

## ADMINISTRATIVE AGENDA

March 5, 2009

### Chief Justice Update

#### Approval of the rules for administrative conferences as recommended by the Court's committee on open administrative conferences

#### Approval of the Minutes

November 13, 2008 (Opinions/CRs)  
November 19, 2008 (Opinions/CRs)  
November 19, 2008 (ADMs)  
December 3, 2008 (Opinions/CRs)  
December 3, 2008 (ADMs)  
December 11, 2008 (Opinions/CRs)  
December 11, 2008 (ADMs)  
December 15, 2008 (Opinions/CRs)  
December 17, 2008 (ADMs)

#### Appointments

1. 2009-01 **Subject:** Appointment of Chief Judge in the Genesee County Probate Court.  
**Issue:** *Whether to appoint Judge Jennie E. Barkey as Chief Judge of the Genesee County Probate Court.*  
**Status:** Awaiting conference consideration.

#### Items Previously Discussed

2. 2009-04 **Subject:** Proposed court rule regarding recusal of a Supreme Court Justice.  
**Issue:** *Whether to publish for comment a proposal or several proposals regarding procedures for disqualification of a Supreme Court Justice.*  
**Status:** Passed 1/22/09 for Justices to review statements and decide whether they wish to revise and publish for comment.

3. 2008-29 **Subject:** Proposed Adoption of the Amendment of Rules 3.901, 3.903, 3.921, 3.965, 3.975, 3.976, 3.977, and 3.978, and Adoption of New Rule 3.979 of the Michigan Court Rules.  
**Issue:** *Whether to adopt the proposed amendments of MCR 3.901, 3.903, 3.921, 3.965, 3.975, 3.976, 3.977, and 3.978, and new rule MCR 3.979 to reflect the recent enactment of 2008 PA 199-203 regarding creation of juvenile guardianships and other revisions of statutory permanency provisions for children.*  
**Status:** Passed from 1/14/09 conference that followed the public hearing for further discussion pending expiration of the comment period on 2/1/09.
4. 2007-40 **Subject:** Proposed Adoption of an Amendment of Rule 7.205 of the Michigan Court Rules.  
**Issue:** *Whether to adopt one of the two proposed alternative amendments of MCR 7.205, or another alternative. Alternative A would adopt the principle that the period in which to file an application for delayed appeal pursuant to MCR 7.205(F) is tolled while a claim of appeal is pending. Alternative B would explicitly state that the period in which to file an application for delayed appeal pursuant to MCR 7.205(F) is not tolled while a claim of appeal is pending, except as allowed by the rule.*  
**Status:** Passed from conference that followed the 1/14/09 public hearing for Anne Boomer to coordinate with commenters to discuss creation of a middle-ground alternative.
5. 2005-32 **Subject:** Proposed Pilot Project of the 46<sup>th</sup> District Court to Operate Under Revised Provisions of Rules 2.112, 2.114, 3.101, and 8.119 of the Michigan Court Rules. The 46<sup>th</sup> District Court has amended its request to seek various rule amendments instead of approval of a pilot project.  
**Issue:** *Whether to publish for comment proposed amendments of MCR 2.112, 2.114, 3.101, and 8.119 that would expand a court clerk's ability to reject pleadings.*  
**Status:** Passed on 3/13/07 to await entry of order in *Credit Acceptance Corp v 46<sup>th</sup> District Court*, COA 262404.

## New Items

6. 2009-08 **Subject:** Proposed Amendment of Rule 3.936(D)(1) of the Michigan Court Rules.  
**Issue:** *Whether to publish for comment a proposed amendment of MCR 3.936(D)(1) to remove the language that states “remove the fingerprints . . .” and replace it with “destroy the fingerprints . . .,” which would be more consistent with the statutory language in MCL 28.243.*  
**Status:** Awaiting conference consideration.
7. 2009-06 **Subject:** How to proceed on various proposed amendments of the Michigan Rules of Professional Conduct.  
**Issue:** *How to proceed in the discussion of various amendments of MRPCs identified by the Justices as needing further review and possible amendment.*  
**Status:** At the ADM conference held 1/22/09, ADM File No. 2003-62 was discussed and the Court unanimously decided to close the file and to open a new file that would house the various rules identified at conference and any others that may be identified later. The Court will discuss how to proceed with regard to the possible amendments at the first March conference.
8. 2004-04 **Subject:** Concurrent Jurisdiction Plan for the 53<sup>rd</sup> Circuit and Presque Isle County Probate Courts.  
**Issue:** *Whether to approve the concurrent jurisdiction plan for the 53rd Circuit Court and Presque Isle County Probate Court.*  
**Status:** Awaiting conference consideration.
9. 2008-09 **Subject:** Proposed Amendment of MCR 3.210 (default judgments in domestic relations cases).  
**Issue:** *Whether to publish for comment a proposed amendment of MCR 3.210 as supported by the MJA.*  
**Status:** Awaiting conference consideration.
10. Discussion Regarding Auxiliary Offices for Supreme Court Justices.
11. Discussion Regarding the Court’s Budget for Fiscal Year 2010.

12. Discussion Regarding the Scheduling of Meeting Dates for Future Administrative Conferences.