

## Significant Changes for Michigan Court of Claims

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November 14, 2013

Parties engaged in litigation against the State of Michigan in the Court of Claims will do so under new jurisdictional rules that were signed into law on November 12, 2013. The law, PA 164, moves the Court of Claims from the Ingham County Circuit Court to the Court of Appeals, where cases will be assigned to one of four designated judges. Those judges are Pat Donofrio (Troy), Deborah Servitto (Troy), Michael Talbot (Detroit) and Amy Ronayne Krause (Lansing). Their terms on the Court of Claims end in May 2015.

The new law takes effect immediately.

Under the old Court of Claims rules, all claims against the state (with limited exceptions) were filed with the Ingham County Circuit Court. Under the new law, such claims must be filed with the Court of Appeals. The new law also trumps certain provisions of other laws, such as the Open Meetings Act, that allowed plaintiffs to bring certain actions against the state in circuit courts. Those cases must now be filed with the Court of Appeals as well.

Some key things to know:

- Matters pending before the old Court of Claims will now be transferred to the new court.
- Any matter under Court of Claims jurisdiction in other courts will now be transferred upon notice of the state.
- For now, the old Court of Claims has indicated that it will continue to accept filings for pending matters, but this is likely to change soon. New actions must be filed with the Court of Appeals, in any district the court sits.
- Until May 2015, plaintiffs may file new actions with the Detroit, Troy or Lansing clerks' offices. Fees will remain the same.

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