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## **MCR 2.503 Adjournments**

**(A) Applicability.** This rule applies to adjournments of trials, alternative dispute resolution processes, pretrial conferences, and all motion hearings.

### **(B) Motion or Stipulation for Adjournment.**

- (1) Unless the court allows otherwise, a request for an adjournment must be by motion or stipulation made in writing or orally in open court based on good cause.
- (2) A motion or stipulation for adjournment must state
  - (a) which party is requesting the adjournment,
  - (b) the reason for it, and
  - (c) whether other adjournments have been granted in the proceeding and, if so, the number granted.
- (3) The entitlement of a motion or stipulation for adjournment must specify whether it is the first or a later request, e.g., "Plaintiff's Request for Third Adjournment".

### **(C) Absence of Witness or Evidence.**

- (1) A motion to adjourn a proceeding because of the unavailability of a witness or evidence must be made as soon as possible after ascertaining the facts.
- (2) An adjournment may be granted on the ground of unavailability of a witness or evidence only if the court finds that the evidence is material and that diligent efforts have been made to produce the witness or evidence.
- (3) If the testimony or the evidence would be admissible in the proceeding, and the adverse party stipulates in writing or on the record that it is to be considered as actually given in the proceeding, there may be no adjournment unless the court deems an adjournment necessary.

### **(D) Order for Adjournment; Costs and Conditions.**

- (1) In its discretion the court may grant an adjournment to promote the cause of justice. An adjournment may be entered by order of the court either in writing or on the record in open court, and the order must state the reason for the adjournment.
- (2) In granting an adjournment, the court may impose costs and conditions. When an adjournment is granted conditioned on payment of costs, the costs may be taxed summarily to be paid on demand of the adverse party or the adverse party's attorney, and the adjournment may be vacated if nonpayment is shown by affidavit.

### **(E) Rescheduling.**

- (1) Except as provided in subrule (E)(2), at the time the proceeding is adjourned under this rule, or as soon thereafter as possible, the proceeding must be rescheduled for a specific date and time.
- (2) A court may place the matter on a specified list of actions or other matters which will automatically reappear before the court on the first available date.

### **(F) Death or Change of Status of Attorney.** If the court finds that an attorney

- (1) has died or is physically or mentally unable to continue to act as an attorney for a party,
- (2) has been disbarred,

- (3) has been suspended,
- (4) has been placed on inactive status, or
- (5) has resigned from active membership in the bar,

the court shall adjourn a proceeding in which the attorney was acting for a party. The party is entitled to 28 days' notice that he or she must obtain a substitute attorney or advise the court in writing that the party intends to appear on his or her own behalf. See MCR 9.119.



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