

## Report on Public Policy Position

**Name of section:**

Family Law Section

**Contact Person:**

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**Proposed Court Rule or Administrative Order Number:**

**2005-36 - Proposed Amendment of Rules 2.119, 7.204, and 7.205 of the Michigan Court Rules**

The proposed amendments of MCR 7.204 and MCR 7.205 would clarify that a party who seeks to appeal to the Court of Appeals has 21 days after the entry of an order deciding a motion for new trial, a motion for rehearing or reconsideration, or a motion for other relief from the order or judgment appealed to file a claim of appeal or an application for leave to appeal, if the motion is filed within the initial 21-day appeal period. For consistency, the time limit for filing a motion for rehearing or reconsideration under MCR 2.119(F)(1) would be increased from 14 to 21 days, and the phrase “or within further time the trial court may have allowed during that 21-day period” was stricken from MCR 7.204(A)(1)(b) and MCR 7.205(F)(3)(b).

**Date position was adopted:**

November 3, 2007

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

13

**Number who voted in favor and opposed to the position:**

13 Voted for position

0 Voted against position

0 Abstained from vote

0 Did not vote

**Position:**

Support

**Explanation of the position, including any recommended amendments:**

The Family Law Council voted 13-0 to support ADM 2005-36 which clarifies the 14 versus 21 day for certain appeals or motions for rehearing.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

[http://courts.michigan.gov/supremecourt/Resources/Administrative/2005-36\(10-16-07\).pdf](http://courts.michigan.gov/supremecourt/Resources/Administrative/2005-36(10-16-07).pdf)