

Order

Michigan Supreme Court
Lansing, Michigan

March 26, 2025

Elizabeth T. Clement,
Chief Justice

ADM File No. 2022-59

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

Amendment of Rule
6.302 of the Michigan
Court Rules

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 6.302 of the Michigan Court Rules is adopted, effective May 1, 2025.

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

Rule 6.302 Pleas of Guilty and Nolo Contendere

(A)-(D) [Unchanged.]

(E) Additional Inquiries. On completing the colloquy with the defendant, the court must:

(1) Ask the prosecutor and the defendant's lawyer whether either is aware of any promises, threats, or inducements other than those already disclosed on the record, and whether the court has complied with subrules (B)-(D). If it appears to the court that it has failed to comply with subrules (B)-(D), the court may not accept the defendant's plea until the deficiency is corrected.

(2) Advise the defendant on the record and in writing on the form approved by the state court administrator that if the plea is accepted and the defendant engages in misconduct, as that term is defined in MCR 6.310, before sentencing, the court will not be bound by any sentencing agreement or evaluation.

(F) [Unchanged.]

Staff Comment (ADM File No. 2022-59): The amendment of MCR 6.302(E) requires courts, upon completing the colloquy in subrules (B)-(D) but before accepting a plea, to advise defendants of the consequences of misconduct in between plea acceptance

and sentencing.

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.



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 26, 2025

A handwritten signature in black ink, appearing to read "Larry S. Royster", written over a horizontal line.

Clerk