



## Report on Public Policy Position

**Name of committee:**

Civil Procedure and Courts Committee

**Contact person:**

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**Proposed Court Rule or Administrative Order Number:**

2006-06 - Proposed Amendment of Rule 7.215 of the Michigan Court Rules

The September 18, 2007, proposed amendment of MCR 7.215 reflects revisions recommended by the Michigan Court of Appeals. The amendment would shift responsibility for making an “outcome-determinative” assessment from the entire bench to the panel deciding the case in which the conflict is raised. The amendment would also require the panel to state the disposition it would have reached had it not been required to follow the prior published decision.

**Date position was adopted:**

October 20, 2007

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

20

**Number who voted in favor and opposed to the position:**

16 Voted for position

4 Did not vote

**Position:**

Support

**Explanation of the position, including any recommended amendments:**

The proposal come from the Court of Appeals, which is best able to evaluate the conflict resolution procedure. The amendment seems reasonable.

**The text 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/2006-06-09-18-07.pdf>