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March 1, 2019

VIA E-MAIL
ADMcomment@courts.mi.gov

Michigan Supreme Court
PO Box 30052
Lansing, MI 48909

Re: *Proposed Amendment to MCR 2.302(A)(2)(a)(i)*

Dear Michigan Supreme Court Justices:

Bowman and Brooke LLP seeks to comment on a recent proposed amendment to the Michigan Court Rules. Specifically, Bowman and Brooke LLP disagrees with the proposed requirement in MCR 2.302(A)(2)(a)(i) that privilege logs be required for No-Fault first-party claim files. No such affirmative privilege log requirement exists in the Michigan Court Rules. This special provision, applicable only to No-Fault cases, has the potential to create confusion without promoting fairness and consistency. Eliminating the proposed privilege log requirement from MCR 2.302(A)(2)(a)(i) would not result in any prejudice, as any party with concerns about a particular claim file could, at any time during the litigation, petition the court for appropriate redress.

Thank you to the Committee for its hard work on the proposed amendments to the Michigan Court Rules and thank you for considering Bowman and Brooke's position on this issue.

Very truly yours,

BOWMAN AND BROOKE LLP

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Nicholas G. Even
Partner

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David L. Campbell
Partner

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Jodi M. Schebel
Co-Managing Partner

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Carmen M. Bickerdt
Partner

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Thomas P. Branigan
Managing Partner

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Jenny L. Zavadil
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Thomas D. Isaacs
Partner