

Preface to the Sixth Edition

This is volume 5 of the Michigan Court Rules Practice Series, Sixth Edition. As with the first four volumes, this work carries on the tradition of Jason L. Honigman's 1949 Michigan Court Rules Annotated and its successors, Honigman & Hawkins, Michigan Court Rules Annotated (2d ed. 1962), Martin, Dean & Webster, Michigan Court Rules Practice (3d ed. 1985), Dean & Longhofer (4th ed. 2001), and Longhofer (5th ed. 2008).

Since the publication of the Fifth Edition in 2008, new and amended court rules, and many new judicial interpretations of the rules, have required revision of the Author's Commentary, as well as an updating of the case annotations associated with each rule.

New rules adopted since the Fifth Edition include MCR 3.616 (Proceeding to Determine Continuation of Voluntary Foster Care Services), MCR 3.807 (Indian Child), MCR 3.905 (Indian Children; Jurisdiction, Notice, Transfer, Intervention), MCR 3.967 (Removal Hearing for Indian Child), and MCR 3.979 (Juvenile Guardianships).

Newly amended rules covered in this volume include MCR 3.602 (Arbitration), MCR 3.612 (Winding Up of Corporation Whose Term or Charter Has Expired), MCR 3.705 (Issuance of Personal Protection Orders), MCR 3.707 (Modification, Termination, or Extension of Order), MCR 3.800 (Applicable Rules; Interested Parties; Indian Child), MCR 3.801 (Papers, Execution), MCR 3.802 (Manner and Method of Service), MCR 3.901 (Applicability of Rules), MCR 3.903 (Definitions), MCR 3.913 (Referees), MCR 3.915 (Assistance of Attorney), MCR 3.920 (Service of Process), MCR 3.921 (Persons Entitled to Notice), MCR 3.925 (Open Proceedings; Judgments and Orders; Records Confidentiality; Destruction of Court Files; Setting Aside Adjudications), MCR 3.929 (Use of Facsimile Communication Equipment), MCR 3.930 (Receipt and Return or Disposal of Exhibits in Juvenile Proceedings), MCR 3.931 (Initiating Delinquency Proceedings), MCR 3.932 (Summary Initial Proceedings), MCR 3.935 (Preliminary Hearing), MCR 3.936 (Fingerprinting), MCR 3.961 (Initiating Child Protective Proceedings), MCR 3.963 (Protective Custody of Child), MCR 3.965 (Preliminary Hearing), MCR 3.973 (Dispositional Hearing), MCR 3.974 (Post-Dispositional Procedures: Child at Home), MCR 3.976 (Perma-

nency Planning Hearings), MCR 3.977 (Termination of Parental Rights), MCR 3.978 (Post-Termination Review Hearings), MCR 3.992 (Rehearings; New Trial), MCR 4.001 (Applicability), MCR 4.101 (Civil Infraction Actions), MCR 4.201 (Summary Proceedings to Recover Possession of Premises), MCR 4.202 (Summary Proceedings; Land Contract Forfeiture), MCR 4.401 (Magistrates), MCR 5.101 (Form and Commencement of Action; Confidential Records), MCR 5.108 (Time of Service), MCR 5.113 (Papers; Form and Filing), MCR 5.125 (Interested Persons Defined), MCR 5.128 (Change of Venue), MCR 5.201 (Applicability), MCR 5.206 (Duty to Complete Administration), MCR 5.302 (Commencement of Decedent Estates), MCR 5.307 (Requirements Applicable to All Decedent Estates), MCR 5.309 (Informal Proceedings), MCR 5.401 (General Provisions), MCR 5.402 (Common Provisions), MCR 5.403 (Proceedings on Temporary Guardianship), MCR 5.404 (Guardianship of Minor), MCR 5.501 (Trust Proceedings in General), MCR 5.801 (Appeals to Other Courts), and MCR 5.802 (Appellate Procedure; Stays Pending Appeal).

The Michigan Court Rules Practice Text is frequently cited in judicial opinions and in parties' briefs to courts at all levels. It is designed to assist courts and counsel in applying the Michigan Court Rules in the many different situations that occur every day in litigation matters.

After each rule and staff comment, the Author's Commentary discusses the basic purpose and effect of each rule as well as special problems of interpretation, relationships with other rules, and the like. Case annotations then follow.

Highlights

- Updated discussion of vacation, modification or correction of arbitration award (§ 3602.6)
- Rule pertaining to defaults is not among the rules specifically incorporated in juvenile or child protective proceedings. (§ 3901.1)
- New discussion of notice to creditors by personal representative of estate. (§ § 5208.1 to 5208.3)
- Discussion of claims by personal representative against the estate for obligations arising before the decedent's death. (§ 5307.1)

Thank you for subscribing to Michigan Court Rules Practice Text. I hope that you find this book an invaluable tool for your practice.

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