

Michigan Supreme Court
State Court Administrative Office
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Lansing, Michigan 48909
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John D. Ferry, Jr., State Court Administrator

Local Court Rule Development and Approval Process Guidelines
MCR 8.112(B)

Courts submitting local court rules to the Michigan Supreme Court for approval under MCR 8.112(A) should follow these guidelines.

1. Local court rules may be adopted to regulate practice only if the rule is not in conflict with the Michigan Court Rules and regulates matters not already covered by the Michigan Court Rules.
2. A local court rule must be adopted by the trial court and approved by the Supreme Court if the trial court wants to establish a practice that is not specifically authorized by the Michigan Court Rules and: (a) depends on attorneys or litigants being informed of the practice in order for the practice to be effective; and (b) requires an attorney or litigant to do some act in relation to practice before that trial court.
3. If a trial court practice meets the conditions in item 2, it may not be enforced until a local court rule is adopted by the trial court and approved by the Supreme Court.
4. Unless a trial court finds that immediate action is required, the trial court must give reasonable notice and an opportunity to members of the bar in the affected judicial circuit, district, or county to comment on a proposed local court rule.
5. After the comment period has expired, the chief judge of the trial court should send the local court rule and any comments received to the Supreme Court Clerk. The proposed rule should be accompanied by a transmittal letter or memorandum on the trial court's letterhead (see attached sample) that includes the following information:
 - Number and title of the local court rule. The number shall bear the prefix LCR. When a local court rule supplements an area covered by the Michigan Court Rules, the number and the title must correspond with the numbering of the Michigan Court Rules, i.e., a local rule supplementing MCR 2.301 should be numbered LCR 2.301.
 - Desired effective date for the rule.
 - A one-paragraph summary stating the need for the local court rule and its primary intent, for the benefit of the Supreme Court.
 - A discussion of the need for the local court rule, including any background information needed to support the analysis. This provides the more specific details supporting the summary. Any comments received on the proposed local court rule should be addressed in this section.

Style Sheet for Local Court Rule Transmittal

[LOCAL COURT LETTERHEAD]

LCR [number]
desired effective date, [month, day, year]

insert TITLE in bold and underline

SUMMARY:

The purpose of this local court rule is to *insert explanation* upon approval by the Michigan Supreme Court.

DISCUSSION:

[Insert discussion, including background information, reasoning for local court rule, any specific authority, and an analysis of any comments received].

APPENDIX:

Attached is a copy of the proposed local court rule and the following comment letters:

1. [list]

Date:

Chief Judge Signature: