

June 30, 2026

Elizabeth C. Kingston-Miller
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

RE: ADM File No. 2023-23: Proposed Amendment of Rule 3.972 of the Michigan Court Rules

Dear Clerk Kingston-Miller:

The Board of Commissioners of the State Bar of Michigan considered ADM File No. 2023-23 at its meeting on April 24, 2026. In its review, the Board considered recommendations from the Access to Justice Policy Committee, Civil Procedure & Courts Committee, Criminal Jurisprudence & Practice Committee, Justice Initiatives Committee, and Children's Law Section. The Board voted unanimously to support ADM File No. 2023-23 with an additional amendment, proposed by the Children's Law Section, that the third sentence of Rule 3.973(E) read:

A party other than the respondent that filed the motion may request to present evidence to the court before it decides the motion, and the court must grant that request before deciding the motion.

By requiring the court to grant a request from a non-moving party in this manner, the additional rule language will ensure the court has the benefit of hearing that party's case before deciding a motion.

Thank you for the opportunity to comment on the proposed amendment.

Sincerely,



Peter Cunningham
Executive Director

cc: Sarah Roth, Administrative Counsel, Michigan Supreme Court
Lisa J. Hamameh, President

