

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

***** 600.867.amended THIS AMENDED SECTION IS EFFECTIVE (pending) *****

600.867.amended Stay of further proceedings in pursuance of judgment, order, or sentence; exception; application for delayed appeal.

Sec. 867. (1) After an appeal of right from a judgment or order of the probate court is filed with the court of appeals and notice of the appeal is filed with the probate court, all further proceedings in pursuance of the judgment, order, or sentence, appealed from are stayed for a period of 21 days or, if a motion for stay pending appeal is granted, until the appeal is determined, except as otherwise provided in subsection (2), section 65(2) of chapter X of the probate code of 1939, 1939 PA 288, MCL 710.65, or supreme court rule.

(2) The pendency of an appeal from the family division of the circuit court or from an order of the probate court entered under the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106, or sections 5201 to 5319 of the estates and protected individuals code, 1998 PA 386, MCL 700.5201 to 700.5319, does not stay the judgment or order unless the court from which or to which the appeal is taken specifically orders the stay. An application for a delayed appeal from an order of the family division of the circuit court shall be filed within 6 months after entry of the judgment or order.

History: Add. 1978, Act 543, Eff. July 1, 1979;—Am. 1979, Act 69, Imd. Eff. July 25, 1979;—Am. 2016, Act 186, Eff. (pending).