

September 13, 2005

Dear Tax Tribunal Practitioner:

In early August, several Tribunal Members—Lee, Smith, Trepeck and Van Coevering—attended the annual Michigan Assessors Association Conference. The Assessors Association presented Tribunal Member Micheal Lohmeier with its 2005 Literary Award.

We have also witnessed yet another change in Members at the Tribunal. Kimbal Smith left the Tribunal after four and one-half years of service. On August 29, new Member Jack Gilbreath officially began to work at the Tribunal.

The Tribunal has received several comments regarding Tribunal Notice 2005-7, MOTION PRACTICE – ORAL ARGUMENT. Several comments concern the proposed requirement for oral argument for motions to compel or motions to place a party in default. One commentator has suggested that oral argument be required only when the parties clearly differ on a factual matter. Another commentator has advised that oral arguments would increase litigation travel costs and attorney fees, and other commentators have suggested that the Tribunal consider telephone conferencing or video conferencing to reduce the costs. All the comments have led us to conclude that Tribunal Notice 2005-7 must be rewritten. It was scheduled to become effective September 30, 2005. The Tribunal will reissue another proposed Tribunal Notice regarding oral argument for your review and comments.

The Tribunal received only one comment regarding Tribunal Notice 2005-8, MOTION PRACTICE – PROPOSED ORDERS. In response to this comment, the Notice has been rewritten to increase from seven (7) days to fourteen (14) days the time by which the prevailing party or parties must file with the Tribunal and serve on the opposing party a conforming order. Similarly, the Tribunal increased from seven (7) days to fourteen (14) days the time by which the non-prevailing party must act. This proposed Tribunal Order is now final. Parties are encouraged to submit a proposed order for each motion as this will greatly expedite resolution of motions.

The Tribunal has also reached agreement on changes to its proposed amendments of administrative rules. As this matter requires separate attention, the Tribunal will issue a separate listserv message later in September explaining the new proposal.

If you have members, colleagues or acquaintances that would benefit from keeping up-to-date with Tribunal developments, simply send an e-mail message to Marijo Wakley at [mewakle@michigan.gov](mailto:mewakle@michigan.gov) with “SUBSCRIBE” in the subject line. To unsubscribe, simply reply to this e-mail with the word “UNSUBSCRIBE” in the subject line.

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