

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. 2025-14: Proposed Amendment of Rule 8.115 of the Michigan Court Rules

Dear Clerk Kingston-Miller:

The Executive Committee of the State Bar of Michigan considered ADM File No. 2025-14 at its meeting on December 10, 2025. In its review, the Committee considered recommendations from the Access to Justice Policy Committee, Criminal Jurisprudence & Practice Committee, Civil Procedure & Courts Committee, and Justice Initiatives Committee, as well as the Immigration Law, Labor & Employment Law, and Prisons & Corrections Law Sections. Each of these committees and sections recommended that the State Bar support ADM File No. 2025-14. Based on these recommendations and their own deliberations, the Executive Committee voted unanimously to support the proposed amendment of Rule 8.115.

Meaningful access to the court system is a fundamental right guaranteed by both the Michigan and United States Constitutions. That right extends to citizens and non-citizens alike, without regard to race, color, or national origin. Ensuring that all individuals can access Michigan's courts free from intimidation or fear should therefore be a paramount concern for all who are entrusted with, or invested in, the fair and effective administration of justice. When parties, witnesses, victims, or members of the general public are deterred from entering courthouses, public safety, the integrity of our judicial system, and constitutional principles are undermined. For over a century Michigan law has recognized this concern by prohibiting the civil arrest of individuals attending court proceedings as parties or witnesses. ADM File No. 2025-14 builds on that long-standing legal framework by implementing existing statutory provisions and ensuring their consistent application to all persons with legitimate business in a courthouse, not just parties, attorneys, and subpoenaed witnesses. The Executive Committee believes that the prompt adoption of ADM File No. 2025-14 is vital to the administration of justice in Michigan.

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

