



## Michigan Supreme Court

State Court Administrative Office  
Michigan Hall of Justice  
P.O. Box 30048  
Lansing, Michigan 48909  
517-373-0128

Thomas P. Boyd  
State Court Administrator

### MEMORANDUM

DATE: August 31, 2020

TO: District Court Judges  
CC: Court Administrators

FROM: Thomas P. Boyd

SUBJECT: Adjournment Request in LT Cases

---

With [Administrative Order 2020-17](#), the Michigan Supreme Court adopted procedures to help district courts efficiently address the many landlord-tenant cases that were delayed during the pandemic. The new framework is designed to quickly maximize resources provided by the state's eviction diversion program, including resources for legal representation and rental assistance.

We have received many questions concerning the seven day adjournment in the AO which provides, in pertinent part, as follows:

(8) Except as provided below, *all Summary Proceeding Act cases must be adjourned for seven days after the pretrial hearing is conducted.*

More specifically, we have received questions regarding whether a case can be adjourned for *more* than seven days. A trial court has general authority to adjourn a Summary Proceedings case as provided by statute. MCL 600.5732. Such adjournment cannot exceed seven days unless it is by stipulation of the parties or adjournment is otherwise provided for in court rules. MCL 600.5735(6). The court rules provide that when a defendant appears, the court may, if good cause is shown, adjourn trial up to 56 days. MCR 2.401(J)(1). Further, the rules grant the court discretion to issue an escrow order if adjourning for more than seven days *and* the plaintiff shows a clear need for protection. MCR 4.201(H)(2)(a).

Through section (8) of AO 2020-17, the Supreme Court is exercising the authority in statute to adjourn for the mandatory seven days. This decision has been applied to every case due to the pandemic. However, there is no authority for a trial court to routinely adjourn all LT cases for more

August 31, 2020

Page 2

than this seven days. A trial court may adjourn an individual Summary Proceedings case again, for up to 56 days, if good cause is shown.

[Guidance](#) from SCAO authorized by AO 2020-17 has been updated to reflect this clarification. Please contact your Regional Administrator if you have any questions about this memo or the limited application of AO 2020-17 to initial adjournments.