

**State Bar of Michigan
Representative Assembly
April 12, 2008**

SUMMARY OF PROCEEDINGS

The following is a summary of proceedings of the State Bar Representative Assembly session held Saturday, April 12, 2008, at the Lansing Community College West Campus in Lansing, Michigan.

1. Call to order by Chairperson Robert C. Gardella.
2. Clerk Elizabeth Johnson declared a quorum (50) was present.
3. Upon a motion made and seconded, the revised calendar was adopted, as proposed.
4. As provided in Rule 4.8, the Summary of Proceedings of the September 27, 2007, meeting was deemed approved.
5. Michigan Supreme Court Chief Justice Clifford Taylor reported on the judiciary of Michigan. Chief Justice Taylor spoke to Assembly members about judicial resources and funding, and the unauthorized practice of law.
6. Bob Gardella, Chair of the Representative Assembly gave an overview of the Assembly's activities and asked for a moment of silence for Kim Cahill past Representative Assembly Chair and former President of the State Bar who had passed away in January 2008.
7. Ron Keefe, President of the State Bar of Michigan made a few remarks to the Assembly.
8. Janet Welch, Executive Director of the State Bar of Michigan made a few remarks to the Assembly.
9. Victoria Radke, Chair, Nominating and Awards Committee, addressed the Assembly in regards to filling vacancies for the current meeting. Upon a motion made and seconded, John Philo of Detroit (3rd Circuit); Margaret VanHouten of Dearborn (3rd Circuit); Jennifer Hastings of Bloomfield Hills (6th Circuit); Jeffrey Linden of Farmington Hills (6th Circuit); Angelique Strong Marks of Troy (6th Circuit); Mark Teicher of Bloomfield Hills (6th Circuit); Donald Roberts of Kalamazoo (9th Circuit); Troy Haney of Grand Rapids (17th Circuit); Hal Ostrow of Grand Rapids (17th Circuit); Erane Washington-Kendrick of Ann Arbor (22nd Circuit); Gregg Iddings of Adrian (39th Circuit); Michael Delling of Lapeer (40th Circuit); William LaBre of Edwardsburg (43rd Circuit); Jeffrey Nellis of Ludington (51st Circuit) and Michael Thomsen of Eaton Rapids (56th Circuit) were appointed to fill immediate vacancies within their respective Circuits.

10. Upon a motion made and seconded the Representative Assembly unanimously approved the 2008 Award Recipients in that the Michael Franck Award be presented to Thomas E. Brennan, Sr. and that the Unsung Hero Award be presented to Susan Spagnuolo-Dal.
11. Greg Ulrich, former State Bar Representative Assembly chair and current member of the State Bar Board of Commissioners proposed that dues should be waived for members serving in the military. After motion made and seconded, and discussion, the Assembly approved the proposal.
12. Joan Vestrand, member of the Representative Assembly withdrew the proposal on the consideration of political and judicial endorsement by Assembly officers. This proposal went before the Board of Commissioners and it was tabled. The Assembly will review the proposal once the Board of Commissioners take action.
13. Terri Stangl, member of the Representative Assembly and Justice Initiatives Committee introduced for consideration the adoption of ABA Model Court Rule on provision on legal services following determination of major disaster. The rule has two components, the first one is to address the legal needs of people who are displace who may need pro bono assistance. The second part would deal with lawyers themselves. After motion made and seconded, and discussion, the Assembly approved the proposal.
14. Matt Abel, member of the Representative Assembly introduced for consideration an amendment to MCR 6.201(B) regarding preservation of electronic recordings. After motions were made and seconded, and lengthy discussion, the Assembly tabled the proposal and referred to the Special Issues Committee.
15. Matt Abel, member of the Representative Assembly withdrew the proposal on the consideration of MCR 6.201 discovery to apply in misdemeanors and civil infractions, as well as felony cases.
16. Matt Abel, member of the Representative Assembly introduced for consideration an amendment to MCR 6.425(C) mandating that copies of pre-sentencing reports be provided to the defendant and defense counsel. After motions were made and seconded, and lengthily discussion, the Assembly tabled the proposal and referred to the Special Issues Committee.
17. Matt Abel, member of the Representative Assembly introduced for consideration an amendment to MCR 8.115, allowing the use of wireless cell phones and other communication devices by lawyers at state-level courthouses. After motion made and seconded, and discussion, the Assembly approved the proposal with amendments.

18. Steve Gobbo, member of the Representative Assembly introduced for consideration of unauthorized practice of law education activities resolution to ensure that the State Bar can look at using its own resources to continue with the educational activities. After motion made and seconded, the Assembly approved the proposal and resolution.
19. Josh Ard, Chair of the Unauthorized Practice of Law Committee and member of the Representative Assembly reported on some of the activities the Unauthorized Practice of Law Committee has been working on.
20. Adjournment