Michigan Judges Association
Founded 1927

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January 21, 2015

Larry Royster
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

RE: Proposed Amendments of the Michigan Court Rules

Dear Clerk Royster:

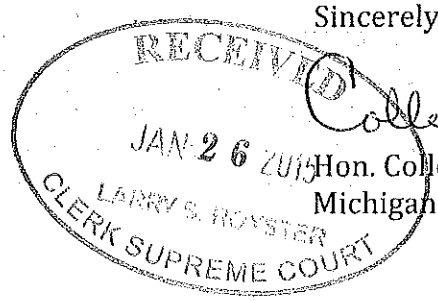
At the January 13, 2015 meeting of the Michigan Judges Association, the Executive Board considered and acted upon several proposed amendments to the Michigan Court Rules:

ADM File No. 2014-12. This proposed amendment of MCR 3.211 would allow parties in domestic relations cases to stipulate to post judgment binding arbitration of identified personal property under MCL 600.5070 et seq. This has been a common procedure in family law cases, as litigating personal property issues in divorce cases generally makes little economic sense, but leaving this issue unresolved in a Judgment has previously rendered the judgment non-final for appellate purposes. The Executive Board of the Michigan Judges Association voted to support this amendment, provided that post judgment arbitration is approved by the court.

ADM File No. 2014-37. The proposed amendments of MCR 3.963, 3.966, and 3.974 would clarify procedures to be followed when emergency removal of a child has occurred but a dispositional hearing has not been held. The MJA Executive Board supports these amendments, and recommends they be adopted.

We thank the Court for considering our input on these matters. If the Michigan Judges Association may provide any further information or assistance, please do not hesitate to contact us.

Sincerely,



Colleen A. O'Brien

Hon. Colleen A. O'Brien, President
Michigan Judges Association

CC: Hon. Robert Young, Chief Justice Michigan Supreme Court
Hon. Jon Van Allsburg, Rules Committee Chairperson, Michigan Judges Association
Hon. Joan E. Young, Family Law Committee Chairperson, Michigan Judges Association
Hon. Laura L. Baird, President-Elect, Michigan Judges Association
Anne Boomer, Administrative Counsel, Michigan Supreme Court