

# Michigan Courts 101

The practical content from one of ICLE’s most watched on-demand seminars, “Michigan Courts 101,” continues to stand the test of time. It provides a complete overview of the Michigan court system—from district court to the Michigan Supreme Court.

This handy chart, adapted from the seminar materials, provides an at-a-glance view of Michigan’s trial court system. It outlines each court’s subject-matter jurisdiction and monetary thresholds, initial pleading requirements for plaintiffs and defendants, and applicable discovery procedures.

AT-A-GLANCE REFERENCE CHART: INITIATING CASES IN MICHIGAN TRIAL COURTS

Type of Trial Court	Subject-Matter Jurisdiction and Amount in Controversy	Initial Pleadings: Plaintiff	Initial Pleadings: Defendant	Discovery
District Court	Traffic violations, civil cases under \$25,000, landlord/tenant matters, certain misdemeanor criminal cases, and certain preliminary felony proceedings. See MCL 600.8301 et seq.	Plaintiff files a summons and complaint (and demand for jury trial if desired) with the court to start the case. Plaintiff serves defendant with the summons and complaint.	Defendant’s responsive pleading is due 21 days after service of the complaint in person or 28 days after service by mail. MCR 2.108.	In civil cases, discovery is only allowed if requested and approved by court. MCR 2.301(A)(2). District court cases are exempt from initial disclosure requirements. MCR 2.302(A)(4)(b). Discovery is allowed in all misdemeanor proceedings in district court. MCR 6.610(E).
Small Claims (part of District Court)	Civil actions for recovery of money under \$6,500 (may be removed to district court if value is higher). MCL 600.8401.	There is no right to counsel in small claims court. Plaintiff files and serves affidavit and claim form (SCAO form DC 84) to start the case. MCL 600.8402.	In small claims court, the responding party may demand removal to district court (SCAO form DC 86) or file a counterclaim.	Parties may file a discovery subpoena in limited circumstances.
Circuit Court	All civil cases where the amount in controversy is \$25,000 or higher and felony criminal cases.*	Plaintiff files a summons and complaint (and demand for jury trial if desired) with the court to start the case. Plaintiff serves defendant with the summons and complaint.	Defendant’s responsive pleading is due 21 days after service of the complaint in person or 28 days after service by mail. MCR 2.108.	Plaintiff must serve initial disclosures within 14 days after the answer is filed. MCR 2.302(A)(5)(b). Defendant must serve initial disclosures within 14 days after the opposing party’s disclosures are due or 28 days after filing the answer, whichever is later. <i>Id.</i> The discovery process is governed by subchapter 2.300 of the Michigan Court Rules.
Business Court (part of Circuit Court)	The business court is a specialized docket for business and commercial disputes within the circuit court. MCL 600.8031 et seq.	See circuit court information. When possible, business court cases should be filed electronically and at the face of the pleading indicate why the matter is appropriate for the business court. MCR 2.112(O).	See circuit court information.	See circuit court information.
Circuit Court: Family Divisions	The family division of the circuit court has sole and exclusive jurisdiction to hear domestic cases such as divorce, custody, child support, and paternity. MCL 600.1021.	In most domestic cases, a summons and complaint (SCAO form MC 01) must be filed and served on defendant, and, if necessary, a confidential case inventory (SCAO form MC 21) must be filed with the clerk. Plaintiffs may also need a record of divorce, verified statement if minor children, UCCJEA affidavit, and ex parte orders if applicable. Be sure to review local court rules and county court websites as local practice varies widely.	Defendants must prepare and serve responsive pleadings, including a notice of appearance, answer to the complaint, and counterclaim (if applicable). Objections to ex parte orders, if applicable, must be filed within 14 days of service.	Discovery in domestic relations cases follows circuit court discovery rules, except that parties must exchange a domestic relations verified financial information form (SCAO form CC 320). The form must be served on the opposing party within 28 days of the filing of defendant’s responsive pleading.
Circuit Court: Criminal Divisions	Misdemeanor and felony cases.	Cases are initiated by the prosecutor charging defendant.	Defense counsel enters an appearance, and defendant enters plea at arraignment.	Discovery in criminal proceedings is covered by subchapter 6.200 of the Michigan Court Rules.
Probate Court	Guardianships and conservatorships, administration of trusts and estates, orders for the treatment of developmentally disabled or mentally ill individuals.	Proceedings are initiated by filing the appropriate application or petition. Civil actions follow traditional circuit court pleadings. Notice of hearing must be served on all interested parties.	Interested parties may file a number of responsive pleadings, including objections to petitions, answers to the complaint, and appropriate motions.	Discovery in probate court follows circuit court rules unless there is a specific probate court rule that differs. MCR 5.131. Any interested person in a probate proceeding is considered a party for the purpose of applying discovery rules. Mandatory disclosures under MCR 2.302(A) may be required under certain circumstances. MCR 5.131(B).

\*Note, however, that the court of claims handles demands for monetary, equitable, or declaratory relief or any demand for an extraordinary writ against the state of Michigan or any of its departments or officers. MCL 600.6419 et seq. In most cases, plaintiff must give notice of intent to file a claim against the state within one year after the claim accrues. MCL 600.6431(1). Review applicable court of claims notice provisions extremely carefully.

Interested in learning more? We’re here to help you and your practice. Contact an ICLE customer experience representative today: 877-229-4350 (M-F 8am-5pm) or [icle@umich.edu](mailto:icle@umich.edu).