

Order

Michigan Supreme Court
Lansing, Michigan

September 11, 2024

Elizabeth T. Clement,
Chief Justice

ADM File No. 2022-57

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Megan K. Cavanagh
Elizabeth M. Welch
Kyra H. Bolden,
Justices

Proposed Amendments of
Rules 6.508 and 6.509 of
the Michigan Court Rules

On order of the Court, this is to advise that the Court is considering amendments of Rules 6.508 and 6.509 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.]

Rule 6.508 Procedure; Evidentiary Hearing; Determination

(A)-(E) [Unchanged.]

(F) Reissue Order. If, while considering a motion filed under MCR 6.502, the court initially issues an order deciding the motion in part, within 7 days of entering an order deciding the remaining issue(s), the court must reissue the order so that all decisions on the motion are reflected in a single order.

Rule 6.509 Appeal

(A) Availability of Appeal. Appeals from decisions under this subchapter are by application for leave to appeal to the Court of Appeals pursuant to MCR 7.205(A)(1). The 6-month time limit provided by MCR 7.205(A)(4)(a), runs from the decision under this subchapter. For purposes of this subrule, a “decision under this subchapter” includes a reissued order under MCR 6.508(F). Nothing in this subchapter shall be construed as extending the time to appeal from the original judgment.

(B)-(D) [Unchanged.]

Staff Comment (ADM File No. 2022-57): The proposed amendments of MCR 6.508 and 6.509 would: (1) require trial courts that make a partial decision on a postjudgment motion for relief to reissue the order in its entirety after it decides the remaining issues, and (2) clarify that a reissued order constitutes a decision under subchapter 6.500 of the Michigan Court Rules for purposes of filing an application for leave to appeal with the Court of Appeals. Note that a separate proposal affecting MCR 6.509(A) is proposed under ADM File No. 2022-51.

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 January 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. 2022-57. 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.

September 11, 2024

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

Clerk