

Research Resources for Michigan Appellate Practice

By Barbara McDowell Bonge

Attorneys practicing in Michigan's appellate courts can access many free resources from the websites of the Michigan Supreme Court (<http://courts.michigan.gov/supremecourt/>) and Michigan Court of Appeals (<http://courtofappeals.mijud.net/>). Over the last several years, these courts have made available on the web resources that previously had been available in computer format, if at all, only within the courts.

The Michigan Appellate Digest (<http://courtofappeals.mijud.net/Digest/DigestLaunchPage.jsp>) offers research for Michigan Supreme Court and Michigan Court of Appeals published opinions back to 1992. Long-experienced editors at the Court of Appeals analyze opinions very quickly upon publication, assigning the various points of law to subtopics under approximately 100 major topics and writing a brief digest paragraph for each point, noting citations for significant statutes, court rules, jury instructions, etc.

Because this digest is attuned specifically to the language of Michigan law, attorneys often find case searching with this digest more efficient than with national digest systems. It can be very useful for finding standards of review and requirements for preservation of error. There are several methods of searching: (1) going from a major topic to its subtopic list, (2) searching the subtopics for a word or phrase (note that this method searches the *subtopics*, not the text of the digest paragraphs; search terms should be very brief or even truncated), or (3) using the "statutes" method (searching by citation for statutes, court rules, offense variables, etc.).

The usefulness of the Michigan Appellate Digest extends into other resources. By subscribing to e-mail notification of Supreme Court and Court of Appeals opinions

(<http://courtofappeals.mijud.net/resources/subscribe.htm>), you are notified of opinions the day after release; Michigan Appellate Digest references are given for each Supreme Court and published Court of Appeals opinion.

Michigan Appellate Digest major topics and subtopics are also used to organize the Digest's ancillary list of Issues Pending before the Supreme Court (<http://courtofappeals.mijud.net/Digest/PendingBeforeMSC.jsp?option=issues>), covering cases that have been granted leave by the Supreme Court. This list includes cases that were unpublished on the Court of Appeals level.

For information about the progress of cases through either court (case inquiry), use the Michigan Court of Appeals Case Information System (<http://courtofappeals.mijud.net/resources/public.htm>). The case inquiry system tracks both Court of Appeals and Supreme Court cases and is updated every night. Links to opinions and, more recently, orders, are included. (Note: e-mail notification of Supreme Court orders is now available through <http://courts.michigan.gov/supremecourt/Orders.htm>.)

The clerks' offices of both courts also put their internal operating procedures (IOPs) for case handling on the web. IOPs in PDF format are available for the Supreme Court at http://courts.michigan.gov/supremecourt/2003-48_02-03-05.pdf and for the Court of

Appeals at <http://courtofappeals.mijud.net/clerkoffice/clerkiop.htm>.

Briefs for Supreme Court cases granted hearings back to 2002 can be found under the Clerk's Office tab on the Supreme Court's home page. The Supreme Court website is also the place to check for court rule information. Under the Resources tab, you'll find links to current court rules, proposed rules, recently adopted rules, current administrative orders, and transcripts of public hearings (starting with 2007).

For more resources for appellate practice, both print and online, see the excellent guides by Barbara Goldman: *Resources for Appellate Practice in Michigan*¹ and *On the Web: Internet Resources for Michigan Appellate Lawyers*.² ■

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FOOTNOTES

1. Goldman, *Resources for appellate practice in Michigan*, 77 Mich B J 58 (January 1998).
2. Goldman, *On the web: Internet resources for Michigan appellate lawyers*, 81 Mich B J 25 (May 2002), available at <<http://www.michbar.org/journal/pdf/pdf4article433.pdf>> [accessed January 15, 2008].

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