

Michigan Supreme Court Overview

The Michigan Supreme Court is the highest court in the state, hearing cases appealed to it from the Court of Appeals. Cases are appealed to the Michigan Supreme Court by filing an application for "leave to appeal" with the Court. The Court has the authority to grant or deny any application. If an application is granted, the Court will hear the case; if denied, the decision made by the lower court remains unchanged. The Michigan Supreme Court also has original jurisdiction over some matters.

In addition to its judicial duties, the Michigan Supreme Court is responsible for the general administrative supervision of all courts in the state. The Michigan Supreme Court also establishes rules for practice and procedure in all courts.

The Michigan Supreme Court consists of seven justices: the chief justice and six associate justices. The justices are elected to serve eight-year terms. Every two years, one justice is elected by justices of the Court to be chief justice. Although justices are nominated by political parties, they are elected on a non-partisan ballot. A candidate for the Michigan Supreme Court must be a qualified elector, licensed to practice law in Michigan, and at the time of election must be less than 70 years of age. The salary of the justices is fixed by the State Officers Compensation Commission and paid by the state.

Judicial Function

Sessions of the Michigan Supreme Court are held in Lansing. The Court annually receives approximately 2,400 to 3,000 applications for leave to appeal from litigants seeking review of decisions by the Michigan Court of Appeals. Each of the Court's seven justices is responsible for reviewing each case at a rate of 200 to 300 per month to determine which cases should be granted leave. Justices analyze each case up to three times before a decision to grant leave to appeal is made.

In addition to the extensive review of cases, each justice is responsible for:

- Reviewing 35 to 50 cases for conference several times a month
- Preparing 12 to 18 cases for each month of oral argument
- Writing majority opinions, concurrences and dissents

- Preparing for administrative meetings concerning court rules, discipline issues, board appointments and the like several times a month
- Attending to educational and communication responsibilities
- Performing a variety of civic obligations, including speeches, classroom visits, and conferences

The Michigan Supreme Court's authority to hear cases is discretionary. The Court grants leave to those cases of greatest complexity and public import where additional briefing and oral argument are essential to reaching a just outcome.

The Court issues a decision in all cases filed with the Clerk's Office, which means some 2,400 to 3,000 decisions per year. Cases that are not accepted for oral argument may be decided by an order with or without an opinion. These orders may affirm or reverse the Michigan Court of Appeals, may remand a case to the trial court, or may adopt a correct Court of Appeals opinion. In these instances, the Court deems further briefing and oral argument unnecessary. This system saves litigants and the public the considerable time and expense of full-scale briefing and argument where none are needed.

Administrative Function

As manager of the Michigan court system, the Michigan Supreme Court has undertaken, with the state and local Legislative and Executive branches, to improve the system statewide for greater efficiency and accountability to the public. This endeavor includes:

- Advancing the implementation of the family division of circuit court for greater efficiency and convenience for families
- Developing a statewide court information management system
- Developing trial court performance standards
- Reforming jury management practices
- Overseeing the progress of seven trial court demonstration projects

In addition to its court reform and administrative activities, the Michigan Supreme Court addresses numerous issues related to court procedure. This involves the amending of court rules to improve case flow and other aspects of court management.

Goals for the Judiciary

Fairness: This goal includes the dignified treatment of all, the application of the law appropriate to the circumstance of individual cases, and a judiciary that is representative of the diversity of the community.

Accessibility: Courts should be convenient, timely and affordable to everyone with a legitimate case.

Accountability: This goal includes the ability of the court system and its judges and staff to use public resources efficiently and explain the use of funds in a way that the public can understand and evaluate. In addition, it includes personal responsibility on the part of judges and court staff for their daily work habits, actions, and decisions and flexibility in the use of resources to meet unexpected needs, even out workloads, and avoid duplication and waste.

Effectiveness: The ability of the courts to uphold the law and apply rules and procedures both timely and consistently across cases throughout the state is essential. The courts must resolve cases with finality and provide decisions that are enforceable.

Responsiveness: The ability of the courts to anticipate and respond to the changing needs over time that all members of society and different regions have in using the courts, including providing a variety of dispute resolution methods, paramount to its success.

Independence: The ability of the judicial system to serve its constitutional functions as a check and balance on executive and legislative power and maintain its independence in light of the pressure of state and local political considerations and public opinion.