

Report on Public Policy Position

Name of section:

Family Law Section

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Proposed Court Rule or Administrative Order Number:

[2008-35 Proposed Amendment of Rule 8.115 of the Michigan Court Rules \(Cell Phone Usage in Court Facilities\)](#)

Alternative A, submitted by the State Bar of Michigan but with several clarifying revisions, would allow attorneys to bring cell phones into a courthouse, but would limit their use in courtrooms during court proceedings. In addition, the proposal would allow a court to impose sanctions for failure to comply with cell phone usage restrictions. Alternative B, similar to one submitted by the State Bar of Michigan, would allow attorneys to bring cell phones into a courthouse, but would prohibit their use in courtrooms during court proceedings. In addition, the proposal would allow a court to impose sanctions for failure to comply with cell phone usage restrictions.

Date position was adopted:

March 7, 2009

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

18 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote

Position:

The Family Law Council unanimously voted to support "Alternative A" to the proposed language of MCR 8.115(C).

Explanation of the position, including any recommended amendments:

Alternative "A" permits the "silenced" use of cell phones in courtrooms which is consistent with the orderly administration of justice.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://courts.michigan.gov/supremecourt/Resources/Administrative/2008-35-Alt%20A%20&%20B.pdf>