

# Order

Michigan Supreme Court  
Lansing, Michigan

September 18, 2024

Elizabeth T. Clement,  
Chief Justice

ADM File No. 2024-09

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

Amendment of Rule  
8.128 of the Michigan  
Court Rules

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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 8.128 of the Michigan Court Rules is adopted, effective immediately.

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

Rule 8.128 Michigan Judicial Council

(A)-(B) [Unchanged.]

(C) Membership

(1) [Unchanged.]

(2) All members shall be appointed by the Supreme Court. Members serving on the Judicial Council by nature of their positions designated in subparagraphs (C)(1)(a), (c) and (d) shall serve on the Judicial Council so long as they hold that position. Of the remaining members appointed by the Supreme Court, one-third shall initially be appointed to a two-year term, one-third appointed to a three-year term and one-third appointed to a four-year term. All members appointed or reappointed following these inaugural terms shall serve three-year terms. Terms commence January 1st of each calendar year. Unless otherwise specified in MCR 8.128(H) or the member is required or nominated to serve under MCR 8.128(C)(1)(a), (b), (c), or (d), ~~n~~No member may consecutively serve more than two full~~consecutive~~ terms.

(D)-(G) [Unchanged.]

(H) Vacancies. In the event of a vacancy on the Judicial Council, a replacement member shall be appointed by the Supreme Court for the remainder of the term of the former incumbent. After serving the remainder of the term, the new member may consecutively serve ~~be reappointed~~ for up to two full consecutive terms.

(I)-(K) [Unchanged.]

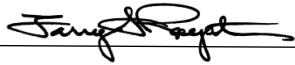
*Staff Comment (ADM File No. 2024-09):* The amendment of MCR 8.128(C) and (H) clarifies the number of allowed terms for members of the Michigan Judicial Council.

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.

September 18, 2024

  
Clerk