



Legislation Text

File #: 18-0213, **Version:** 1

Resolution Authorizing the City of Ann Arbor to Seek Permission from the Michigan Supreme Court to file an Amicus Brief in *Michigan Gun Owners, Inc v Ann Arbor Public Schools* (Docket No. 155196) The City of Ann Arbor has an interest in filing a brief amicus curiae due to the safety issues in this case that are of paramount importance to the City of Ann Arbor and its Police Department.

Prepared by: Stephen K. Postema, City Attorney

Sponsored by: Mayor Taylor, Councilmembers Grand, Krapohl, Westphal and Warpehoski

Whereas, The Ann Arbor Public Schools have adopted a policy concerning the possession of weapons on school property;

Whereas, In 2015, a resident filed a lawsuit claiming AAPS policy was unlawful;

Whereas, The Washtenaw County Circuit Court upheld the AAPS's policy by Order on February 24, 2015;

Whereas, On December 15, 2016 the Michigan Court of Appeals affirmed the Circuit Court's Order;

Whereas, The Plaintiff has requested the Michigan Supreme Court review this case.

Whereas, On December 20, 2017, in Docket No. 155196, the Michigan Supreme Court ordered the application for leave to appeal the December 15, 2016 judgment of the Court of Appeals be considered and directed the Supreme Court Clerk to schedule oral argument on whether to grant the application or take other action;

Whereas, In the December 20, 2017 Order, the Michigan Supreme Court ordered interested parties to move the Court for permission to file briefs amicus curiae;

Whereas, AAPS, through its legal counsel on the case, is requesting the City of Ann Arbor move the court for permission to file an amicus brief;

Whereas, The safety issues in this case are of paramount importance to the City of Ann Arbor; and

Whereas, The City of Ann Arbor as an *amici curiae* has valuable experience to share with the Court regarding the impacts of the issues presented on our community;

RESOLVED, That City request, through its City Attorney, permission to file a brief amicus curiae in the matter of *Michigan Gun Owners, Inc v Ann Arbor Public Schools* (Docket No. 155196);

RESOLVED, That a copy of this resolution be provided to legal counsel for the parties in this matter as evidence of the City's intent to file a brief amicus curiae; and

RESOLVED, That the City Attorney be authorized to take any other actions necessary to implement

this Resolution and any Order of the Court granting the City permission to file a brief amicus curiae in the matter of *Michigan Gun Owners, Inc v Ann Arbor Public Schools* (Docket No. 155196)