



December 19, 2025

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 Amendments of Rules 3.942 and 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 November 19, 2025. In its review, the Board considered recommendations from the Access to Justice Policy Committee, Civil Procedure & Courts Committee, and Children's Law Section. The Board voted unanimously to support the proposed amendment of Rules 3.942 and 3.972, which will provide helpful clarity to the rules governing juvenile proceedings.

Today, Rule 3.911(C) provides that *jury* trial procedures in juvenile court proceedings are governed by the civil jury trial rules (i.e., Rules 2.508-2.516). The rule does not speak to the rules applicable to *bench* trials in juvenile proceedings. ADM File No. 2023-23 will fill this procedural gap and bring juvenile proceedings in line with their civil and criminal counterparts by requiring courts to make findings of fact and conclusions of law at juvenile bench trials. Similarly, the proposed amendments will fill a second procedural gap by making the civil bench trial motion for involuntary dismissal applicable in child protective proceedings and the criminal bench trial motion for directed verdict applicable in juvenile delinquencies. The Board believes that these clarifications will improve the functioning of juvenile court proceedings for courts, parties, and counsel alike.

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

Sincerely,

A handwritten signature in dark ink, reading 'Peter Cunningham'.

Peter Cunningham
Executive Director

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

