

## **Saturday, April 24, 2021 Representative Assembly Meeting**

### **Chelsea Rebeck- Chair**

Okay, it looks like...I think we've added everyone from the waiting room, so we'll get started. Good morning. The meeting is now called to order. Thank you all for attending this virtual meeting of the Representative Assembly.

Before we begin, I want to go over some of the ground rules for the meeting. Everyone's microphone will be muted throughout the meeting so that we'll be able to hear whoever's presenting to the body. If you want to speak when any items open for discussion, please raise your virtual hand by clicking the raise hand button in the participant panel. You need to open the participant panel and click the button that says raise hand at the bottom of the participant panel. People with raised hands will be recognized in order that they raise their hands, and you will need to be unmuted by the State Bar staff. Zoom now prompts you to unmute and you'll need to click OK when the appropriate prompt appears before you can speak. The chat function is set so that you can only send messages to State Bar staff who are hosting the meeting. If you experience any difficulties during the meeting, please send a message to the participant that is named vote in tech help and they will assist you: you should be able to see that in your participant window. Voting on procedural matters will be carried out by voice vote where we will unmute everyone to allow for voting. Again, Zoom will prompt you to unmute, and you'll need to click OK when the appropriate prompt appears before you can speak. There will be a brief pause while we wait for everyone to unmute. On substantive matters, we are going to vote using the polling feature within the zoom application. We will let you know when you should see a poll on your screen to vote. If you do not see the poll after a few moments, please send a chat message to vote in tech help. A State Bar staff member will assist you. We used this method for previous Zoom meetings, and it worked well. However, if there any widespread problems, we have backup voting methods that we will utilize.

Good morning. Welcome. We're very glad to have you all here. This is I believe our third virtual Representative Assembly meeting. I think that we've done a really good job of transitioning to the virtual environment. And I expect that today is going to go similarly well. And we're ready to get started on the meeting. The first order of business for today's meeting is certifying the quorum which I will turn over to our clerk Gerry Mason.

### **Gerrow Mason**

Good morning, Madam Clerk, based on the number of Representative Assembly members who have checked in we have a quorum.

### **Chelsea Rebeck- Chair**

Thank you, Gerry. The next order of business is the adoption of the proposed calendar which will be led by Jennifer Frost, Chair of our Rules and Calendar committee.

### **Jennifer Frost (39th)**

Good morning, Jennifer Frost from the 39th Circuit, and I move to adopt the proposed calendar, as well as the Summary of Proceedings from September's meeting. My motion has been seconded by John Reiser of the 22nd circuit.

### **Chelsea Rebeck- Chair**

Thank you, Jennifer. The motion has been made and seconded. Is there any discussion or Amendments of the proposed calendar? If so, please indicate that to us by raising your virtual hands.

John has his hand raised.

Oh.

Okay.

Stephen Gobbo from the 30th circuit has a sand race can we unmute him.

**Stephen Gobbo (30th)**

Good morning. I do not have any changes to the calendar.

**Chelsea Rebeck- Chair**

Okay, does anyone have any discussion or amendments to the calendar?

Seeing no further discussion, we will open the voting on the proposed calendar. We are going to try to vote through a voice vote, so the staff is going to unmute everyone briefly for the voice vote.

All in favor of adopting the proposed calendar, please signify by saying Aye.

**Brian O'Keefe (6th)**

Aye.

**Unknown Speaker**

Any opposed?

**Chelsea Rebeck- Chair**

The calendar is adopted. I got muted somehow. The next order of business is approval the summary proceedings and for that we're going to go back to Jennifer Frost.

**Jennifer Frost (39th)**

Yes, I move to adopt the Summary of Proceedings from September's meeting and my motion is also seconded by John Reiser of the 22nd circuit.

**Chelsea Rebeck- Chair**

Okay, the motion has been made and seconded. Is there any discussion or amendments of the summary of proceedings from the September meeting? If so, please indicate that, by raising your virtual hand.

Seeing no further discussion, we will open the voting on the Summary of Proceedings once again we're going to go through a voice vote. The State Bar staff is going to unmute everyone briefly for the vote.

All in favor of approving Summary of Proceedings, please signify by saying Aye.

**Chelsea Rebeck- Chair**

The Summary of Proceedings is approved.

Next, on our agenda is going to be the filling of vacancies. For that I will recognize Mark Jane, Chair of the Nominating and Awards committee.

**Mark Jane (22nd)**

Good morning, everyone. The Nominations and Awards Committee met diligently to fill vacancies of the Representative Assembly. you've received a memorandum from Miss Rebeck with the vacancies that we proposed to be filled. I move to accept the appointments to the vacancies effective this meeting. It has been seconded by Elizabeth Kitchen-Troop.

**Chelsea Rebeck- Chair**

Thank you, Mark. A motion has been made and seconded. Is there any discussion?

Seeing none, we will take this also through a voice vote. State Bar staff will unmute everyone briefly so that we can take that vote. All in favor of accepting the slate of appointees, please signify by saying Aye.

**Jennifer Douglas**

Aye.

**Chelsea Rebeck- Chair**

Any opposed?

The motion is adopted. Congratulations to the new members and welcome to the Representative Assembly.

Next on our agenda is going to be the nominations for the Representative Assembly Awards. And for that, we're going to go back to Mark Jane.

**Mark Jane (22nd)**

Thank you very much. For the Michael Franck award, we received nominations for that, and the nominations and awards committee deliberated, and we are moving to submit Jennifer Grieco to receive the Michael Franck award. I moved for her to receive the Award it has been seconded by Elizabeth Kitchen-Troop.

**Chelsea Rebeck- Chair**

The motion has been made and seconded. We're also going to do this via voice vote.

The motion is adopted.

Mark, I believe we have one more work to do.

**Mark Jane (22nd)**

Yes, I have the Unsung Hero award. we received nominations for that and deliberated and we are going to be putting forward Delecia Coleman-Morson. I move for her to receive the Unsung Hero award. It has been seconded by Elizabeth Kitchen-Troop.

**Chelsea Rebeck- Chair**

Once again, we're going to unmute and all in favor of Delecia Coleman-Morson receiving the Award, please say Aye.

**Unknown Speaker**

Aye.

**Tracey Lee (6th)**

Opposed.

**Chelsea Rebeck- Chair**

The motion is adopted...I'm going to have to get used to unmuting myself every time; please bear with me.

The next item on the agenda is the chair's report. So, I would like to share with you guys a little bit about what we've been doing.

For the Representative Assembly, I think one of the most important things that Aaron Burrell left for me to do was to continue our efforts at making sure that the Representative Assembly has a very strong diversity component within it. And what I've been doing with the Diversity Committee is putting forth some effort to do outreach to make sure that we're kind of spreading the word about what Representative Assembly is and how you go about becoming a member to other groups beyond just our typical State Bar contacts. So, the Diversity Committee for Representative Assembly was established by Aaron Burrell last year and we are working to make that a permanent committee within the State Bar Representative Assembly and we have done some social media programming that you may have already seen. If not, you'll see it soon and we are working with affinity bars and the local contacts within some other diverse associations to see if we can get some more members coming in. So, I'm really hoping to make this a permanent part of the Representative Assembly.

Moving forward, I will have I'm sure an update for you guys in September. And besides that, we are working really, really hard on one of the proposals that you will all see today, which is fee increase for attorney license fees. You're going to hear a whole lot about that today. I hope that I have all of your support. Because this is something that's really necessary for the Bar. And I don't want to say we're really excited to do this, but, but I'm happy that we are at the point where we can actually bring this to the RA. This is a very important proposal that we have on the agenda today. And all of you are very crucial for us to get this to move forward. So, we'll hear about that in a little bit. But thank you in advance for all of your support of that proposal.

At this time, we're going to move on to the proposals of the meeting. And I would like to invite Patrick Crandall, representative from the Sixth Circuit and proponent of the proposal to amend rule 4.201 to speak, Patrick.

**Patrick Crandell (6th)**

Good morning. Thank you, Madam Chair. Thank you, Members of the Representative Assembly. My name is Patrick Crandall, I'm with the Sixth Circuit.

And I'm pleased to talk to you today about our proposed amendment to MCR 4.201. And I believe I can sum this up briefly as this is a proposal for remote access to justice and landlord tenant cases, it creates a right to appear remotely in summary proceedings to recover possession of premises. So, in landlord tenant cases, there is a mechanism for summary proceedings to recover possession of premises. And our proposal today would give a right for any party to appear remotely. So just by way of background, and unfortunately, I can't see all of you only a subset, but by show of hands, who's since the pandemic has started has used Zoom to appear for a core conference or a proceeding, just raise your hand who's appeared by Zoom? I can't see you all, but it looks like most of your hands are up. I want to follow that up by a second question before the pandemic who had ever even heard of Zoom. A few hands, I can tell you, I don't believe I was familiar with Zoom before the pandemic. But now I live by it. It's amazing how this remote technology has developed over the last year and how it's become a part of our everyday practice. I think in the last year, I've appeared physically in court maybe a couple of times, and I am weekly on Zoom calls. And I don't see this going away, I see courts continuing to adopt this continuing to incorporate it and for many instances probably using this going forward.

An attorney, Peter Granata, who's an expert in landlord tenant law and regularly practices, they're approached me I about this proposal. And he and I talked and it's amazing the opportunity this can provide and I want to invite him to speak here in a minute more specifically on how it works in landlord tenant cases.

But before I do that, I want to briefly address some of the concerns that have been raised. And as part of the supplementary materials, you've got reports from several of the standing committees. And so, I briefly want to address a couple of those concerns. The first is, isn't there already a court rule that allows video conferencing, there is MCR 4.201 does permit by court permission to for parties to appear via teleconference. It's an old rule. It was not designed to apply in a Zoom type situation because it predates Zoom. But on top of that, we're trying to create a seamless way for parties to appear via AI remote access. And so, I am taking this step of having for perhaps a pro se party to have to reach out to the to have to know that they can reach out to the court to request a Zoom hearing is a step we'd like to eliminate. We'd like to make it a standard for landlord tenant cases. A second is there's a SCAO workgroup already looking into statewide remote practice, and this should be part of that discussion. We don't disagree that ultimately. This should be a topic of conversation when we talk about statewide remote access. And I'm thrilled that SCAO working on it. I frankly didn't know they were until I got this response. We agree that remote proceedings of the future and that there should be consistency. However, we believe that the Representative Assembly can and should move forward in this one area, summary proceedings and landlord tenant cases, and that we can do that without negatively impacting SCAO work. The other major concern that's been raised as judicial discretion, while we respect and recognize judicial control over courts and proceedings, we see this step again, a limited step in landlord tenant cases as a way to provide more and better access to justice for indigent defendants. Now, with that said, and I'm really hoping he's in the meeting Now, I'd like to turn it over to Mr. Granata for his remarks about how this works practically in landlord tenant proceedings.

**Peter Granata**

Yes, hello. Thank you, Patrick.

Basically, the way it's been working is the courts have been sending out a sheet with a Zoom call in as well as a telephone conference call in with the summons to the defendants as well as the representative attorneys, mostly, it's plaintiff's attorneys. And in that in those are instructions about how to participate either via Zoom or just by cell phone or conference call. And I would say half the time, participants are actually Zooming in using their cell phones or laptops. And in other cases, they're just using their conference call, ability to appear in front of the court.

My personal experience, Patrick has been that there's been a huge uptick in the number of defendants that are that are actually calling in to these hearings. Most of the time, we don't get people actually appearing in court as defendants. But since Zoom, and since the pandemic last March, we've seen I've seen a huge increase in the number of defendants that are actually calling and participating in these hearings.

**Patrick Crandell (6th)**

Thanks, Peter. I think that effectively outlines why where you brought this proposal with the representative assembly and why we think it should be adopted. So, I guess I would move for adoption of the proposed amendment to MCR 4.201.

**Chelsea Rebeck- Chair**

Okay, a motion has been made. Is there a second?

Okay, see some virtual hands raised.

Judge Chmura, is this sufficient to call it a second?

We need you to unmute okay.

**John Chmura**

Okay, there we go. Um, I can't see who has seconded it. I don't have access to it. But if you've got one person that seconded it, then that's sufficient.

**Chelsea Rebeck- Chair**

I have four. I have four, okay.

Perfect, okay, a motion has been made and seconded. If there any discussion regarding this proposal at this point, please raise your virtual hand and you'll be unmuted?

Gerry Mason, did you want to say something about this proposal?

**Gerrow Mason**

I did not raise my hand, so I have no idea how it got up. I will lower it. Thank you.

**Chelsea Rebeck- Chair**

Next up is William Renner. Please, please state your circuit before you make your comments. Wait till you're unmuted.

**William D. Renner II 15th Circuit Court**

I rise and oppose this proposal, premised upon 40 years of experience as an attorney. I recognize that my day in the sun has passed and I'm a typewriter in a computer world. However, we're in a people business. This is what I would deem to be a very slippery slope due to the fact that I've been on Zoom hearings. I've seen them and I'm not really impressed with them. They do move cases along in an unusual set of circumstances that we face today. But on a daily basis, perhaps there was a reason that prior to COVID, we didn't use Zoom although Zoom existed before then.

If we adopt this, what's to stop it...would...once we go down this path, it doesn't stop, and everything will be on Zoom eventual. And then, regretfully, just as things have developed over the last 40 plus years I've practice, the

practice of law will be affected. And I guess I would throw out as a as a for lack of a better way of describing it if we can do everything on Zoom, why do we have district or circuit courts, we could just have one court...Lansing. Everybody would Zoom to it absent up let's say a trial, we can just do everything on zoom from and it'll be once we pass this, once this gets passed, it will be just like forms were when I started. Very few attorneys us forms now it's just fill in the blank and check boxes. I think it affects the practice of law. It certainly affects the way people look at us...we really don't do anything.

And I would just rise in opposition of it. I'm...it's not going to affect me a great deal, one way or the other, if it's passed. But I think for the younger attorneys going to have a great deal of effect. You're one decision away from the Supreme Court saying, well, if you have an attorney in a room who's monitoring five other non-attorneys because landlord tenancy isn't exactly med mal or something more complicated, we eventually just sort of dumb this thing down.

And I do think personal meetings and being in court is important. I enjoy it and, of course, I think it and, having seen some of the defendants on zoom. You know, it was expressed to me by one district judge who explained to me he had a person on Zoom who was smoking a joint during a court hearing, and I think that just merely detrimentally affects the practice of law and pretty much that's all I would have to say. Thank you.

**Chelsea Rebeck- Chair**

Thank you. Thank you, William. Shel Larky. Please wait till you're unmuted and then tell us your circuit before you start?

**Sheldon Larky (6th)**

My name is Sheldon Larky with the Sixth Circuit. I am a part time magistrate. So, I live with landlord tenant because I handle what are called the first, the first hearings on landlord tenant matters. While my former boss, Michelle Friedman Appel, the president of the district judges Association has indicated that the district judges are in opposition of this: they believe that each individual District Judge should handle these matters individually. I believe that this is a good court rule.

Well, most interesting, I think now over 70% of all people in the United States have a cell phone and are able to get connected with courts. While it does take longer for landlord tenant matters to be done that are not in person because typically the landlord or its attorney cannot meet one on one and spend the time individually in person, they can do so in breakout rooms.

It takes longer. I've got to be honest about our landlord tenant docket, for the most part takes about 25% longer than normal, but it is extremely efficient. And the people who are using it are...have enough accurate to handle these matters. The attorneys are good. They're able to be in their offices, they save time, they save travel time. It's more efficient for them. They can handle a number of courts.

From a standpoint of...I have to smile because Bill Renner talked about that he's a typewriter man and a computer age. Bill, I just want to let you know yesterday I got my Selectric to fixed, so I just continued taking my envelopes and typing on them and the forms where I can't do it on other on the computer. And I'm a relic also. But I've got to be open about it. It works: landlord tenant Zooming does work. It is efficient for attorneys. They're more productive. It saves costs. I'm in favor of this. And I would ask that we endorse this. Thank you.

**Chelsea Rebeck- Chair**

Thank you.

We also have a non-RA Member, State Bar member who was next in line: Matthew Paletz and our rules require two-thirds vote of the Assembly members present to grant him floor privileges. I'm going to take a liberty, as the Chair to...Judge Chmura tell me if I say this wrong it's a unanimous consent.

### **John Chmura**

Right right. What you can do is just say "Unless there's an objection, I'm going to allow Mr. Paletz to speak" and then pause for a second, to see if there is an objection. If there isn't any objection, they you can...

### **Chelsea Rebeck- Chair**

Thank you, I am going to allow Mr. Paletz to speak unless anyone has an objection. I'll give you all a moment, if anyone has one.

Please raise your hand; don't worry about people whose hands are raised, I know who was in line, but if anyone has an objection, please raise your hand now. I'll give you a moment, okay.

Seeing no objections, please, Mr. Paletz as soon as you're unmuted.

We don't need to have to give the circuit correct because he is not an RA Member, but you have the floor, sir.

### **Matthew Paletz**

Thank you. And I appreciate all of you allowing me to speak very briefly on this. Many of you do know me, I've practiced in front of many of you. My practice focuses on landlord tenant, primarily representation of landlords throughout the entire state. In fact, I've probably appeared in almost every district court in the Lower Peninsula over almost 20 years of practice. I would just say that I echo what Shel was saying that having, again, that the narrow scope of this proposal for landlord tenant matters, having the ability to appear by Zoom. It's rare when you have landlord and tenant advocates in agreement on something. And I see Mary's on here, for example, and some other tenant advocates, I would say that many would be an agreement. As to what Zoom has done, I just believe that the future is here. We certainly didn't ask for the pandemic. But this might be one of the only positive things that come from it. That has brought us into the 21st century: to allow litigants to appear by Zoom. It's certainly allowed individuals, especially renters, it's in my client's best interest for renters not to have to take off work, not to have to designate a significant part of their day to have to go to the physical court. And so that has definitely had its advantages. And I certainly endorse this, I would be more than happy at a subsequent time if anybody wants to contact me further to discuss it to keep this discussion alive. I am definitely endorsing this and again invite anyone to contact me to discuss it further. Thank you for your time.

### **Chelsea Rebeck- Chair**

Thank you, Mr. Paletz. The next hand that I see raised is Matthew Eliason. I apologize if I said that wrong. When once you're unmuted, please give us your circuit and then feel free to start.

### **Matthew Eliason**

Thank you. Matthew Eliason 12th, circuit. At first blush, it sounds like a good idea and good access to justice to allow you hearings for summary, matters such as landlord tenant, I represent landlords primarily. And I think they would probably prefer that even. But at some point, in Mr. Renners commentary, it echoed back to me in the comments that I'm getting from the judges that there's a lack of decorum. And there's a lack of seriousness for what attorneys do. The State Bar of all organizations should appreciate the work that we deal with. So, everything is reduced to a do-it-yourself form. And the court is not dealing with pro se litigants constantly, which is generally the case with landlord tenants. But ultimately, I think it diminishes the practice of law; as such, I think Mr. Renner was right on. Thank you.

### **Chelsea Rebeck- Chair**

Thank you. Next, I have Nicole Evans. Nicole, please once you're unmuted, please give us your circuit.

### **Nicole Evans (30th)**

Good morning. My circuit is 30th. So, I am in opposition of this proposal. As an administrator, I was there when court proceedings had to change their processes on the drop of a dime. We went from physical matters to the Zoom

matters, and we had to learn that quickly in order to make sure that access to justice was not prohibited. The Supreme Court had issued a number of administrative orders to make sure that courts were operating within a capacity to ensure that access to justice was happening as well as court proceedings were continuing. I would just say that as an administrator, regardless of whether information is coming from the clerk or a judge that you go with your subject matter experts, the court has been operating with Zoom proceedings. The court, at least my court has no intention of doing away with them these proceedings because we find it beneficial as well. But any court rule that limits a judge to manage their docket or their courtroom is concerning, is concerning for me. And so again, I say, go with your subject matter experts; Zoom, or remote hearings are pretty much here to stay for all of us. Thank you.

**Chelsea Rebeck- Chair**

Thank you.

I don't know that I have everyone in order, so please forgive me if I if I call people out of order, but I believe Mr. Jocus. Bernie, once you're unmuted, please give us your circuit and then you can start.

**Bernard Jocus**

My name is Bernard Jocus, the 40th circuit; that's county of Lapeer. And I am in strong opposition of this court rule for the following reasons, and I'll give a little bit of background. Since last March, Zoom has become the most diverse word in probably any language around the world other than pandemic or COVID-19. There has been some beneficial aspects of Zoom: it's helped attorneys that have court that are out of the area in matters such as landlord tenants. For pretrial hearings, I have had to do a couple of evidentiary hearings and even one preliminary examination with the Zoom APP and of course that does have technology problems and what is transcribed.

But where I'm at is this: If we're opening the door for this aspect and landlord tenants, who is it going to benefit? It benefits the landlord. And I'm inclined to believe that there is more than one or two people that are out in the Assembly today that are aware that there is a firm that pretty much put a sully on this type of thing within collections and landlord tenant within the last two weeks that are being prosecuted.

I feel that this is just another way to get people in and out and take advantage of those that are down on their luck and that do not have power. So, for these reasons, I am not in favor of this Court rule and this resolution on any level, thank you.

**Chelsea Rebeck- Chair**

Thank you, Donald Roberts I believe that you're next. Please state your circuit once you're unmuted and then start.

**Donald Roberts-9th Circuit**

Donald Roberts, ninth circuit. By way of back a bit of background: I've been doing landlord tenant law for approximately 37 years primarily fact almost solely representing defendants in eviction proceedings.

I do oppose this changing the Court rule as well. I believe it further exacerbates what has been commonly referred to as the digital divide. Someone mentioned that 70% of the population has a cell phone or a smartphone. Well, perhaps my clients represent the other 30%; many of them do not have cell phones or smartphones or the ones they have limited service to them. And I think that this changes...It's couched...while it's couch to provide access to justice for the defendants, it seems like it's really set up to help those who represent the plaintiffs who have statewide practices and make them more efficient and more cost effective for their clients, which I understand from their perspective, but from my clients I'm not sure this is a that big of an advantage. Thank you.

**Chelsea Rebeck- Chair**

Thank you. I believe Marla Linderman was next.

**Marla Linderman Richelew (22nd)**

Thank you. I'm from the 22nd circuit. I spent a lot of time watching landlord tenant hearings, when I was doing a provider docket, so I wasn't actually doing the landlord tenant. And I would watch these tenants like in tears because



they just could not stay there. I've seen so many people had to leave court because they had to choose between their job and staying. I've heard a lot of people talk about how this is going to help landlords. But I have taken some cases pro bono, landlord tenant over this time period and it's been helping every one of my tenants. One it allows me to do a pro bono because if I'm only having to do 15-20 minutes, I can do it; if I have to do, four hours, I can't. It's also going to make it so they can afford attorneys again; 15-20 minutes of my time much cheaper than an hour or two hours.

And I think I want people think about what's going to happen. There is a moratorium on evictions right now; there's going to be a floodgate of cases when that gets lifted. I understand the courts need to do their dockets, but I really do think this addresses an inequity that exists in the law, so I just needed to point out the other side.

**Chelsea Rebeck- Chair**

Thank you, Marla. Mary Spiegel, I believe that you are next; please wait to be unmuted and then tell us your circuit.

**Mary Spiegel 2nd Circuit**

Hi, Mary Spiegel, second circuit. I find myself very torn on this proposal, partly because I respect the opinion of Mr. Renner. I, for one, I miss live court immensely and I think that the level of communication and the connection that we can make with our clients is so much deeper and better when we're in court, but, and I also respect the opinion of my esteemed colleague Mr. Roberts, who is a co-manager of legal aid office next to mine so. But with that said what I am finding in my own circuit, is that the accessibility of zoom that we have as a necessity, at this time...

**Chelsea Rebeck- Chair**

Is that Mary's internet that's messed up or is that mine? Can you all hear me?

**John Chmura**

I can hear you.

**Chelsea Rebeck- Chair**

I think...I think she's frozen.

Okay, can we mute Mary again when she has her Internet back up, I will call on her to finish what she was saying. In the interest of efficiency, let's go to Dan Quick.

**Daniel Quick (BOC)**

Morning. Dan Quick from the sixth circuit and Board of Commissioners. I oppose the motion on the table.

First of all, as a matter of drafting, to the extent that the purpose of this is to mandate Zoom hearings, whether the Court wants it or not, where the opposing party wants it or not, I don't think that the language of the rule as well drafted, if that is the intent.

And, secondly, to the extent that is the intent, most of the discussion today has been about the fact that Zoom can be very useful. That's not being debated. If people think it's useful and if the Court permits it, then it will be permitted, and that is really the subject matter of the SCAO work that's being done is to unify guidelines and standards for issues. But to mandate it in all instances and to deprive the judicial officer of any discretion, I think, is imprudent and has no other precedent in the Court rules in this sort of situation.

And the third thing I would say is that you have the benefit of some very knowledgeable stakeholder groups who have weighed in here – the Civil Procedure & Courts Committee, Access to Justice Committee, and the District Judges Association, all of whom oppose this as presented. And I'm not sure that I can think of a time that the Representative Assembly has acted so against the current of opinion of key stakeholder groups who are either knowledgeable on the subject matter or are would be instrumental in terms of carrying this out in practice. So, I think, although it is well intentioned, that this is not the right way to go about this in the Assembly should oppose. Thank you.

**Chelsea Rebeck- Chair**

Thank you, Dan. I see that Mary is back, thank you, Mary for raising your hand, so that I could see you like at the top of my screen.

If we can unmute Mary, so that she could finish what she was saying.

### **Mary Spiegel 2nd Circuit**

I think I just became the poster child for why Zoom court is not an advantage. But what I was going to say is that I have seen it improve the access to our court, our landlord tenant court. I would only say also that I disagree with kind of a judicial discretion, district by district, decision because candidly then we're going to have somebody in the next county who... You know my clients are generally hourly wage earners who don't get benefits when they leave their work and so you're going to have people that are similarly situated having different capability of appearing in court. And I, for that reason I do support it, but I support it with the same reservations that Mr. Quick just mentioned that perhaps this is more appropriate at this point for SCAO to address, so I support with reservation.

### **Chelsea Rebeck- Chair**

Thank you, Mary. Andrew Kirkpatrick, please state your circuit once you're unmuted.

### **Andrew Kirkpatrick**

Good morning. Andrew Kirkpatrick, fourth circuit in Jackson, and this is my first meeting, but I guess, I have one quick question for Mr. Crandell. I read through this proposal, I just want to confirm that this this proposal requires informed consent by all the parties, whether they're an agreement to appear via Zoom or teleconference, and if they object to that they're able to appear in court and require the appearance of court.

### **Chelsea Rebeck- Chair**

So typically, we don't engage in the discussion: I'm going to allow it. But can someone unmute Mr. Crandell so that he can respond.

### **Patrick Crandell (6th)**

Okay, thank you for the question and as part of that I want do want to clarify one thing, and there has been some discussion about this rule change mandating remote appearances. It doesn't do that. What it does is provide an option for participants to appear either remotely or in person. And so, the way I see this as the way I've seen it in some courts is if somebody appears by zoom and somebody appears in court, that can work. The courts generally have a telecommunication conference equipment in there, so you could have one party appearing by zoom and one party appearing in person, both appearing in person or both appearing by zoom. Ultimately, we didn't address the informed consent, because each party has the option to appear either in person or remotely so it's their choice to do so. I hope that answers the question.

### **Andrew Kirkpatrick**

It does, and I would oppose this amendment for several reasons. Number one as a litigator, I don't do landlord tenant; I do mostly criminal defense litigation. I don't think individuals should have the ability to choose whether they want to be in court or not subject to cross examination in court, as opposed to on Zoom; there's a huge difference. Being in the courtroom is totally different than being on zoom and you lose a lot of your ability to do your job as a result.

The other problem I have is I don't think that these rules should be piecemeal. We're just talking about landlord tenant cases, but this is an issue that could be addressed and just about any case creditor cases, criminal cases, and so rather than just have one amendment for one issue I think I agree that that SCAO should be putting together a rule for all types of cases, and not just one.

The other concern I have and, it's not it's not my concern I am a busy practitioner, but I have friends and I have individuals in my circuit and other circuits who make a living off this type of work. And the thing that I'm seeing with Zoom is that these local practitioners, especially in smaller jurisdictions who rely upon certain cases are now losing a lot of cases, because these bigger firms are able to now branch out into the smaller counties, across the state. They can sit in their office in Detroit and file appearances in the UP never having to appear in court, personally, which takes away from those local practitioners in those smaller areas to continue the practice because now they're competing

with these other firms who know they're never going to have to drive all the way to the UP or across the state. And that's a concern as well and I've seen it a lot more here. Again, it doesn't affect me, but I see a lot more attorneys coming into our counties and other counties because it's convenient. They don't even have to leave their office and so that takes away from the local practitioners, who make a living off of those different practices or areas of law. So, for those several reasons I would oppose the adoption of this resolution, or this court rule.

**Chelsea Rebeck- Chair**

Thank you, I believe we have one more hand raised: Elizabeth. And what will have one more after that; please give us your circuit before you start.

**Elizabeth Jolliffe (22nd)**

Sure, good morning, Elizabeth Jolliffe from the 22nd circuit. I stand in opposition to the proposal I echo the comments of Mr. Dan Quick. Listening this morning, I feel that we all believe in the good intentions behind the proposal and the use of Zoom we've all seen the very, very positive effects, the use of Zoom. It's not going away, and I believe it's not going to go away in the landlord tenant setting or many of the other settings that we've seen it. I think we've all seen, and we know, and we believe that it does increase access to justice, it saves money, it saves time. I appreciate Mr. Kirkpatrick's comments that he just made; I think that's very insightful about what might be happening and other counties and small areas. I do think we should leave it to SCAO in the work group. Mr. Granada was not aware of that and I appreciate him saying that he had not been aware that previously, which is the beauty of having Representative Assembly and getting the comments and everything. I also respect the district courts judges' association comments and now I've lost her on here but our representative who spoke as a former magistrate appreciate her comments. And that's all I have to say, so I do a post this, but I believe that we will be able to continue reaping the benefits of Zoom for clients and for parties, all parties, thank you.

**Chelsea Rebeck- Chair**

Thank you. Ms. Lee, once you're unmuted, please give your circuit.

**Tracey Lee (6th)**

I am with the sixth circuit and I, to echo the comments of Dan Quick and William Renner and Mr. Kirkpatrick and everyone that oppose. I don't do a lot of landlord tenant but, when Mr. Crandall stated that you have a choice...when I was looking at the proposed amendment, it's whenever possible, that you have to do a video conference. So, it's not saying that you have a choice; if it's possible you're doing a remote participation and I don't see that as a choice, so I disagree with the statement that it's something that you can choose. And then also depending on the county you're in I find that certain counties are less efficient. It's horrible they don't respond as well administratively, so I think is better to be in person, you can get more and more done if you're on site at the Court than trying to wait for administration to get back to you in the in certain counties. So, for all the aforementioned reasons, that everyone who opposed I also oppose the same.

**Chelsea Rebeck- Chair**

Thank you, Tracy.

Okay, I see no further discussion: we are going to call the question. Before we vote, we're going to need to remove our guests to the waiting room and then we'll bring him back for the results. So, can we move Mr. Paletz to the waiting room?

Okay, and the motion, just to refresh your memory is to approve the amendments rule 4.201 as presented. So, Gerry, I'm going to turn it over to you.

**Gerrow Mason**

Okay, I am unmuted, so we need to begin the voting now. Has the staff put up the voting? There we go: okay!

**Chelsea Rebeck- Chair**

If anyone has any trouble voting, please send a message to the SBM staff member that is in the participant list.

**Gerrow Mason**

Yeah, it should be, they can click on vote tech help” if they're having a problem voting; it doesn't look like anybody is.

Make sure you click submit after you voted, please.

If everyone can see right now, there's a motion on floor or have we completed voting yet.

**Chelsea Rebeck- Chair**

The voting is over. These are the results.

**Gerrow Mason**

The motion fails 66% oppose; 33% supported it and 2% abstained, so the motion fails.

**Chelsea Rebeck- Chair**

Thank you, Gerry.

**Gerrow Mason**

Thank you.

**Chelsea Rebeck- Chair**

We are going to move on to the next proposal. I want to invite Sean Cowley and Kendra Robbins, proponents of the proposal to amend MRPC 5.5 to speak. Do we have them in here?

**Sean Cowley**

Hi, good morning. My name is Shawn Cowley and with me today is Kendra Robbins. We're here today on behalf of the Standing Committee on the Unauthorized Practice of Law and its proposal to amend rule 5.5 of the Michigan Rules of Professional Conduct to address the issue of remote lawyer. Now remote lawyering is not a new concept: we've evolved are many of us have likely practice law remotely from another state while we've been on vacation or away from home. However, with the onset of COVID, the issue has become more prevalent and remote loitering has in many cases taken out a more permanent status. Circumstances could include summering in a cottage in Michigan or moving in with parents for the duration of the pandemic. And as a result, questions are routinely being received by both ethics and UPL staff whether remote lawyering is permissible in Michigan.

When the ABA issue formal opinion 495 exploring the issue of remote lawyer, representatives from the UPL committee and the ethics committee came together to review the ABA opinion and explore how that opinion impacts remote lawyering in the state. Included in those discussions will rather rule 5.5 should be amended to adopt the language on remote lawyering and presented by the ABA. The conclusion reached by that workgroup is that rule 5.5 should be and the proposed amendment today presented mirrors the language of the ABA opinion and was unanimously approved by the UPL. Standing Committee. Now while the UPL committee is the one proposing this amendment, it was also supported by the Ethics Committee.

The proposed amendment is straightforward and provides clarity to this issue, and also protects Michigan residents by precluding remote lawyers from creating an impression with the public that they're authorized to practice Michigan law.

The proposal not only says what they can do, but explicitly says what they cannot do. And the proposed amendment does not in any way hamper the UPL committee's ability to investigate or litigate a UPL claim involving a remote lawyer if the remote lawyer does not comply with the parameters of this rule. The focus of the UPL committee is the protection of the public and this proposed amendment not only provides clarity to practitioners, but also does protect the public. On behalf of UPL Standing Committee, we'd like to thank you for your time in reviewing this proposal and we'd be happy to answer any questions that you may have.

**Chelsea Rebeck- Chair**

Thank you, Mr. Cowley. At this point, I will entertain a motion to approve the amendment to the model rules of professional conduct for the purpose of making this motion that I'm going to recognize Mr. Mike Blau from the Sixth Circuit.

Once you're unmuted go ahead and make your motion.

**Michael Blau (6th)**

And I move in support of regarding changes in Michigan rules of professional and I.

**Chelsea Rebeck- Chair**

Your audio is a little bit but, I don't know. Are you...warble? Can you guys hear me? Okay? I'm just going to repeat this motion. I'm getting a lot of feedback too.

Your motion is to amend the model Rule of Professional Conduct 5.5. Is that correct?

**Michael Blau (6th)**

That is correct.

**Chelsea Rebeck- Chair**

Okay, is there a second for this motion? I see Shel, thank you. Okay, so we have a motion that has been made and seconded is there any discussion regarding this proposal, please raise your virtual hand and I will call on you in the order that I see them show up on the screen. No discussion, okay.

Okay, see no further comments I will call the question. We have to remove our guests to the waiting room again before we start the voting and then we'll bring you back to announce the results.

Okay, I believe the guests are removed.

**Kandra Robbins**

I'm sorry, this is Kandra Robbins. I'm still here, they haven't moved me yet.

**Chelsea Rebeck- Chair**

Thank you, Kandra, I never even saw you to begin with, so. Wait is Kandra gone now? She disappeared off my screen. This is the beauty of Zoom, guys. Okay we're gonna open the voting on the proposed amendment to the model rules of professional conduct rule 5.5. You're going to see a poll on your screen click on your preferred answer and click submit. It's going to remain open for approximately one minute. I'm going to turn it over to Gerry who's going to tell you please vote now.

**Gerrow Mason**

All right, please begin voting. Remember to click on submit after you voted, and if you have any technical difficulties, please send a message to "vote tech help." Voting is open.

The results are in the motion has passed with 87% in favor of it 8% opposing it and 5% abstaining.

**Chelsea Rebeck- Chair**

So, the motion passes.

**Gerrow Mason**

Motion passes, with a substantial approval merge.

**Chelsea Rebeck- Chair**

Thank you, Gerry. Thank you very much to those who came to present today, and everyone who participated and the discussion on this proposal and the one before this.

I believe it is now time for us to get to the most exciting part of today's meeting, which is going to be about the license fee increase. The chair of Representative Assembly generally is not a proponent of proposals. But today, I am going to be the proponent along with Gerry and Nick and countless other RA members, I'm sure for us to increase the license fees for the State Bar. Our most important job as RA members is assigned by the Supreme Court for us to speak for the bar on the issue of the cost of carrying out the state bars functions. The State of Michigan has defined the mission of the State Bar: Number one to aid in promoting improvements in the administration of justice and advance advancements in jurisprudence, also improving relations between the legal profession in the public. And finally in promoting the interests of the legal profession in the state. As one of the 32 states with an integrated bar Michigan's lawyers through its elected representatives, all of us have the privilege of defining how we carry out that mission, which we pay for, as part of our annual license fee. This proposal speaks to the cost of that responsibility. The last time that this body executed that that responsibility was over 19 years ago, at least one of the members of our assembly today was a member of the assembly back then. But at least some of you were still in grade school, the last time the fees were increased, it's been a very long time. Now it's time to adjust the license fee for inflation and continue moving forward and carrying out the mission the State of Michigan and the Supreme Court have given us according to the strategic plan that we have approved. This proposal should not be a surprise to any of you. In the last four years, the assembly has heard at least three detailed presentations about the unprecedentedly long dues cycle and the cost controls we have implemented for the state bar's functions. Before the pandemic financial projection showed a need to make an inflationary adjustment effective no later than October of this year. However, during the past year, the state bar has been able to change operations during the pandemic to sustain the bar for another year, giving us as Michigan lawyers one more year breathing room adjustment and some time to recover from the pandemic. As you will hear from Joe McGill, our treasurer for the State Bar, the finances of the State Bar are transparent and accessible. In addition, we have alerted every member of the bar to this proposal and asked for feedback. Much of the concern expressed was related to the impact of the increase on solo and small firm practitioners. Our concern Gerry Mason can speak passionately about that concern, and I look forward to his remarks. And I can also echo...I will preemptively say all the things that he's going to say because I am also a small-firm owner, so Gerry is going to give us some input on that. Nobody likes to pay more for anything, but it is time. Now. While the size of the proposal increases, not small, the amount proposed for the license fee will not be out of line for attorney license fees across the country. As a CPA, I can tell you firsthand that the proposed fee amount is a bargain compared to annual licensing and certification requirements for other professions. This is very accurate. The \$80 doesn't, doesn't shock me at all. As someone who has multiple licenses, mostly through LARA, I'm very grateful to have the state bar as our licensing agency here. And I always thought that we were paying like nothing for our fees. So now we're going to be paying what's in line with everyone else. I'm gonna go off script a little bit, don't yell at me, guys. I have been on the Finance Committee for the State Bar since I believe 2015. And I think that I may have been one of the original proponents of "Hey, guys, we need to increase the fees, because our budget is not going to sustain the cost of everything go up all the time." And we have not had an increase on the State Bar portion of our fees in 19 years, I believe it's 19 years. That's a really long time. The State Bar has done such a great job, managing the finances, making sure that everything stays at or under budget. And we have all reaped the benefits of that for a really long time. And I encourage all of you to please support today, a very reasonable increase in our licensing fees that will sustain us for at least 10 years. I am sure that they'll stretch it longer but being reasonable will say at least 10 years. We'll make it and now I'm going to ask Joe, the treasurer, current member of our a past chair of the assembly. Please speak to us about why you are confident that this proposal is based on a sound analysis of the costs of carrying out the state bars assigned functions.

### **Joseph McGill (3rd Circuit)**

Thank you very much Chelsea. This is Joseph McGill from the Third Circuit. I too have served on the finance committee for many years lead my first year was 2016. We've also served on the audit committee for several years as well.

As Chelsea mentioned 19 years ago, the Representative Assembly was asked the Supreme Court to approve a fee increase that was expected to last no more than seven years before another increase would be requested. The State Bar staff, and members of the representative assembly and the Board of Commissioners have worked very hard since that time to carry out the stated mission of the bar within the revenue confines of the fee increase that was previously approved. We have succeeded beyond all measure in continuing operations and providing a vast array of services and programs well beyond the projected seven-year timeframe.

To understand how extraordinary This is, you really need to understand what is commonly referred to as, quote, the dues cycle, close quote, of the State Bar of Michigan, it's an actual used term that has a lot of meaning to the dues cycle method is used by many bars across the country, and in fact, many other professions as well. In fact, it's interesting to know that only a handful of integrated bars have been able to obtain approval from their supreme courts, or their legislatures to apply an automatic inflationary type adjustment to their annual dues. The rest of us and indeed, the voluntary bars and other professional associations, instead operate under the dues cycle method. This approach will generally set an initial fee that is higher than expected expenses for the first few years in order to build a fund. That organization then draws down that fund in subsequent years until a new fee increase or due cycle is necessary. The rationale is that the dues cycle approach avoids the transactional costs associated with more frequent requests to the governing body, whether it's the Supreme Court of the legislature, and avoids the constant lobbying that are more frequent do cycle, or more frequent ask for an increase in dues would require. Also, interestingly enough, and as proven out, by the way, we've been able to stretch our current dues cycle, this approach helps to neutralize the inevitable impact of inflation on the collection of dues...

I apologize, my seven-year-old and my dog just walked in so anything could happen at this point...

The normal dues cycle for professional association is about seven years. To all of our credit, and especially State Bar staff and leadership, the 17 years we've enjoyed without a fee increase is extraordinary and represents an exceptionally long attorney do cycle both in Michigan and indeed, nationally.

The chart that you were provided with the materials is, is often veterans of the assembly will have seen this chart many times before. But it's worth displaying because it represents the exceptional achievements, we've been able to accomplish in controlling costs, while still providing high level of services a vast array of programs. By making smart moves to increase efficient operation, the State Bar has been able to stretch currency cycle as we mentioned, seven years to 17 years. We've all enjoyed the benefit of this frugal administration of the bar for many years, but we have reached the end of those efficiencies. In fact, unless we reset the new cycle and an increased annual license fee by October of 2022, we won't be able to perform our mandated mission at the level and quality that we have all come to know and expect.

In responding to this dues' proposal, a few of our members have complained that the State Bar is a bloated bureaucracy with hundreds of employees doing nothing. How do we know that that's not true? How do we know that the State Bar of Michigan is not actually a bloated bureaucracy with hundreds of employees doing nothing? Who is actually minding the store? The answer is simple. All you have to do is look at your screen this morning. We are minding the store, we the elected leaders of the State Bar of Michigan. Because Michigan is an integrated State Bar, we the members are minding the store, not the bureaucrats, or politicians. The oversight we provide is thorough, open and transparent. Rather than hundreds of employees doing nothing, the State Bar has 75 employees well below the national average for integrated state bars, including states with far fewer attorneys. As treasurer of the State Bar of Michigan, I also chair the Finance Committee for the Board of Commissioners. We meet at least eight times a year.

at every meeting, we review detailed financial update and forecasts. In addition, every year the Finance Committee devotes an entire day to a line-by-line review of the budget of the State Bar of Michigan for each and every department and program. This process includes financial planning for the upcoming year, and probing for savings, which are consistent with our mission. And our strategic plan, which is interesting to note, was most recently approved by a Representative Assembly in 2017. The proposed budget that we prepare every year is then reviewed by the full Board of Commissioners. The approved budget is presented to the Board and passed on and questions are answered, and issues are resolved. The budget is then published, as you can see on the screen on the State Bar website, again, to assure thorough, open and transparent financial administration of the bar. At the end of each fiscal year, the State Bar's financials are subject to analysis by independent outside auditors and are held to the requirements of generally accepted accounting principles. The detailed audited financial statements are then provided to the Supreme Court and published again on the State Bar website open for scrutiny by all members of the State Bar and the public at large. In fact, each one of our supreme court justices gets an individual copy of these audited financial statements. And in the five or six years that I've been taking a deeper dive into these issues through the Finance Committee and the audit committee. I have not heard one complaint about the way the bar is handling itself, financial administration prescriptive perspective or in a budgeting perspective. As proof that a dues increase is appropriate now more than ever, we can compare our dues in relation to the national average, you can see...Keep in mind, keep in mind that State Bar of Michigan is one of the nation's most respected bars. And we've been able to achieve this status while maintaining dues at a level in the lower cost tier of all the bars throughout the country. Now, with the proposed increase of AD dollars, the State Bar would begin its next due cycle, which is expected until the last eight years. And then amount near the middle of the pack national progress to the new thread through the news do cycle, we'll again slip back to the lower cost tier nationally as other states and their national or natural dues cycles and increase their dues accordingly.

So, in closing, we are overdue for the dues increase. And I humbly submit to you that you should support it. Thank you very much for listening. And I'm happy to answer any questions that you might have.

**Chelsea Rebeck- Chair**

So, what I would like you to do, Joe, is to make a motion and then I would like to talk to Gerry about maybe seconding it with some with some commentary.

**Joseph McGill (3rd Circuit)**

Excellent, so I move that the Representative Assembly recommended to the State, ur...to the Supreme Court that the annual membership dues of \$180 for active licensed attorneys be increased by \$80 to \$260, starting with the fiscal year that begins October 1, 2022. Is there support?

**Gerrow Mason**

I will rise and supportive that and make, and second, your motion and I would like to make a few brief remarks, Madam Chairman.

**Chelsea Rebeck- Chair**

Please.

**Gerrow Mason**

So, I've been on the Representative Assembly since 2015. My name is Gerry Mason. I'm the clerk here, and I serve on the Diversity Committee. And I also serve on the Board of Commissioners on the Finance Committee. During the pandemic, I served on the special issues committee for COVID 19. The dues increase that we're talking about today has been contemplated is as part of our strategic planning and our ability to maintain the highest of services to the bar for some years and this action is something that hasn't been taken lightly. It's consideration, and strategic



financial planning has gone on for years. But what are we really asking for? What we're asking for is \$1.54 a week, we're asking for less than the cost of a cup of coffee at Starbucks to continue to support our bar, one of the best bars in this country that services over 46,000 attorneys with just 76-75 employees, and a lot of volunteers, many of whom are in this meeting. And I can tell you as a volunteer, I think I spent about four hours on State Bar Michigan work just yesterday, and then was in another one-hour meeting earlier in the week. My point is, is that the stewardship of the State Bar of Michigan, the financial belt tightening and the leadership that they have provided, has made us last 18 years for something a dues increase in 2003, that we thought would only last nine years. But the most telling number to me is as if you took the \$180 that we set for dues in 2003 and increased it for inflation. It's exactly at the amount that we are requesting today. So, there's nothing extraordinary about what's being requested or contemplated. And I would also point out as a sole practitioner, and as a small law firm, yeah, I can afford a buck 50 for a week. But the amount of services the State Bar of Michigan provides the small term...small firms like mine is a measurable whereas larger firms have more resources and may not need it as much. We have a bar here that we can all take pride in, and we have a bar here that we're all proud and we all play an instrumental role in. They need and deserve this money. We do not want to run a deficit; we want to keep the positive momentum and leadership going. I rise in support of this motion.

### **Chelsea Rebeck- Chair**

Thank you, Gerry. I will ask if there's any discussion after I also invite Mr. Larky from the sixth circuit to comment, and if he would like to.

Once he's unmuted.

### **Sheldon Larky (6th)**

I rise in support of this motion. Also, Gerry Mason stole a number from me, he said \$1.55. That's what we're asking for. But there's another number that we have to look at. And that other number is \$7.60. What is \$7.60? equal? If you spend \$7.60 a week you pay for the increased dues completely? It's \$395 divided by 52 weeks. For \$7.60. What do we get? As a sole practitioner myself? I get a journal, which keeps me up to date every single day. I get casemaker. I get discounts. As I made a comment earlier this week to one of our fellow members, I said I was able to use my I get discounts on services that paid for the bar dues in one day pay what by the amount of discounts I got.

I've...I think I'm not the oldest person here today. I'm close to it. I'm close to it. But I think I may be the longest serving member of the Assembly. I think I started in 1972. And I've been on consistently, it consistently, except for those break years every six every seventh year. I've gone through three dues increases. I know how important this is.

I looked at the 22 people who indicated their opposition. Of those 22 people who opposed it, four did not even live in Michigan, but all four, and the two of the four we retired, and the others were making substantial money. The others who the other 18 people who lived in Michigan raised some very cautious and good issues, but they were really totally not informed. They didn't understand how the bar has tightened its expenses; they don't understand the amount of services.

Just reading and doing what we have that we provide these services. This is just a minimal amount of money \$1.55 a week. And we have to even get past the supreme court because the last time we asked the supreme court for money, they cut it in half. Hopefully this year, they will not do this. And to those people who raise the issue, that this is COVID, this is a bad time. This is the worst time to ever ask for a dues increase. You're absolutely right. But but we're not asking for it this year. We're asking for it a year from now. And hopefully God willing, we'll be able to be together, we can hold each other. I can put my hands around Marla and Matt and Steve and Susan and Randy, and all the rest of you, and be able to hug you a year from now and be able to be with you. But the point is, this is nominal for a sole practitioner. I can I want my license for \$7.60. I urge everyone to vote yes. Thank you.

**Chelsea Rebeck- Chair**

Thank you, Shel, is there anyone else who would like to comment on this motion, please raise your virtual hand. Okay, Mark. Once you're unmuted, please state your circuit and then you can start.

**Mark Teicher 6th**

Good morning. Nice seeing everyone. Mark Teicher, Sixth Circuit. Prior to the pandemic, the Client Protection Fund Committee, which I've been on for years, would meet physically at the State Bar. I must say I was always amazingly impressed by how every person that I came in contact there, whether they were an attorney, whether they were a paralegal or whether they were a secretary, really was working very hard and, and very full time, oftentimes not even leaving enough time for the chitchat I would like to have had because I think that and from my personal seeing it and dealing with them up there that they work very, very hard. There is not wasted employee time at all, and I speak in support of this long overdue increase. Thank you.

**Chelsea Rebeck- Chair**

Thank you so much Is there anyone else who would like to speak? I don't see anyone else...oh, Elizabeth. Once you're muted, please give us your circuit again.

**Elizabeth Jolliffe (22nd)**

Good morning again, Elizabeth Jolliffe, from the 22nd circuit. I just have a question: I don't know if this is the time to ask it.

**Chelsea Rebeck- Chair**

Go ahead.

**Elizabeth Jolliffe (22nd)**

If the Representative Assembly does not approve this recommendation, what are the possibilities? Can it still be approved by the Supreme Court?

**Chelsea Rebeck- Chair**

I'm going to answer that. And if I'm wrong, I'm sure that Peter or Janet will pop in and interrupt to me. But no, we have to, we have to send this to the Supreme Court or else it doesn't go anywhere. So, if we if we don't approve this today, then we're going to be in a very dire situation with the State Bar relatively soon. So, we...it needs to go through today. And this is not going to go into effect as long as the Supreme Court approves it for another year. But we need we need this lead time to be able to send it to them for them to make their decision and for us to implement this. And also, although we have messaged this to the members in a multitude of different ways, I think that there's still going to be some messaging to be had, so, you know, we would like that lead time also to kind of let everyone know that this is going to be happening so that they can make adjustments however they need to. And they're gonna have it likely a whole year before this actually comes into play. Does that answer your question?

**Elizabeth Jolliffe (22nd)**

Yes, thank you Chelsea.

**Unknown Speaker**

Thank you.

**Chelsea Rebeck- Chair**

Jessica, I see your hand raised: once you're unmuted, please give us your circuit.

**Jessica Zimbelman (30th)**

Jessica Zimbelman from the 30th circuit. There's been a lot of talk today about the impact on solo and small firm practitioners, and I would agree that most of the messaging and help I see from the State Bar does work to help individuals with solo and small firms, but I think one group of people that are being left out of this conversation entirely our government employees and nonprofit employees who may not have might not see as many benefits from the State Bar or may be paying their own bar dues with greatly reduced salaries. So, I would be curious if there was any consideration given to a sliding scale, or perhaps different tiers of increases because I'm quite concerned about this increase for those groups of people who have not been mentioned by anybody today.

**Chelsea Rebeck- Chair**

Thank you, Jessica, I will say, although that hasn't been a topic of our discussion today it has been discussed at length internally within leadership and we definitely recognize and understand that concern. I don't have anyone on leadership to speak in support of that... You know I understand where you're coming from: I used to be a government employee and if the government isn't reimbursing you for that part of your expense, it's definitely something that that's going to have to change the way that you budget and we recognize that, I understand it. Unfortunately, we're at we're at this point in the do cycle, where it's unnecessary increase but, but I see you I hear you and we have definitely talked about that at length, not just government employees, but also like legal aid and other similar things...we definitely, we definitely understand where you're coming from, and I appreciate your comments.

Okay, we also have Paul. Once you're unmuted, please give us your circuit.

**Paul Kraus (20th Circuit)**

Hey good morning everybody Paul Kraus with the 20th circuit, I have been Bar Association President for Ottawa County. For the last couple years and we raised our dues from \$45 to \$55 -- a pretty nominal amount -- but it generated quite a bit of questions from our membership even over 10 bucks as to what are you going to do the money why you raising the dues. And so, I want to be able to go back when I get questions if this passes today to be able to say exactly kind of what we prevented with this dues increase. So, my question Chelsea is specifically what would be what would be cut if this doesn't pass here today, so that when members asked me that question, I have a great response.

**Chelsea Rebeck- Chair**

Okay, I don't know if I'm going to be able to give you a great response, but I'll tell you what I think would happen, based on my tenure on the Finance Committee, and then I will also offer the opportunity for Joe to respond. Over the past six years on the Finance Committee, I have...each year, you know we have a new treasurer and so every treasurer has a different kind of thought process and initiative, but every single one that I've worked with has been very, very focused on where can we cut costs, which means that we have trimmed across the board on every single thing that is possible. I mean, we're not like a...I appreciate what Shel was saying earlier, but the bar doesn't run to offer discounts on things. Our main primary functions are protecting the public and protecting our profession and regulating the practice of law in the state and every single thing that we do is very, very focused on that. And I don't even know where we could trim if we don't get...if we don't get the fee increase, I don't know how the bar would continue to run because we've gone so long, without it, and there's been so much thought put into this increase that it's taken several years to even get to this point, to bring it to you guys. I don't know how the Bar would continue to run, but I will give Joe the opportunity to also comment on this.

**Joseph McGill (3rd Circuit)**

Thank you very much, Chelsea, and what I would say, Paul, is that as you can tell from my presentation, the financial administration of the Bar is not something that we just sort of conjure up out of our heads. There are various benchmarks that we use for most of the critical analytics that the State Bar operates on, so when it comes to the dues increase, we have to look at the issue of well "what are other bars doing when it comes to their cash position and how much how much they have in the bank and how many expenses in terms of months, can they cover with that cash position," so this dues increase reflects, you know, keeping us right in line with what we're supposed to have in our cash reserves going forward. And then from the perspective of, you know, sort of what are you getting for your money if you want to take a look at the audited financial reports that are on our State Bar website, you'll see all of the various programs and whatnot. And that's, I mean, I think that's that is, you know, a real good tool if you're answering those types of questions. You can also take a look at the strategic plan that we approved as the Assembly in 2017.

Also to address another issue with respect to a step increase, you have to keep in mind also that we're presenting this to the Michigan Supreme Court and step increase, you know, we analyzed that...Chelsea was...Chelsea and I were on the Finance Committee, while that was happening; I believe the James Heath was Chair at the time, and you know we took a look at "well, what if we, you know, year by year." So transactionally, it's difficult and it's never been done before, as far as I know, in terms of asking the Supreme Court to allow us to do that. But also, it doesn't get us where we need to be in terms of having cash on hand. So sorry for the long answer, but and other things, just as an aside, I ran this issue by my ----- physician and told her what our dues were and she practically fell out of her chair; I mean she's paying thousands of dollars in dues, you know, practice medicine. Ask anybody else who has to pay a license fee and you'll see the bargain that you're getting even with...

**Chelsea Rebeck- Chair**

Thank you, Joe. I believe that Nick would like to comment. Once you're unmuted, go ahead and say your circuit.

**Nicholas Ohanesian (Vice-Chair - 17th Circuit)**

Nick Ohanesian, 17th circuit and also serving as vice chair. I want to make an observation, because I'm one of the because I'm a judge for the social security administration, and so you know, I recognize that a lot of the services...a lot of the services that we, the State Bar puts forward, they tend to be very useful for small, midsize, and solo practitioners. And for some of those of you out there who are not in that affected group, I want to make an observation that the structure and the assistance provided to those to the attorneys that you come..for some of you who deal with on a regular basis, and also for, in my case, for the attorneys...because I have a lot of small practitioners that come in front of me at the social security administration...the State Bar does a lot to benefit them, and I think indirectly I benefit...I as a judge for social security administration, I benefit tremendously from the services provided by the State Bar to the people that have to come in front of me and they do it...and so you know it's like even, at times, I say to myself, okay, well, this particular program and this particular program doesn't have a direct impact on me, personally, I know that it is making my job better and, in many cases easier because the State Bar is there to provide some structure and support. Thank you, that's the end of my comments.

**Chelsea Rebeck- Chair**

Thank you. Christopher Hekman, once you are unmuted, please state your circuit when you can start.

**Christopher Hekman (8th)**

My name is Chris Hekman from the eighth circuit, and I want to echo Jessica's comments...I'm a prosecutor, work for the government and there's this this continuous refrain of services, services. I don't get any of those...Okay, they don't do much for me, they don't help me in any way and wouldn't it be better to maybe push some of these costs to the you know the solo practitioners mid-size, whatever to the sections that are voluntary, so that if people truly want those services, and they need those services, and I'm not going to say that they don't, I think they're very valuable, let them pay for them. But those who are using them pay them, and I would make this akin to the recreational passport that you have the option of buying when you renew your plates. Not everybody wants to go to a state park or pay the, I think, it's like \$16 a year now something like that, so why not do something like that. But this this refrain of services, services, services...the people I've talked to...and I've got a two county circuit one is incredibly rural, one is semi-rural...there's some benefit and a lot of them have indicated that they would and they already are a part of some of the sections, that they have the interest in, that they have their practice area in so that would be the way that would allow an increase, but it would be more of a demand-driven increase as opposed to a universal imposition of a fee. That's what I would add.

**Chelsea Rebeck- Chair**

Thank you, Philip, once you're muted, please give us your circuit and then you can comment.

**Philip Strom (17th)**

Thank you, Phil Strom, 17<sup>th</sup> circuit, Kent County. I'm the deputy city attorney for the City of Grand Rapids, previously worked as an elected prosecutor in the UP. And I'll vouch for the amount of services that I've utilized in my professional career from the State Bar Association. I know that many of our assistant attorneys in my office also rely on the State Bar Association for professional development opportunities and networking opportunities. There is not

a huge niche for government law and other professional development for government attorneys and the State bar has provided that. As a prosecutor, I relied on the e-journal every single day; when we worked on abuse neglect cases with MDHHS there was a lot of nuance law for rural prosecutors that without the State Bar I don't know how we would have done it. So, from this government law attorney I support the initiative and would encourage others to do so.

**Chelsea Rebeck- Chair**

Thank you, Dana, I believe you're next.

**Dana Warnez (16th)**

Hello, my name is Dana Warnez, I rise from the 16<sup>th</sup> circuit. I am currently the president-elect of the State Bar. I feel it important to respond to some of the concerns that have been expressed, and what I would like to say, specifically to the question of what may be cut in the event this, this does not pass and the first ideas that came to mind that I can see would be first on the block would be the outreach to local bars to look in sections. It would be also perhaps a risk to providing the regular things that Philip just talked about, the bar journal, e blasts those kinds of things. Not to mention that the...concerning the services provided for the health and well-being of our membership through LJAP and other support systems, character and fitness. We would certainly not want to leave the profession at risk for their personal well-being. I also see with respect to Philips comments I agree we would be at risk of losing things like the upper Michigan legal institute Bar Leadership Institute, those are things that absolutely help gap fill for people in rural areas and UP when they don't...we don't...not everyone lives within 30 minutes of a seminar or have access Internet wise to ICLE resources. So, I really believe that that the State Bar is essential to the to the to the statewide practice and profession so because it does help the gap fill into the places that doesn't have the other resources. So, I would hate to see us lose those abilities to help practitioners. And with respect to governmental employees and nonprofits, the State Bar does so much for legal aid, for its support of innovative technology things like Michigan legal help it that it provides access to people who don't have access to attorneys: that benefits the whole profession. For governmental employees, when you're having judges and prosecutors can understand when people don't have access to services it backs up the log of cases and things through court...I can't say enough about how important it is for us to pass this resolution and protect the profession and keep us all in good health and good in good stead so thank you for the opportunity to speak to you, I certainly support it and I encourage everyone to support it.

**Chelsea Rebeck- Chair**

Thank you, Dana. Next up is Dennis Perkins.

**Dennis Perkins, 44th Circuit**

Good morning, all. Very briefly I read this over several times, I don't know what the issue is we're talking 80 bucks. And so, it's really something that concerns me that we're nickel and dime in our bar dues to death; we shouldn't do that. I think what we should do is look at the bigger picture, but the first is, we have to keep the people that we've got we've got great people as far as I'm concerned, and we have to keep them. I'm not sure what their raises have been over the course of time, but probably haven't been competitive enough. And they've been probably looking elsewhere. Again, I'm presuming, however, what I'm not presuming, and this is that we will have to recruit people as our people either leave or retire or whatever, and if we don't have the money to recruit good people to assist us in this Bar Association then we're accomplishing nothing, and our Bar Association is going to be weaker as a result. I strongly urge that the membership folks for this raise; it's not a lot of money. If you look back at everything else that we do or contribute to, 80 bucks is not much. Value can be brought out from the State Bar to every attorney. I'm the Howell City Attorney; Howell doesn't pay for my bar dues, but yet I find extraordinarily useful to be in the government law section, which I paid for by the way, and other ideas that come out of the Bar Association. So, I'm a firm believer that we've got to keep it in gear and if, and if we have to raise the bar dues, then so be it. Thank you.

**Chelsea Rebeck- Chair**

Thank you. Jessica, we don't typically allow people to comment twice on an item. Let's see how the time goes, and I might come back to you if time is OK, but I'm going to move on to the next, the next person. Christopher Wirth.

**Christopher Wirth (20th CC Ottawa)**

Good morning, Christopher Wirth from the 20th circuit and Ottawa County. I had an opportunity to speak with one of the proponents of the motion earlier this week, and he responded to and answered a number of my questions. One of the questions that he didn't have complete perspective on -- he couldn't give me a good answer for, didn't have complete perspective on -- was whether or not the sections are 100% independently, supported by the section dues or not. And so, for the folks who have been on the Finance Committee and looked at the line by line on the budget, I know, one of the driving questions that I was hearing from people when we talked about this issue was you know, so long as you can ensure that none of our regular dues go to support the sections over or overhead or offset overhead to reduce overhead for the sections then they would be supportive of it. I think most of our sections enjoy quiet existence, but some of our sections, such as the Family Law Section have taken positions that have burned a lot of bridges with other family law practitioners, and I think that they're eager to know that this dues increase will not go to supporting the section. So, if anybody from the Finance Committee or who has taken a deep dive into budget can respond to that, I'd appreciate it.

**Chelsea Rebeck- Chair**

I'm happy to respond to it and then Joe can supplement and if we need someone from staff to supplement also, if I misspeak about anything. Excuse me one second. But I did we did actually have this conversation because we've really gone very deep into this, but I will not say that the State Bar does not provide services to the sections, because of course, we do, we provide administrative support to the sections. However, each section does have their own budget, and their own...they have to cover their costs, they get the dues, I mean the way that it's accounted for -- the dues or their expenses are there. This increase will not be allocated to provide any anything additional or different than what the Bar has already and always done for the sections which is to make sure that their bylaws are correct, and that they're set up appropriately and maybe Joe can expand on this a little bit, but, but of course we provide support to the section. There are sections of the State Bar so there's going to be some administrative costs, some overhead costs associated with that. This increase is not at all related to any additional expenditure for any of the sections, this is allocated specifically to our general budget overall. Joe, if you have anything to add or correct, please.

**Joseph McGill (3rd Circuit)**

Sure, thanks for the question, Chris, good question, good concern. I can state emphatically that the State Bar does not support any of the sections in terms of their own advocacy. Chelsea is absolutely correct we do provide administrative support terms of collecting dues and helping put programs on, but when it comes to positions that the various sections are taking State Bar has nothing to do with. And this dues increase would be consistent with that.

**Chelsea Rebeck- Chair**

Thank you. Okay, next up, I think...I'm sorry did that did that answer your question did you have anything additional, Christopher?

**Christopher Wirth (20th CC Ottawa)**

I think I can take that response and make sense of it, thank you.

**Chelsea Rebeck- Chair**

Thanks, Jennifer Frost.

**Jennifer Frost (39th)**

Yes, thank you, Jennifer Frost from the 39th circuit. I rise in support. I wanted to address briefly the concern about government employees, maybe not receiving the same benefits as private practitioners. As a solo practitioner, as well as a subcontracted probate court attorney for over six years, I can say that I certainly have benefited in that role, from services that have been provided by the State Bar, specifically free or low cost trainings which have been invaluable to me, as well as I think, to the prosecutors who are also able to partake of those in raising the overall advocacy level, the understanding of specific areas which may be nuanced, such as child welfare, and I think that everyone is a whole benefits from the services that are provided whether or not you specifically reach out and look for those services or whether you're receiving them kind of, you know by, by the way of someone else. Thank you.

**Unknown Speaker**

Thank you.

**Chelsea Rebeck- Chair**

Marla.

**Marla Linderman Richelew (22nd)**

I'm Marla Linderman, again from the twenty-second circuit and I do rise to support this. One of the things that I keep hearing overall is, I wonder if people take the State Bar of Michigan for granted, because it works so well that I don't know if we really understand what it does. Because it affects every step of our practice for everyone, whether you realize it or not. Just look at what we talked about here today. We are given a voice to be able to talk about court rules to make sure that people are not practicing law unless they are licensed in Michigan; to make sure that the people who you are going up against know what they're supposed to be doing because it is horrible to work with someone who does not know what they're doing, it takes so much more effort and it hurts justice. So, I think the State Bar of Michigan works so well that we don't realize what they're doing. We're talking about a very small increase. I pay more for almost every other legal organization by multitudes some my dues \$800 or \$1,000 a year to be members of the typical areas of law that I practice. So, we're talking something really small, something we haven't done for 18 years, and I think that we get so much back. And I just wanted to make people think just a second about how it does affect everything we do in a lot, even if we don't go to the building or if we don't go to something it's there if we wanted it, if you wanted to learn a new area of law there's all these supports. So, I do rise and support.

**Chelsea Rebeck- Chair**

James Heath.

**James Heath - 3rd Circuit**

Thank you, Madam chair, my name is James Heath from the third circuit also a member of the board of Commissioners and, as a former treasurer for the State Bar, I want to simply commend Chelsea and Joe for the work and their presentations on this most important issue. I rise to support this proposal, but I'm going to be speaking as a public sector lawyer. I've...For the vast majority of my practice, I've been Wayne County prosecutor corporation counsel for Wayne County, I've worked for the city of Detroit for the State of Michigan. And I can just tell you that the public sector lawyers that I've worked with, including myself, have gained tremendously from the services provided by the State Bar. I can tell you that in the last two years having led Wayne County's civil court functions that we have had literally department wide trainings that we've attended sponsored by the State Bar that would have cost us literally thousands and thousands of dollars were not for the State Bars initiatives in that area and my lawyers have benefited tremendously from that. And so, I echo the comments of my colleague from Kent County in that regard, as well as over others. But I'd also like to say just goes beyond the services that the individual lawyers provide. I have taken great pride in that the State Bar's primary function is protection of the public, and that is exactly the work that all of the public sector and nonprofit lawyers throughout the state of Michigan, that is the number one goal and priority that we have all had as well. And so all due respect to my private sector colleagues, I think that the public sector lawyers here are probably most aligned with the fundamental primary mission of the State Bar, and I am proud of the work that we've done. I'm proud of the leadership that Chelsea and the staff and others have provided in keeping our expenses, efficient and low for as long as they have. I applaud you for the work on this proposal and I urge my colleagues to support this, thank you very much.

**Chelsea Rebeck- Chair**

Thank you, James. Mark Jane.

**Mark Jane (22nd)**

Good morning. Mark Jane, 22nd circuit and I rise to support the proposed dues increase to forward to the Supreme Court in Michigan. Mainly because I want to address a couple comments that were submitted in writing about the lack of transparency with the State Bar and their finances, which I find to be not true at all, because the finances are available on the State Bar website for everyone to see: they're audited, they pretty much go line by line of where all the expenses are going so everybody, the public, the public at large, not just State Bar members have the ability to assess where your dues dollars are going. And I've been with the State Bar for a while in many different roles from

young lawyers section to this point to this body, I was on Board of Commissioners, I served with Chelsea on Finance Committee when she started and I remember sitting in those meetings of the Finance Committee and going line by line on where all the money was going, and I can honestly say, without a shadow of a doubt that there are no wasted dollars for the State Bar. If Finance believes in has made a very, very studied response that a dues increase is necessary, a dues increase is necessary, so I rise in support.

**Chelsea Rebeck- Chair**

Thanks, Mark. Bernie, you're next: I will not mess up your last name again.

**Bernard Jocuns**

Bernard Jocuns, 40<sup>th</sup> circuit. I have the following question, I appreciate the resolution that has been provided to the Representative Assembly, and I think it's great that all the data is up; however, what is not privy to me at this time and I'm asking for clarification with regards to the following: has there been any sort of geographic and or racial impact assessment in regard to the proposed bar dues increase? That is my question, I know that we have a diversity Committee and maybe someone could elaborate on that, please. Thank you.

**Chelsea Rebeck- Chair**

Not that I'm aware of. If anyone from staff wants to chime in on that, but not that I'm aware of. It...the decision is made basically on a strict budgetary basis, and I think that this was there, there was something raised at one point which was why can't we have a staggered or like a sliding scale of dues, or something or license fees and that would kind of defeat the whole purpose of this being a license fee and not a voluntary association and so across the board, everyone pays the same. But not that I'm aware of, and if anyone wants to correct me go ahead, otherwise I'm going to move on to Yolanda.

**Yolanda Bennett (30th)**

Hi, this is Yolanda Bennett, 30th circuit. I also stand and support. I think it's great that we are all such compassionate people that we're concerned about the financial ability of our fellow attorneys. But the reality is there's no one size fits all, when it comes to bar dues because we're not all similarly situated, financially speaking. But I want us to focus on the big picture. You know, everything...prices increase every year, and if the bar dues aren't there to support what the State Bar is trying to do, the kitty gets smaller and smaller and smaller. So big picture wise, we have to want to support the increase because we want to maintain the services, we want to maintain the programs, we want to protect the public, want to do everything the State Bar is currently doing, and we want to do more if we can, but the money has to be there. So, it's interesting that we're debating \$1.50, what was that \$1.55, \$1.60 a day? Big picture wise that is such a such a nominal amount of money, so I would just urge us all to keep the big picture in mind and support if possible.

**Gerrow Mason**

It was \$1.50 for a week, Yolanda.

**Yolanda Bennett (30th)**

Even less.

**Gerrow Mason**

Yes.

**Yolanda Bennett (30th)**

We blow, I know, I blow \$1.50 a day on just crazy stuff, coffee, whatever. So, it really is a nominal amount, and you know, let's just focus on the big picture possible.

**Gerrow Mason**

Madam chairwoman, could you note that Miss Bennett's our Diversity Committee chair?

**Chelsea Rebeck- Chair**



Thank you, Gerry, yes, she is. A very good, good one at that.

**Gerrow Mason**

She's one of the best bosses I've ever had.

**Chelsea Rebeck- Chair**

John Blakeslee.

**John Blakeslee (13th)**

The 13th circuit, which is in Traverse City area. I've been in practice over 55 years. I don't know that I am as old as Sheldon Larky is, but I've been around a while. I've been involved in the Representative Assembly since the early 1970s. And I have found that it has contributed tremendously to my understanding of the Bar Association, which I believe is an excellent organization. In our circuit, we have three representatives. I was only contacted by one person out of roughly 500 to 600 lawyers that are in the 13th circuit, who was opposed to this. Now, we have, I have two other representatives and they may have been contacted and told that, but it's not been communicated to me. I stand in absolute affirmative support of the bar dues and the increase. We all know that in 19 years the cost of a cup of coffee or hamburger has dramatically changed in that period of time, and I consider it one of the least expenses that I incur as a practicing attorney. Thank you.

**Chelsea Rebeck- Chair**

Thank you so much, and thank you and Shel and anyone else who has been a very long-standing member of RA. We really, really appreciate your service. Okay, next we have Jonathan.

**Jonathan Paasch (17th)**

Jonathan Paasch, 17<sup>th</sup> circuit: I make the motion to call the vote.

**Chelsea Rebeck- Chair**

Do we have a second?

**Gerrow Mason**

Support.

**Unknown Speaker**

Okay.

**Chelsea Rebeck- Chair**

Judge Chmura, I believe this means we call the vote, yes?

**John Chmura**

Yes, with this...that's...this is a subsidiary motion. What you do here is simply call for the vote on whether to end debate. That is a non-debatable motion, it's not amendable. It needs to two thirds majority to pass, so if two thirds vote right now to end debate, debate ends and then you have to vote on the main question. If you don't get two thirds vote and debate, then you're back to where you were before this motion was just made, which is continue to debate. Procedurally, how you handle it.

**Chelsea Rebeck- Chair**

Thank you. Could we have a voice vote...

**Jonathan Paasch (17th)**

We're going to need actual...

**Chelsea Rebeck- Chair**

Numbers, I think...can we put up a...thank you. Okay, Gerry, I'm going to take your job for one second: we are voting on whether or not we should end debate right now...so if you support ending debate...

**John Chmura**

Well, was there support to the motion to end debate?

**Gerrow Mason**

I did: I supported it.

**John Chmura**

Oh, you support okay.

**Chelsea Rebeck- Chair**

Very good, yeah. Now Gerry, you can do your...

**Gerrow Mason**

I can do my clerk thing, yes. All right, ladies and gentlemen, voting has begun. If you have a problem voting, please message us at "Vote Tech Help." Voting is open. And 93% of the people support ending discussion, 7% oppose it looks like 1% abstain, so that means that we will move to the main motion.

**Chelsea Rebeck- Chair**

Okay, so at this point, we are going to vote on Joe's motion, which is that the increase. I don't know that we need to reread it, but we're gonna vote right now whether or not you support the increase of the license fees by \$80. Go ahead, Gerry.

**Gerrow Mason**

Thank you, please vote now, if you are having any trouble voting, please message the click on vote tech help voting is open. Make sure you click submit after you vote. Voting is open, please vote, please remember to click submit after you vote.

The vote has been cast 80% of the Members present supported it 17% approved 3% abstained, the motion carries. Congratulations to the proponents.

**Chelsea Rebeck- Chair**

Thank you, Gerry. Thank you all so much for supporting this proposal. It was a very, very long process. A lot of us here and within the State Bar staff worked very, very hard to make sure that we did this with the best interests of all of the attorneys in Michigan in mind, and I really appreciate you guys doing the right thing, in my opinion. And do we need a motion to adjourn?

**Unknown Speaker**

Yes.

**Gerrow Mason**

I'll make it.

**Chelsea Rebeck- Chair**

Support, does anyone support? OK, I see a lot of support.

**John Chmura**

Not debatable, so you can just vote on it.

**Chelsea Rebeck- Chair**

All in favor.

**Gerrow Mason**

You want to unmute us.

**Chelsea Rebeck- Chair**

Just wave at me.

**Gerrow Mason**

Okay, raise your hand if you're in favor of adjournment, raise your hand.

**Chelsea Rebeck- Chair**

Okay, I think that that motion passes.

**Chelsea Rebeck- Chair**

I can't wait to see you guys all in September. I hope that it's in person and or at least some version of that. And I appreciate everything that you've done today, and I look forward to our next meeting, and hopefully we have some equally as exciting proposals on the agenda. Have a great Saturday. See you in September.

**Gerrow Mason**

Thanks, everybody.

**Joseph McGill (3rd Circuit)**

Thank you.