

# Order

Michigan Supreme Court  
Lansing, Michigan

January 29, 2014

Robert P. Young, Jr.,  
Chief Justice

ADM File No. 2013-10

Michael F. Cavanagh  
Stephen J. Markman

Amendments of Rule 2.107  
and Rule 2.117 of the  
Michigan Court Rules

Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano,  
Justices

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On order of the Court, notice of the proposed changes and an opportunity for comment having been provided, and consideration having been given to the comments received, the following amendments of Rule 2.107 and Rule 2.117 of the Michigan Court Rules are adopted, effective May 1, 2014.

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

## Rule 2.107 Service and Filing of Pleadings and Other Papers

(A) [Unchanged.]

(B) Service on Attorney or Party.

(1) Service required or permitted to be made on a party for whom an attorney has appeared in the action must be made on the attorney except as follows:

(a)-(b) [Unchanged.]

(c) After a final judgment or final order has been entered and the time for an appeal of right has passed, papers must be served on the party unless the rule governing the particular postjudgment procedure specifically allows service on the attorney;

(d) [Unchanged.]

(2)-(3) [Unchanged.]

(C)-(G) [Unchanged.]

## Rule 2.117 Appearances

(A)-(B)[Unchanged.]

(C) Duration of Appearance by Attorney.

(1) Unless otherwise stated or ordered by the court, an attorney's appearance applies only in the court in which it is made, or to which the action is transferred, until a final judgment or final order is entered disposing of all claims by or against the party whom the attorney represents and the time for appeal of right has passed. The appearance applies in an appeal taken before entry of final judgment or final order by the trial court.

(2) [Unchanged.]

*Staff Comment:* The amendment of MCR 2.107 provides clarification by adding the phrase “final order” so that after either a final judgment or final order has entered, papers should be served on the party after the time for appeal has passed. The amendment of MCR 2.117 states that the duration of an attorney’s appearance extends until a final judgment or final order is entered. This amendment is intended to clarify that representation by an attorney who appears in a postjudgment motion ends with the final order related to that matter (after the period for appeal of right has passed).

The staff comment is not an authoritative construction by the 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 29, 2014

  
Clerk