

In the Hall of Justice

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.

Proposed Amendment of Rule 3.802 of the Michigan Court Rules (ADM File No. 2018-36)—Manner and Method of Service (See *Michigan Bar Journal* August 2019, p 70.)

STATUS: Comment Period Expired 10/1/19;

Public Hearing to Be Scheduled

POSITION: Support.

Proposed Amendments of Rules 3.965, 3.971, 3.972, 3.973, and 3.993 of the Michigan Court Rules (ADM File No. 2015-21)—Preliminary Hearing; Pleas of Admission or No Contest; Trial; Dispositional Hearing; Appeals (See *Michigan Bar Journal* August 2019, p 72.)

STATUS: Comment Period Expired 10/1/19;

Public Hearing to Be Scheduled

POSITION: Support the rule changes as a necessary first step in responding to the *In re Ferranti* decision; recommend the following amendments:

- The word “under” or some similar phrase should be inserted before MCL 712A.21, such that it would read: “... that at any time while the court retains jurisdiction over the minor, the respondent may challenge the continuing exercise of that jurisdiction by filing a motion for rehearing, under MCL 712A.21 or MCR 3.992, or by filing an application for leave to appeal with the Michigan Court of Appeals.”
- The Court should clarify whether litigants should follow the time deadline set forth in MCL 712A.21 or MCL 3.992.

Proposed Alternative Amendments of Rule 6.610 of the Michigan Court Rules (ADM File No. 2018-23)—Criminal Procedure Generally (See *Michigan Bar Journal* July 2019, p 88.)

STATUS: Comment Period Expired 10/1/19;

Public Hearing to Be Scheduled

POSITION: Support Alternative A and urge for funding to support these additional responsibilities.

Proposed Amendment of Rule 9.123 of the Michigan Court Rules (ADM File No. 2019-02)—Eligibility for Reinstatement (See *Michigan Bar Journal* August 2019, p 71.)

STATUS: Comment Period Expired 10/1/19;

Public Hearing to Be Scheduled

POSITION: Support the concept of the proposed rule amendment but note that further amendments are needed to address due process issues, including timelines, appropriate forum, and procedure.

Proposed Amendment of Rule 2 of the Rules Concerning the State Bar of Michigan (ADM File No. 2018-31)—Membership (See *Michigan Bar Journal* July 2019, p 86.)

STATUS: Comment Period Expired 10/1/19;

Public Hearing to Be Scheduled

POSITION: Support the proposed amendment to Rule 2 with one amendment that attorneys be required to submit only one primary email address that can be used for electronic service and SBM license notifications.

Model Criminal Jury Instructions

M Crim JI 3.33—Verdict Form (See *Michigan Bar Journal* August 2019, p 74.)

POSITION: Support.

M Crim JI 7.17—Use of Deadly Force in Defense of the Home (See *Michigan Bar Journal* August 2019, p 74.)

POSITION: Support.

M Crim JI 13.21, 13.22, 13.23, 13.24 and 13.25—Bringing a Weapon into Jail; Furnishing a Weapon to a Prisoner; Possession of a Weapon by a Prisoner; Bringing Alcohol or a Controlled Substance into Jail; Possession of Alcohol or a Controlled Substance by a Prisoner (See *Michigan Bar Journal* August 2019, p 75.)

POSITION: Support.

M Crim JI 35.11—Sale, Purchase, Installation, Transfer, or Possession of Automated Sales Suppression Device or Zapper, Phantom-Ware, or Skimming Device (See *Michigan Bar Journal* August 2019, p 76.)

POSITION: Support.