



The
APPELLATE PRACTICE SECTION
respectfully submits the following position on:

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ADM File No. 2006-44
Proposed Amendment of Rule 7.306 of the Michigan Court Rules

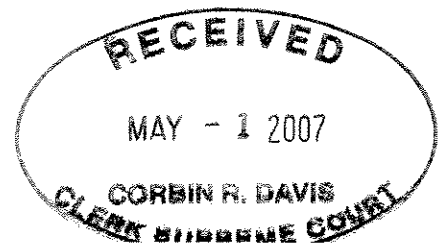
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The Appellate Practice Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Appellate Practice Section only and is not the position of the State Bar of Michigan. To date, the State Bar of does not have a position on this matter.

The total membership of the Appellate Practice Section is approximately 685.

The Appellate Practice Section Council adopted the position after discussion and vote. The number of members in the decision-making body is 23. The number who voted in favor to this position was 18. The number who voted opposed to this position was 0.



APPELLATE PRACTICE SECTION

STATE BAR OF MICHIGAN



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April 30, 2007

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Mr. Corbin R. Davis
Clerk of the Michigan Supreme Court
P.O. Box 30052
Lansing, Michigan 48909

TREASURER
JOHN J. BURSCH
GRAND RAPIDS

Re: Proposed Amendment of MCR 7.306 ADM File No. 2006-44

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Dear Mr. Davis:

As to the proposed alternative amendments to MCR 7.306, the Appellate Practice Section supports Proposal B. The proposed amendments in Proposal B provide clarification and direction as to the due date for amicus briefs, while retaining the interested party's ability to move for leave to file an amicus brief after the specified due date. Further, the Council fully supports the elimination of the need for a motion, and thus the motion fee, for the public interests groups listed in Proposal B. We urge that the language "at such other time as the Court directs" in MCR 7.306(D)(1) be liberally construed to continue the Court's present practice of allowing the later filing of amicus curiae briefs in appropriate cases.

Very truly yours,

Linda M. Garbarino, Chair
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