

# LESSON 5 – Lecture Notes

## How a Case is Chosen

Information about the Court and how it chooses the cases it will hear (taken from Interview of Corbin Davis, Clerk of the Supreme Court, in August of 2001)

- I. How a case is chosen to go before the Michigan Supreme Court
  - A. There are no written criteria
    1. Justices use the rules of the Court (app. 600 page published document)
      - a. Based on validity of the issues
      - b. Based on whether or not the case in is the public interest
  - B. Some cases are appealed to the Michigan Supreme Court
    - Roughly 85% are denied
  - C. Original jurisdiction
    1. Not many
      - a. Recommendations of the Tenure Board
      - b. Disputes brought by attorneys
    2. Usually three per year are brought to the Court in this way
      - a. Court chooses to hear one every 5-6 years
      - b. Claims/disputes to implement supervisory decisions
- II. Whose responsibility is it to choose these cases?
  - A. The Court's

1. Have staff attorneys who research the cases and make recommendations to the justices
2. In order to hear all cases that are brought to the Court, it would have to hear 6 every day/365 days per year

III. How long does it take to decide whether or not the Court will hear a case?

A. 4-6 months for “easy” denials

B. Process

1. Individuals must apply “to be heard”
2. Meetings are held by the Justices
  - a. Conference discussions
  - b. Administrative meetings (3-4 items on the agenda)

C. Up to one year from filing date

- Such a case may appear for conference discussion 2-3 times

IV. Who is the first to be notified about the acceptance or rejection of an appeal?

- The attorney of the individual appealing to the state

V. Are all of the cases the Court decides to “take on” presented during session?

A. No, about 90 cases per year have oral arguments

B. Administrative meetings

1. 3-4 items on agenda per meeting
2. Vast majority of cases are handled on paper
3. 20-50 opinions come from each meeting