



THE SENATE
STATE OF MICHIGAN

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Supreme Court Administrative Office
P.O. Box 30036
Lansing, MI 48909

Dear Members of the Supreme Court Administrative Office,

I urge you to immediately adopt an internal administrative policy to address procedural inadequacies surrounding allegations of fraud upon the court. The current system fails to provide parties with meaningful mechanisms to confront such allegations, fundamentally undermining the integrity of our judicial proceedings and denying litigants their constitutional right to a fair process.

Parties who attempt to raise legitimate fraud allegations often find themselves without recourse, as courts lack standardized procedures to investigate these serious claims. This gap allows potential fraud to go unexamined and leaves honest litigants without protection. When the very foundation of a case may be tainted by fraud, swift and decisive action is essential.

While I plan to pursue legislative policy changes, the SCAO has the authority to implement an immediate solution through an administrative directive. I propose the following procedural framework:

Mandatory procedures for fraud upon the court allegations. When allegations of fraud upon the court are raised by a party or its attorneys, the following procedures shall apply:

1. Immediate stay of proceedings. All proceedings in the underlying case shall be automatically stayed, except for:

- Mandatory discovery limited to investigating the fraud allegations.
- An evidentiary hearing following discovery for the court to make findings of fact.

2. Cost assessment

- Costs shall be assessed against the moving party if fraud claims are determined to be meritless.
- Costs shall be assessed against the nonmoving party if the court finds fraud was perpetrated.

3. Retroactive application. These policies shall apply to all pending cases in which fraud allegations have been raised.

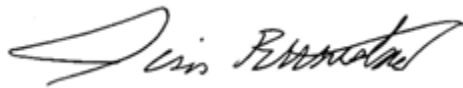
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The integrity of Michigan's courts depends on having clear, enforceable procedures when the fundamental honesty of proceedings is called into question. Litigants, attorneys and the public deserve confidence that fraud allegations will be taken seriously and addressed through a fair, transparent process.

I respectfully request your swift action in adopting these policies or a similar framework to protect the integrity of Michigan's judicial system.

Thank you, and I look forward to your prompt response on this critical matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Jim Runestad". The signature is fluid and cursive, with a large initial "J" and "R".

State Senator Jim Runestad
Proudly serving the 23rd District