
From: Sheri Whyte <WhytS@detroitmi.gov>
Sent: Tuesday, March 01, 2016 4:40 PM
To: ADMcomment
Subject: ADM File No. 2014-13: Proposed Amendment of MCR 2.403

I am writing to express the City of Detroit's opposition to this proposed amendment of MCR 2.403(L), which would reduce the time to respond to a case evaluation from 28 to 14 days. Like most municipalities, the City of Detroit must obtain formal approval from the City Council in order to accept a case evaluation. The current 28-day period is difficult enough; 14 days would be unworkable and effectively render the case evaluation process meaningless for the City of Detroit and other municipalities.

This would deny the City of Detroit an opportunity to make a considered decision regarding a case evaluation, since the evaluation is deemed rejected unless affirmatively accepted in a timely manner. Since sanctions may apply for rejecting an evaluation, this would be a substantial financial burden on the City.

As others have stated, this change would also likely result in many more motions filed in the circuit courts to extend the time to accept or reject case evaluation. This would result in greater financial and other burdens on municipal litigants as well as the courts, with little (if any) added benefit in terms of efficiency.

The City of Detroit joins other municipalities in opposition to this proposed change. It would not oppose the 14 day rule if there were an exception for governmental entities which need to obtain approval, allowing such entities 35 days to accept or reject a case evaluation.

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