

CIVIL PROCEDURE & COURTS COMMITTEE  
Respectfully submits the following position on:

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ADM File No. 2013-35

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The Civil Procedure & Courts Committee is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Civil Procedure & Courts 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.

The total membership of the Civil Procedure & Courts Committee is 23.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 23. The number who voted in favor to this position was 17. The number who voted opposed to this position was 0.

## Report on Public Policy Position

**Name of Committee:**

Civil Procedure & Courts Committee

**Contact person:**

Karen H. Safran

**E-Mail:**

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

[2013-35 - Proposed Amendment of MCR 7.211](#)

The proposed amendment of MCR 7.211(C)(1)(c) would clarify that an appellant, in a case tried without a jury, is not required to file a motion for remand or a motion for a new trial to challenge the great weight of the evidence to preserve the issue for appeal.

**Date position was adopted:**

January 5, 2015

**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:**

23

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

17 Voted for position

0 Voted against position

0 Abstained from vote

6 Did not vote (absent)

**Position:**

Support

**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/Adopted/2013-35\\_2014-11-26\\_formatted%20order.pdf](http://courts.mi.gov/Courts/MichiganSupremeCourt/rules/court-rules-admin-matters/Adopted/2013-35_2014-11-26_formatted%20order.pdf)