

Order

Michigan Supreme Court
Lansing, Michigan

January 20, 2021

Bridget M. McCormack,
Chief Justice

ADM File No. 2020-11

Amendment of Rule
2.108 of the Michigan
Court Rules

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
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 2.108 of the Michigan Court Rules is adopted, effective May 1, 2021.

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

Rule 2.108 Time

(A)-(B) [Unchanged.]

(C) Effect of Particular Motions and Amendments. When a motion or an amended pleading is filed, the time for pleading set in subrule (A) is altered as follows, unless a different time is set by the court:

- (1) If a motion under MCR 2.115(A) or MCR 2.116 made before filing a responsive pleading is denied, the moving party must serve and file a responsive pleading within 21 days after notice of the denial. However, if the moving party, within 21 days, files an application for leave to appeal from the order, the time is extended until 21 days after the denial of the application unless the appellate court orders otherwise.

(2)-(4) [Unchanged.]

(D)-(F) [Unchanged.]

Staff comment: The amendment of MCR 2.108 provides a timeframe for a responsive pleading when a motion for more definite statement is denied.

The staff comment is not an authoritative construction by the Court. In addition, adoption of an 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.

January 20, 2021

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

Clerk