

**PROPOSED AMENDMENT TO THE MICHIGAN COURT RULES
CONCERNING THE STATE BAR OF MICHIGAN RULE 6, SECTIONS 2 AND
3**

Issue

Should the Representative Assembly support an amendment to the Michigan Court Rules concerning the apportionment of seats of the Representative Assembly?

Section 2. Membership. The assembly consists of: ~~(1) 142~~ 125 elected representatives and ~~(2)~~ 8 commissioner representatives who are the members of the executive committee of the Board of Commissioners. No other member of the Board may serve in the assembly.

Notwithstanding the provisions of this section, all representatives previously appointed by the Supreme Court shall serve until the end of their terms. The provisions of Section 6 with regard to the declaration of a vacancy shall also apply, where applicable, to the remaining appointed representatives. Vacancies in appointed positions shall not be filled. ~~In order to achieve the increase in the number of elected representatives from 130 to 142, the assembly shall allocate additional seats each year as necessary to replace former appointed representatives whose terms expire or whose seats have become vacant.~~

Section 3. Election Districts; Apportionment. The assembly shall apportion the representatives every 6 years. The judicial circuits are the election districts. Each judicial circuit is entitled to one representative provided that the circuit has at least 75 lawyers. Judicial circuits without 75 lawyers shall be combined with one or more adjacent circuits to satisfy the 75-lawyer threshold. The remaining seats are to be apportioned among the circuits on the basis of lawyer population, determined on February 1 of the reapportionment year. If as a result of the reapportionment any circuit becomes entitled to fewer representatives than are currently elected therefrom, the assembly representatives from that circuit may nevertheless serve the full terms for which they were elected and the authorized membership of the assembly will be temporarily enlarged for that purpose.

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.

A threshold of 75 lawyers per district would decrease the Representative Assembly by 21 districts. Rather than 142 elected members, there would be 125 elected members spread out over 36 districts.

Opposition

None known.

Prior Action by Representative Assembly

None known.

Fiscal and Staffing Impact on State Bar of Michigan

None known.

STATE BAR OF MICHIGAN POSITION

By vote of the Representative Assembly on September 21, 2023

Should the Representative Assembly support an amendment to the Michigan Court Rules concerning the apportionment of seats of the Representative Assembly?

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