

RULE 2.119 MOTION PRACTICE

(A) Miscellaneous Calendar. Motions and petitions shall be heard on Wednesday mornings unless otherwise ordered by the court. An attorney desiring to have a hearing on any pro confesso, default, motion or miscellaneous matter shall file a praecipe with the assignment clerk on or before the Wednesday preceding the Wednesday of the desired hearing. Each Thursday the assignment clerk shall, under the direction of the chief judge; prepare a list of all matters to be heard the following Wednesday. The list shall show the name of the judge before whom the matter will be heard. A copy of the list shall be published in a newspaper as defined in MCR 2.106(F) before the Wednesday on which the matters will be heard.

(B) Motion Praecipe; Motion Certification by Attorney.

(1) A motion praecipe must be filed at least 7 days before the hearing.

(2) Motion certification by attorney.

(a) The following certificate signed by the attorney of record or by the party in propria persona shall be attached to or incorporated in the praecipe filed with the assignment clerk:

I HEREBY CERTIFY that I have made personal contact with _____ on _____, _____, requesting concurrence in the relief sought with this motion and that concurrence has been denied or that I have made reasonable and diligent attempts to contact counsel requesting concurrence in the relief sought with this motion.

(C) Appearance at the Hearing. If counsel for the moving party on a motion praeciped for hearing does not check in with the court clerk by 9:30 a.m., the court may dismiss the motion praecipe on its own motion or upon request of counsel for the opposing party.

If counsel for the opposing party in a motion praeciped for hearing does not check in with the clerk by 9:30 a.m., upon request of the moving party the clerk shall call the motion for hearing. If appropriate, the court shall grant the requested relief.