

Order

Michigan Supreme Court
Lansing, Michigan

September 21, 2012

Robert P. Young, Jr.,
Chief Justice

145612-3 & (113)(118)(119)(120)(124)
145622-3

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

MEGAN SMITH, NICOLE KELLY,
ROSHAWNDA WILLIAMS, and NICOLE
JOHNSON,

Plaintiffs-Appellees,

v

SC: 145612-3
COA: 309447, 309894
Genesee CC: 11-097052-CZ

DEPARTMENT OF HUMAN SERVICES
DIRECTOR,

Defendant-Appellant.

MEGAN SMITH, NICOLE KELLY,
ROSHAWNDA WILLIAMS, and NICOLE
JOHNSON,

Plaintiffs-Appellants,

v

SC: 145622-3
COA: 309447, 309894
Genesee CC: 11-097052-CZ

DEPARTMENT OF HUMAN SERVICES
DIRECTOR,

Defendant-Appellee.

On order of the Court, the motions for immediate consideration and the motion to supplement record are GRANTED. The motion to strike is DENIED. The applications for leave to appeal the June 26, 2012 judgment of the Court of Appeals are considered. We direct the Clerk to schedule oral argument on whether to grant the applications or take other action. MCR 7.302(H)(1). At oral argument, the parties shall address: (1) whether the defendant properly implemented the 60-month limitation on Family Independence Program cash assistance benefits without rulemaking under the Administrative Procedures Act (MCL 24.201 *et seq.*), and (2) whether the defendant had the authority to implement the 60-month limitation on Family Independence Program

cash assistance benefits and whether this limitation conflicts with any provisions of the Social Welfare Act (MCL 400.1 *et seq.*). The parties may file supplemental briefs within 35 days of the date of this order, but they should not submit mere restatements of their application papers.

The motion for leave to file brief amicus curiae is GRANTED. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 21, 2012

A handwritten signature in cursive script that reads "Corbin R. Davis".

Clerk