

**PROPOSED AMENDMENT TO THE REPRESENTATIVE ASSEMBLY  
PERMANENT RULES OF PROCEDURE TO AMEND SECTION 2 –  
MEETING PROCEDURES**

**Issue**

Should the Representative Assembly support an amendment to the Permanent Rules of Procedure of the Representative Assembly updating the language regarding virtual meetings?

~~2.7 Virtual Meeting Procedures.~~

~~(A) Upon application by the Board of Commissioners or a member of the Representative Assembly to the Committee on Rules and Calendar, the Committee shall consider the appropriateness of any item of business for debate and disposition, subject to the provisions of this section. In making this determination, the Committee shall consider whether the item of business needs to be addressed prior to the next regular meeting of the Representative Assembly. A majority vote by the Committee shall be necessary to proceed under this subsection.~~

~~(B) Notice – Consideration of any item of business shall be preceded by notice sent to each member of the Representative Assembly via email or alternative written notification. The notice shall contain an explanation of the item of business to be considered and shall direct the recipients to an internet-based discussion forum specified in subsection (C).~~

~~(C) Internet-Based Discussion Forum – At the time of the notice specified in subsection (B), an internet-based discussion forum shall be established that is accessible to all members of the State Bar, with posting privileges limited to members of the Representative Assembly. The internet-based discussion forum shall contain any documents deemed necessary by the Committee on Rules and Calendar for consideration of the item of business.~~

~~(D) Voting – No sooner than 21 days after the notice specified in subsection (B), voting shall be conducted electronically in a manner prescribed by the Committee on Rules and Calendar provided that no item of business shall be passed without a vote of the majority of the members of the Representative Assembly and items of business requiring a two-thirds vote shall require a vote of two-thirds of the members of the Representative Assembly.~~

~~(E) Quorum – For the sole purpose of Virtual Meetings under Section 2.7, a quorum shall be deemed present for votes under subsection (D) if a majority of the Members of the Representative Assembly east a vote. Subject to the provisions contained in Sections 2.1 through 2.6, any meeting of the Representative Assembly may be conducted in-person, virtually, or in a combined in-person and virtual (hybrid) format at the discretion of the Chair.~~

~~(F) Limitations - Except where specifically provided in Section 2.7, the Permanent Rules of Procedure shall be applicable to virtual and hybrid meetings in the same manner as regular meetings of the Representative Assembly. Nothing in this section shall modify the requirement of the Representative Assembly to conduct a minimum of two in-person meetings per year.~~

### **Proponent**

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### **Background**

The proposed amendment to the Representative Assembly Permanent Rules of Procedure arises out of continued discussions of reforms to the RA at the request of RA Chair Gerrow D. Mason. Members of this committee include Yolanda M. Bennett, Patrick D. Crandell, Nicole A. Evans, Michael P. Hanrahan, Mark W. Jane, Nicholas M. Ohanesian, Dennis L. Perkins, and John W. Reiser. The proposal brings the pre-pandemic rules for virtual meetings into better alignment with the actual practices utilized since the pandemic.

### **Opposition**

None known.

### **Prior Action by Representative Assembly**

At its September 27, 2018 meeting, the Representative Assembly reviewed a proposal to amend the Permanent Rules of Procedure 2.1 and 2.7 to permit virtual meetings and voting. The proponent was Nicholas M. Ohanesian, Chair of the Assembly Review Committee at that time. The proposal passed overwhelmingly, 80 to 13, with a single amendment noting the minimum requirement of two in-person meetings per year.

### **Fiscal and Staffing Impact on State Bar of Michigan**

None known.

### **STATE BAR OF MICHIGAN POSITION By vote of the Representative Assembly on April 29, 2023**

Should the Representative Assembly adopt the above resolution to support an amendment to the Permanent Rules of Procedure of the Representative Assembly updating the language regarding virtual meetings?

- (a) Yes
- or
- (b) No