan

In addition, the following persons are appointed for a new term beginning January 1, 2017, and ending December 31, 2019:

Jerome Sabbota
Michael L. Mittlestat
Michael J. McCarthy
Hon. David Law

Supreme Court Appointments to the Foreign Language Board of Review (Dated November 23, 2016)

On order of the Court, pursuant to MCR 8.127, the following persons are reappointed to the Foreign Language Board of Review for terms beginning January 1, 2017, and ending December 31, 2019:

Hon. William G. Kelly (Kentwood District Court Judge)
Jennifer Thom (Court Administrator)
Donna Bos (Fully Certified Interpreter)