

# 2017/2018 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](http://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](http://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](http://www.michiganlegislature.org).

**SB 0435** (Schuitmaker) Courts: drug court. Courts; drug court; certification of drug treatment courts by the state court administrative office; require. Amends secs. 1062 & 1084 of 1961 PA 236 (MCL 600.1062 and 600.1084).

**SB 0436** (Schuitmaker) Courts: drug court; Traffic control: driver license. Courts; drug court; certification of DWI/sobriety court by the state court administrative office; amend the vehicle code to reflect. Amends sec. 304 of 1949 PA 300 (MCL 257.304).

**SB 0437** (Schuitmaker) Courts: other; Mental health: other. Courts; other; certification of mental health courts by the state court administrative office; require. Amends sec. 1091 of 1961 PA 236 (MCL 600.1091).

**SB 0438** (Schuitmaker) Courts: other; Veterans: other. Courts; other; certification of veterans courts by the state court administrative office; require. Amends sec. 1201 of 1961 PA 236 (MCL 600.1201) and amends heading of ch. 12.

POSITION: Support

## In the Hall of Justice

**Proposed Amendment of Rules 1.0, 1.2, 4.2, and 4.3 of the Michigan Rules of Professional Conduct and Rules 2.107, 2.117, and 6.001 of the Michigan Court Rules (ADM File No. 2016-41)**—Scope and Applicability of Rules and Commentary; Scope of Representation; Communication with a Person Represented by Counsel; Dealing with an Unrepresented Person; Service and Filing of Pleadings and Other Papers; Appearances; Scope; Applicability of Civil Rules; Superseded Rules and Statutes (See *Michigan Bar Journal* May 2017, p 62.)

**STATUS: Comment Period Expired 8/1/17;**

**Public Hearing to Be Scheduled**

POSITION: Support the proposed rule changes with proposed Alternative A for MRPC 1.2(B).

**Proposed Amendment of Rule 6.425 of the Michigan Court Rules (ADM File No. 2015-15)**—Sentencing; Appointment of Appellate Counsel (See *Michigan Bar Journal* May 2017, p 62.)

**STATUS: Comment Period Expired 8/1/17;**

**Public Hearing to Be Scheduled**

POSITION: Support the position of the Michigan Appellate Assigned Counsel System in its letter to the Court dated May 17, 2017, to instead modify MCR 7.211(C)(5).

**Proposed Amendment of Rules 7.300 et seq. of the Michigan Court Rules (ADM File No. 2017-06)**—Organization and Operation of Supreme Court; Application for Leave to Appeal; Original Proceedings; Cross-Appeal; Certified Questions and Advisory Opinions; Record on Appeals; Motion in Supreme Court; Briefs and Appendixes in Calendar Cases; Supreme Court Calendar; Opinions, Orders, and Judgments; Miscellaneous Relief; Involuntary Dismissal;

No Progress; Voluntary Dismissal; Taxation of Costs; Fees (See *Michigan Bar Journal* June 2017, p 90.)

**STATUS: Comment Period Expired 8/1/17;**

**Public Hearing to Be Scheduled**

POSITION: Support the intent to modify the court rules to reflect the electronic filing process; however, recommend that the Court appoint a workgroup to address drafting issues raised by SBM committees and sections.

**Proposed Amendment of Rule 404(b) of the Michigan Rules of Evidence (ADM File No. 2015-11)**—Character Evidence Not Admissible to Prove Conduct; Exceptions; Other Claims (See *Michigan Bar Journal* July 2017, p 73.)

**STATUS: Comment Period Expired 8/1/17;**

**Public Hearing to Be Scheduled**

POSITION: Support

**Proposed Model Criminal Jury Instructions 10.8, 10.8a, 10.8b** (See *Michigan Bar Journal* May 2017, p 58.)

POSITION: Support

**Proposed Model Criminal Jury Instructions 31.4, 31.5, 31.6, 31.7, 31.8, 31.9, 31.10** (See *Michigan Bar Journal* March 2017, p 74.)

POSITION: Support

**Proposed New Local Rule 4.1 of the United States District Court for the Eastern District of Michigan**—Issuance and Service of Process

**STATUS: Comment Period Expired 8/4/17;**

**Public Hearing to Be Scheduled**

POSITION: Support with a friendly amendment to change the title to "Local Rule 4."