

2015/2016 At the Capitol

The results of all Board and Assembly votes on proposals to support or oppose legislation will be posted on the State Bar website as soon as possible after the vote and published in the next *Michigan Bar Journal*. A comprehensive list of all State Bar positions can be found on the website at www.michbar.org/publicpolicy/home.

The vote by which the position on a bill was adopted will be listed, if not unanimous. Any member who would like more information concerning the rationale for positions taken can refer to the website at www.michbar.org/publicpolicy/home or contact Peter Cunningham at the State Bar of Michigan, 306 Townsend St., Lansing, MI 48933-2012, (800) 968-1442. For the most current status information, visit www.michiganlegislature.org.

HB 4038 (Forlini) Housing, landlord and tenants; Communications, Internet. Housing; landlord and tenants; notification of evictions; allow by electronic mail. Amends sec. 5718 of 1961 PA 236 (MCL 600.5718).

STATUS: 4/23/15 Referred to Senate Committee of the Whole

POSITION: Oppose

(Position adopted by roll call vote: Commissioners voting in favor of the position: Anderson, Barnes, Brown, Buchanan, Buiteweg, Burns, Dunning, Gardella, Gobbo, Grieco, Haroutunian, Heath, Herrmann, Irons, Jane, McCarthy, McGinnis, Nolan, Olsman, Pero, Quick, Radke, Rombach, Siriani, Ulrich, and Williams. Commissioner voting against the position: Ludden. Commissioners excused: Johnson, Riordan, Rockwell, and Shovein.)

HB 4176 (Lucido) Criminal procedure, expunction; Criminal procedure, pretrial procedure; Criminal procedure, records; Law enforcement, fingerprinting; Law enforcement, law enforcement information network (LEIN); Law enforcement, reports. Criminal procedure; expunction; expunction of all information in arrest record when individual is wrongly accused under certain

circumstances; require. Amends 1927 PA 175 (MCL 760.1–MCL 777.69) by adding sec. 26a to ch. IV.

STATUS: 2/10/15 Referred to House Judiciary

POSITION: Oppose HB 4176 as written, but support the concept of expungement of criminal files of people who have been found not guilty or have their charges dropped in appropriate cases.

SB 0056 (Jones) Courts, judges; Courts, court of appeals; Courts, circuit court; Courts, probate court; Courts, district court. Courts; judges; salary formula for judges; modify. Amends secs. 304, 555, 821 & 8202 of 1961 PA 236 (MCL 600.304 *et seq.*).

STATUS: 3/26/15 Referred to House Committee on Appropriations

POSITION: Support

SB 0151 (Bieda) Criminal procedure, DNA; Law, sunset. Criminal procedure; DNA; filing deadline for petition seeking review of DNA evidence; remove sunset. Amends sec. 16, ch. X of 1927 PA 175 (MCL 770.16).

STATUS: 3/5/15 Referred to Senate Committee of the Whole

POSITION: Support

In the Hall of Justice

Amendments of Rules 6.006, 6.104, 6.110, and 6.111 of the Michigan Court Rules and Adoption of New Rule 6.108 of the Michigan Court Rules (ADM File No. 2014-42)—Video and Audio Proceedings; Arraignment on the Warrant or Complaint; The Probable Cause Conference; The Preliminary Examination; Circuit Court Arraignment in District Court (See *Michigan Bar Journal* February 2015, p 60.)

STATUS: Comment Period Expired 4/1/15;

Public Hearing to Be Scheduled

POSITION: Support with recommended amendments

Proposed Adoption of Rule 5.731a of the Michigan Court Rules (ADM File No. 2014-45)—Clinical Certificates (See *Michigan Bar Journal* March 2015, p 73.)

STATUS: Comment Period Expires 6/1/15;

Public Hearing to Be Scheduled

POSITION: Support

Proposed Amendment of Rule 6.106 of the Michigan Court Rules (ADM File No. 2014-02)—Pretrial Release (See *Michigan Bar Journal* March 2015, p 73.)

STATUS: Comment Period Expires 6/1/15;

Public Hearing to Be Scheduled

POSITION: Support

In the Hall of Justice (continued)

Proposed Amendment of Rule 7.215 of the Michigan Court Rules (ADM File No. 2014-09)—Opinions, Orders, Judgments, and Final Process for Court of Appeals (See *Michigan Bar Journal* March 2015, p 73.)

STATUS: Comment Period Expires 6/1/15;

Public Hearing to Be Scheduled

POSITION: No position on the proposed amendments to MCR 7.215(A) and MCR 7.215(B). Oppose the proposed amendments to MCR 7.215(C) for the reasons stated in Justice Markman's dissent. Authorize sections and committees to transmit nonconflicting positions to the Court.

Amendment of Rule 1.15 of the Michigan Rules of Professional Conduct (ADM File No. 2015-03)—Safekeeping Property (See *Michigan Bar Journal* March 2015, p 74.)

STATUS: Comment Period Expires 6/1/15;

Public Hearing to Be Scheduled

POSITION: Support

Model Criminal Jury Instructions 11.13, 11.14, 11.15—(See *Michigan Bar Journal* May 2015, p 81.)

STATUS: Comment Period Expired 5/1/15

POSITION: Support

Model Criminal Jury Instructions 11.38, 11.38a—(See *Michigan Bar Journal* May 2015, p 82.)

STATUS: Comment Period Expires 6/1/15

POSITION: Support with the removal of the extra "transported" from M Crim JI 11.38(1) and M Crim JI 11.38(a)(1).

Model Criminal Jury Instructions 12.1a, 12.1b, 12.1c—(See *Michigan Bar Journal* May 2015, p 83.)

STATUS: Comment Period Expired 5/1/15

POSITION: Support

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