

Order

Michigan Supreme Court
Lansing, Michigan

March 12, 2025

Elizabeth T. Clement,
Chief Justice

ADM File No. 2019-40

Brian K. Zahra
Richard H. Bernstein
Megan K. Cavanagh
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas,
Justices

Proposed Adoption of Administrative
Order No. 2025-X, Proposed Rescission
of Administrative Order No. 2012-7,
and Proposed Amendment of Rule
2.407 of the Michigan Court Rules

On order of the Court, this is to advise that the Court is considering adoption of an administrative order regarding a judicial officer's ability to appear remotely. The proposal also includes a proposed rescission of Administrative Order No. 2012-7 and a related proposed amendment of Rule 2.407 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the [Public Administrative Hearings](#) page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and
deleted text is shown by strikeover.]

Administrative Order No. 2025-X – Adoption of Administrative Order Regarding a
Judicial Officer's Remote Appearance

In accordance with this administrative order, judicial officers may preside remotely, in accordance with the applicable court rules governing the use of videoconferencing, in any proceeding that does not require the judicial officer's in-person presence.

The judicial officer who presides remotely must

- (1) be physically present in a location required or authorized by statute or court rule,
- (2) preside from a location that is free of personal distractions,
- (3) have a stable internet connection,

- (4) have their videoconferencing camera on at all times during the proceeding,
- (5) display the flags of the United States and Michigan as provided in MCR 8.115(A), and
- (6) wear a black robe.

For purposes of this administrative order, the judge may display digital representations of the United States and Michigan flags adjacent to the judge.

A judicial officer's remote participation is subject to the court's ability to produce a suitable recording of the proceeding for purposes of preparing a verbatim transcript in accordance with the Michigan court rules.

Before appearing remotely from a location other than their courthouse, a judicial officer must receive approval from their chief judge.

The State Court Administrative Office must report periodically to this Court regarding its assessment of judicial officers presiding remotely. Courts must cooperate with the State Court Administrative Office in monitoring the remote participation of judicial officers in court proceedings.

For purposes of this order:

- "Videoconferencing" means that term as defined in MCR 2.407.
- A "judicial officer" includes judges, district court magistrates, and referees.

Rule 2.407 Videoconferencing

(A)-(D) [Unchanged.]

~~(E) Notwithstanding any other provision in this rule, until further order of the Court, AO No. 2012-7 is suspended.~~

~~Administrative Order No. 2012-7 Adoption of Administrative Order to Allow State Court Administrative Office to Authorize a Judicial Officer's Appearance by Video Communication Equipment~~

~~The State Court Administrative Office is authorized, until further order of this Court, to approve the use of two-way interactive video technology in the trial courts to allow judicial officers to preside remotely in any proceeding that may be conducted by two-way interactive technology or communication equipment without the consent of the parties~~

under the Michigan Court Rules and statutes. Remote participation by judicial officers shall be limited to the following specific situations:

- 1) judicial assignments;
- 2) circuits and districts that are comprised of more than one county and would require a judicial officer to travel to a different courthouse within the circuit or district;
- 3) district court districts that have multiple court locations in which a judicial officer would have to travel to a different courthouse within the district;
- 4) a multiple district plan in which a district court magistrate would have to travel to a different district.

The judicial officer who presides remotely must be physically present in a courthouse located within his or her judicial circuit, district, or multiple district area

For circuits or districts that are comprised of more than one county, each court that seeks permission to allow its judicial officers to preside by video communication equipment must submit a proposed local administrative order for approval by the State Court Administrator pursuant to MCR 8.112(B). The local administrative order must describe how the program will be implemented and the administrative procedures for each type of hearing for which two-way interactive video technology will be used. The State Court Administrative Office shall either approve the proposed local administrative order or return it to the chief judge for amendment in accordance with requirements and guidelines provided by the State Court Administrative Office.

For judicial assignments, the assignment order will allow remote participation by judges as long as the assigned judge is physically present in a courthouse located within the judge's judicial circuit or district. A local administrative order is not required for assignments.

For multiple district plans, the plan will allow remote participation by district court magistrates as long as the magistrate is physically present in a courthouse located within the multiple district area. No separate local administrative order is required.

The State Court Administrative Office shall assist courts in implementing the technology, and shall report periodically to this Court regarding its assessment of the program. Those courts using the technology shall provide statistics and otherwise cooperate with the State Court Administrative Office in monitoring the use of video communication equipment.

Staff Comment (ADM File No. 2019-40): The proposed administrative order would clarify when, from where, and how a judicial officer may participate remotely, subject to their chief judge’s approval. If adopted, a related amendment of MCR 2.407 would strike a reference to AO 2012-7 being suspended and that administrative order would be rescinded.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be submitted by July 1, 2025 by clicking on the “Comment on this Proposal” link under this proposal on the [Court’s Proposed & Adopted Orders on Administrative Matters](#) page. You may also submit a comment in writing at P.O. Box 30052, Lansing, MI 48909 or via email at ADMcomment@courts.mi.gov. When submitting a comment, please refer to ADM File No. 2019-40. Your comments and the comments of others will be posted under the chapter affected by this proposal.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 12, 2025

A handwritten signature in black ink, appearing to read "Larry S. Royster".

Clerk