OCJs

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March 20, 2003

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MAR 21 2003
CORBIN R. DAVIS
CLERK SUPREME COURT

Mr. Corbin Davis
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

Re: Differentiated Case Scheduling at the Court of Appeals
File No. 2002-44

Dear Mr. Davis:

The State Bar Committee on Civil Procedure and Courts submits this comment on the Court's December 23, 2002 order authorizing differentiated case management in the court of appeals. The committee adopted its recommendation by a unanimous vote of a majority of the committee at a meeting on March 15, 2003 after written notice. The recommendation is that of the committee only and does not necessarily represent the policy of the State Bar of Michigan.

The committee supports a pilot program of differentiated case management in the Court of Appeals. However, before the Supreme Court considers a permanent amendment to MCR 7.213(C), we recommend that the Court of Appeals publish the details of how it implements the program and what effect the program has on disposition of cases. We recommend that the Supreme Court then afford ample time for comments based on that information before amending the rule.

The committee appreciates the opportunity to comment on this matter.

Sincerely,

Richard Bisio
Co-Chair, Civil Procedure
and Courts Committee

cc: Committee Members
John Berry, Executive Director, State Bar
Janet Welch, General Counsel, State Bar

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