

ADMINISTRATIVE AGENDA

July 15, 2009

Chief Justice Update

Approval of the Minutes

March 25, 2009 (Opinions/CRs)

April 9, 2009 (ADMs)

April 15, 2009 (Opinions/CRs)

May 12, 2009 (ADMs)

May 20, 2009 (Opinions/CRs)

May 27, 2009 (Opinions/CRs)

June 3, 2009 (Opinions/CRs)

Appointments

1. 2009-01 **Subject:** Appointments to the Attorney Discipline Board.
Issue: *Whether to appoint nonlawyer Sylvia Whitmer member, to reappoint Attorney Andrea Solak, and to appoint Attorney James M. Cameron to first full term.*
Status: Awaiting conference consideration.

2. 2009-01 **Subject:** Appointments to the Attorney Grievance Commission.
Issue: *Whether to appoint Attorney Mary M. Fowlie and nonlawyer Dr. Steven Newman to the positions vacated by Attorney Richard Poling and Dr. Russell Mohny, and whether to reappoint Attorney Martha Moore to the AGC.*
Status: Awaiting conference consideration.

Items Previously Discussed

3. 2002-37 **Subject:** Proposed E-Filing Project in the 56th Circuit Court of Eaton County.
Issue: *Whether to approve an e-filing project submitted by the 56th Circuit Court (Eaton County).*
Status: Awaiting conference consideration.

4. 2005-13 **Subject:** Statewide Strategy for Improving the Collection of Court-Ordered Financial Sanctions.

Issue: *Whether to publish for comment a proposed administrative order that would require courts to adopt a local collections plan, and submit collections data to SCAO; whether to support the committee's recommendation to request a statutory change to allow for imposition of a time payment fee for those who pay over time, with proceeds to be directed toward collection efforts.*

Status: Collections committee is ready to propose changes via administrative order. Awaiting conference consideration.

5. 2009-06 **Subject:** Proposed Amendment of the Michigan Rules of Professional Conduct: MRPC 1.5—Fees.

Issue: *Whether to publish for comment the proposed amendments of MRPC 1.5.*

Status: At conference on 6/17/09, this matter was passed.

6. 2009-06 **Subject:** Proposed Amendment of Michigan Rules of Professional Conduct: MRPC 3.1 and 3.6.

Issue: *Whether to publish for comment the proposed amendments of MRPC 3.1 and 3.6.*

Status: At conference on 6/17/09, this matter was passed.

New Items

7. 2008-38 **Subject:** Proposed Amendment of Rule 6.201 of the Michigan Court Rules.

Issue: *Whether to publish for comment an amendment of MCR 6.201 as submitted by the Representative Assembly of the State Bar of Michigan that would require prosecutors to preserve electronic recording evidence of governmental agencies, and which would entitle a defendant to a jury instruction that evidence not produced can be presumed to have been adverse to the prosecution.*

Status: Awaiting conference consideration.

8. 2008-39 **Subject:** Proposed Amendment of Rules 6.425 and 6.610 of the Michigan Court Rules.

Issue: *Whether to publish for comment amendments of MCR 6.425 and MCR 6.610 as submitted by the Representative Assembly of the State Bar of Michigan that would require submission of a presentence report at least two days before sentencing to the defendant's attorney.*

Status: Awaiting conference consideration.

9. 2008-43 **Subject:** Proposed Rule Amendments to Incorporate Provisions from the Indian Child Welfare Act
Issue: *Whether to publish for comment proposed rule amendments that would incorporate provisions of the Indian Child Welfare Act into specific provisions of the rules relating to proceedings involving juveniles (i.e., MCR 3.900 et seq).*
Status: Awaiting conference consideration.
10. 2009-06 **Subject:** Proposed Amendment of Michigan Rules of Professional Conduct MRPC 3.3, 3.4, and 3.5.
Issue: *Whether to publish for comment the proposed amendments of MRPC 3.3, 3.4, and 3.5.*
Status: Awaiting conference consideration.
11. 2009-14 **Subject:** Proposed Amendment of Rule 7.101 of the Michigan Court Rules
Issue: *Whether to publish for comment a proposed amendment of MCR 7.101 to limit the number of pages of briefs in cases on appeal to circuit court from district court and from agency decisions.*
Status: Awaiting conference consideration.

Other Matters

12. 2009-12 **Subject:** Establishment of rules regarding open administrative conferences.
Issue: *Rules of procedure to be used with regard to open administrative conferences.*
- Subject:** Proposal regarding statements (timeliness)
- Subject:** Increased frequency of ADM conferences (twice a month per Justice Corrigan's 5/18/09 and 6/18/09 memoranda and supported by Justice Young's 6/18/09 e-message).
13. **Subject:** Discussion regarding procedure for keeping the minutes as raised by Justice Weaver with regard to abstentions.