

Order

Michigan Supreme Court
Lansing, Michigan

November 20, 2024

Elizabeth T. Clement,
Chief Justice

ADM File No. 2024-06

Amendment of Rule
3.306 of the Michigan
Court Rules

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

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 3.306 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 3.306 Quo Warranto

(A) [Unchanged.]

(B) Parties.

(1)-(2) [Unchanged.]

(3) Application to Attorney General.

(a) [Unchanged.]

(b) If, on proper application and offer of security, the Attorney General refuses to bring the action, the person may apply to the appropriate court for leave to bring the action himself or herself. The court must not grant leave under this subrule if the action relates to the offices of electors of President and Vice President of the United States.

(C)-(E) [Unchanged.]

Staff Comment (ADM File No. 2024-06): In accordance with MCL 600.4501(2), the amendment of MCR 3.306(B)(3)(b) prohibits a court from granting leave to a private individual who is bringing a quo warranto action that relates to the offices of electors of President and Vice President of the United States.

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.

November 20, 2024

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

Clerk