

Order

Michigan Supreme Court
Lansing, Michigan

October 23, 2019

Bridget M. McCormack,
Chief Justice

ADM File No. 2019-16

David F. Viviano,
Chief Justice Pro Tem

Administrative Order
No. 2019-6

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

Administrative Order No. 2019-6—Briefs Formatted for Optimized Reading on Electronic Displays

On order of the Court, effective immediately, the Michigan Supreme Court and Court of Appeals are authorized to implement a pilot program in which lawyers and self-represented parties may file briefs that are formatted, within the parameters set forth below, to be more readable on electronic displays, such as computer monitors, laptops, and tablets, instead of complying with the current formatting rules. This pilot program will run for two years from the effective date above, after which the Courts will make recommendations for future practice. The Courts have the discretion to terminate the pilot program early.

(A) Application.

- (1) This pilot program shall apply to the length and formatting of briefs, applications for leave to appeal, responses, replies, and other pleadings (collectively “briefs”) that are required to be filed in conformity with MCR 7.212 or 7.312.
- (2) Filing briefs under the pilot program is optional. Briefs filed under the pilot program must include the words, in bold, “Filed under AO 2019-6” on the caption of the brief and must comply with the following requirements in place of MCR 7.212(B) or 7.312(A). Any requirements not addressed by subsection (B) of this administrative order shall be governed by MCR 7.212 or 7.312.

(B) Length and Format of Briefs.

- (1) Length. Unless otherwise lengthened or shortened by the Court of Appeals on motion, the principal briefs of the appellant(s) and appellee(s) and the briefs of amici curiae shall be no longer than 16,000 words, and the reply briefs of the appellant shall be no longer than 3,200 words. Briefs shall contain pagination as specified by MCR 7.212(B). The title page, table of

contents, index of authorities, statement of the basis of jurisdiction, statement of the questions involved, signature block and listing of counsel at the end of the brief, certificate of compliance, proof of service, exhibits, and appendices do not count toward the word limit. Footnotes within the non-excluded sections also count toward the word total, as do any words contained in embedded graphics.

Each brief shall contain a certificate of compliance after the signature block, signed by the attorney or self-represented party, stating the number of countable words in the document and the typeface and size used. The person preparing the certificate may rely on the word count of the word-processing system used to prepare the document.

- (2) **Font.** The body text of briefs shall be set in a proportional font no smaller than 12 point. Narrow-style or compressed fonts and condensed spacing are prohibited. Other fonts may be used in captions and headings.
- (3) **Line Spacing.** The line spacing of all text must be set between 133% and 150% of the point size of the text. For example, text set in a 12-point font must be set with line spacing between 16 and 18 points. There shall be a minimum of 6 points of additional spacing between paragraphs and around headings.
- (4) **Line Length and Margins.** The left and right side margins may not be less than 1.5 inches each. This does not apply to captions or headings, which may be formatted with 1-inch side margins.
- (5) **Electronic format.** Briefs must be filed in a text-searchable PDF format that is created electronically by a word processor or similar program. An unsearchable image file of a scanned document is not acceptable.

The electronic brief must be bookmarked to include, at a minimum, all major divisions and headings, and should track the table of contents.

Page numbers in the electronic brief must correspond to the PDF page numbers.



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.

October 23, 2019

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

Clerk