

## CRIMINAL JURISPRUDENCE &amp; PRACTICE COMMITTEE

Respectfully submits the following position on:

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ADM File No. 2013-36

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The Criminal Jurisprudence & Practice Committee is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Criminal Jurisprudence & Practice Committee only and is not an official position of the State Bar of Michigan, nor does it necessarily reflect the views of all members of the State Bar of Michigan.

The State Bar position on this matter is to support the proposed amendments with recommended amendments from the Civil Procedure & Courts Committee, the Criminal Jurisprudence & Practice Committee, and the Appellate Practice Section.

The total membership of the Criminal Jurisprudence & Practice Committee is 18.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 18. The number who voted in favor to this position was 12. The number who voted opposed to this position was 0.

## Report on Public Policy Position

**Name of Committee:**

Criminal Jurisprudence and Practice

**Contact persons:**

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

[2013-36 – Proposed Amendments of Subchapter 7.300 of the Michigan Court Rules](#)

These proposed amendments would update the rules regarding practice in the Michigan Supreme Court, and would renumber and reorganize the rules to be consistent with those in the Court of Appeals for the ease of the appellate practitioner and greater judicial efficiency.

**Date position was adopted:**

December 11, 2014

**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:**

18

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

12 Voted for position

0 Voted against position

0 Abstained from vote

6 Did not vote (absent)

**Position:**

Support in Concept with Proposed Amendment

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

The committee voted unanimously (12) to support the proposed changes to MCR 7.300 in concept with an addition to 7.305(F):

Nonconforming Pleading. On its own initiative or on a party's motion, the Court may order a party who filed a pleading that does not substantially comply with the requirements of this rule to file a conforming pleading within a specified time or else it may strike the nonconforming pleading. The submission to the

clerk of a nonconforming pleading does not satisfy the time limitation for filing the pleading where the pleading has not been corrected within the specified time.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

[http://courts.mi.gov/Courts/MichiganSupremeCourt/rules/court-rules-admin-matters/Court%20Rules/2013-36\\_2014-10-22\\_formatted%20order\\_FINAL.pdf](http://courts.mi.gov/Courts/MichiganSupremeCourt/rules/court-rules-admin-matters/Court%20Rules/2013-36_2014-10-22_formatted%20order_FINAL.pdf)