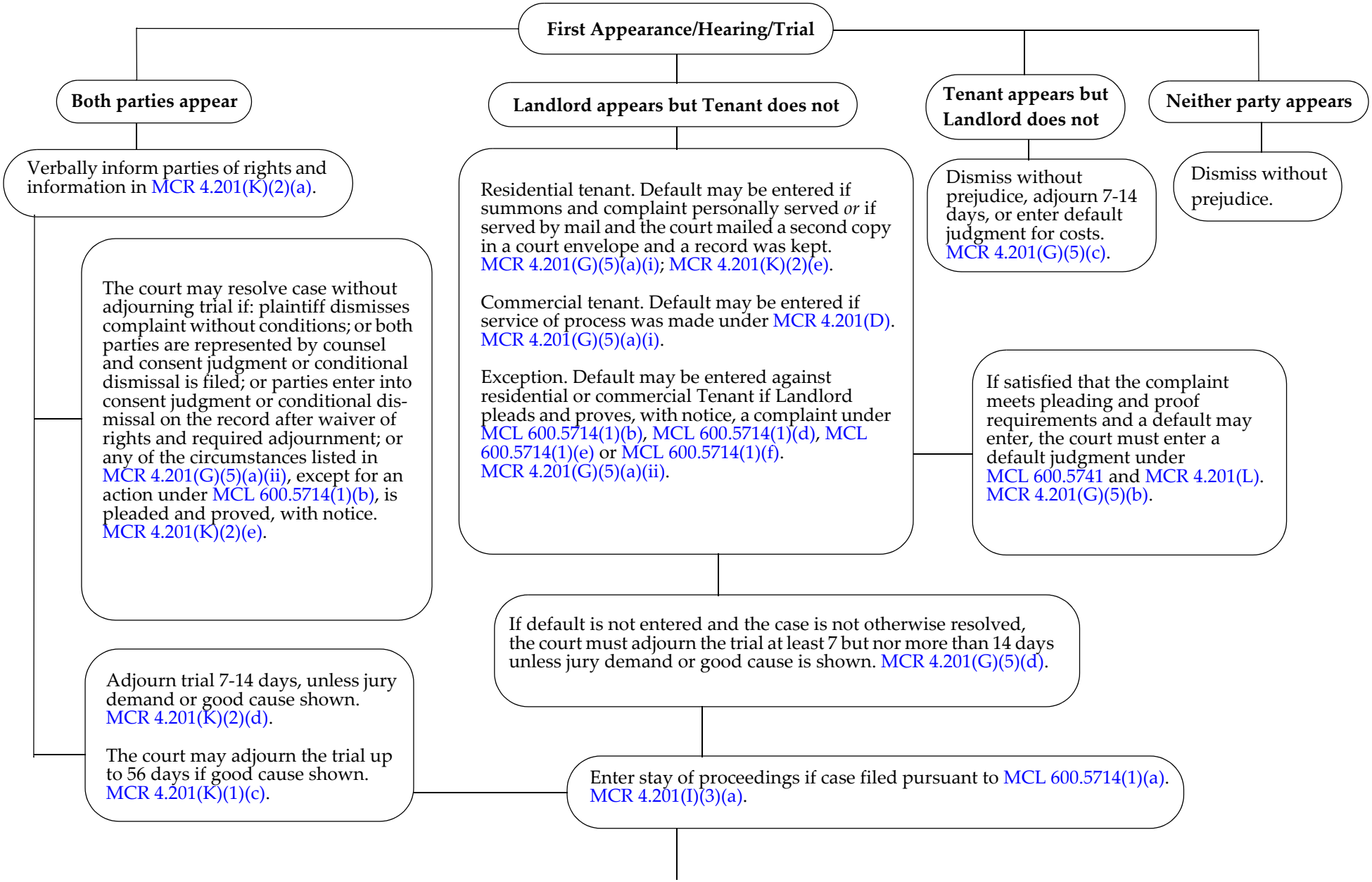
Flowchart of Summary Proceedings

See the Michigan Judicial Institute's *Residential Landlord-Tenant Law Benchbook*, Chapter 4, for more information on summary proceedings.



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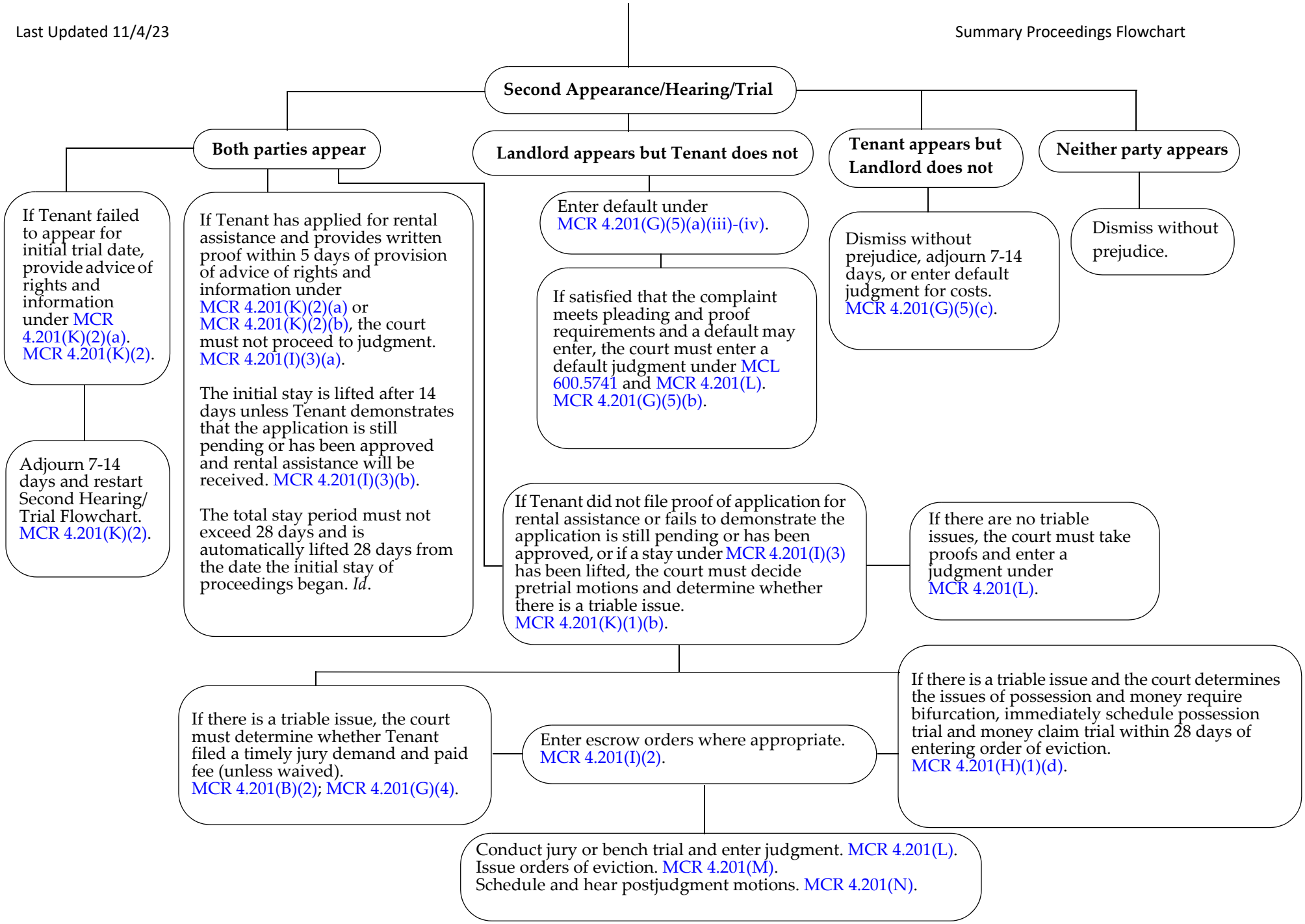
Second Appearance/Hearing/Trial
Both parties appear
Landlord appears but Tenant does not
Tenant appears but Landlord does not
Neither party appears
If Tenant failed to appear for initial trial date, provide advice of rights and information under MCR 4.201(K)(2)(a). MCR 4.201(K)(2).
Adjourn 7-14 days and restart Second Hearing/ Trial Flowchart. MCR 4.201(K)(2).
If Tenant has applied for rental assistance and provides written proof within 5 days of provision of advice of rights and information under MCR 4.201(K)(2)(a) or MCR 4.201(K)(2)(b), the court must not proceed to judgment. MCR 4.201(I)(3)(a).
The initial stay is lifted after 14 days unless Tenant demonstrates that the application is still pending or has been approved and rental assistance will be received. MCR 4.201(I)(3)(b).
The total stay period must not exceed 28 days and is automatically lifted 28 days from the date the initial stay of proceedings began. Id.
Enter default under MCR 4.201(G)(5)(a)(iii)-(iv).
If satisfied that the complaint meets pleading and proof requirements and a default may enter, the court must enter a default judgment under MCL 600.5741 and MCR 4.201(L). MCR 4.201(G)(5)(b).
Dismiss without prejudice, adjourn 7-14 days, or enter default judgment for costs. MCR 4.201(G)(5)(c).
Dismiss without prejudice.
If Tenant did not file proof of application for rental assistance or fails to demonstrate the application is still pending or has been approved, or if a stay under MCR 4.201(I)(3) has been lifted, the court must decide pretrial motions and determine whether there is a triable issue. MCR 4.201(K)(1)(b).
If there are no triable issues, the court must take proofs and enter a judgment under MCR 4.201(L).
If there is a triable issue, the court must determine whether Tenant filed a timely jury demand and paid fee (unless waived). MCR 4.201(B)(2); MCR 4.201(G)(4).
Enter escrow orders where appropriate. MCR 4.201(I)(2).
If there is a triable issue and the court determines the issues of possession and money require bifurcation, immediately schedule possession trial and money claim trial within 28 days of entering order of eviction. MCR 4.201(H)(1)(d).
Conduct jury or bench trial and enter judgment. MCR 4.201(L).
Issue orders of eviction. MCR 4.201(M).
Schedule and hear postjudgment motions. MCR 4.201(N).