

2021/2022 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 4164 (Berman) Courts: records; online attorney access to court actions and filed documents without fees; provide for. Amends secs. 1985 & 1991 of 1961 PA 236 (MCL 600.1985 & 600.1991) & adds sec. 1991a.

POSITION: Support the concept of making court records available electronically to the public, and encourage the legislature and courts to work together to devise a way to make records accessible to the public as it improves functioning of the courts and increases access to justice. (Position adopted by roll-call vote. Commissioners voting in favor of the position: Anderson, Danielle;

Anderson, David; Bilowus; Buchanan; Butler; Christenson; Clement; DeLorenzo; Easterly; Hamameh; Heath; Howlett; Kuchon; Larsen; Low; McCarthy; McGill; Newman; Ohanesian; Orvis; Perkins; Quick; Rebeck; Sinas; Warnez; Washington; Wisniewski; and Zemke. Commissioner voting in opposition of the position: Mason. Commissioner abstaining from voting: Powers.)

SB 408 (Victory) Civil procedure: other; Civil procedure: other; new trial; revise procedure for granting. Amends 1961 PA 236 (MCL 600.101–600.9947) by adding sec. 309a.

POSITION: Oppose.

In the Hall of Justice

Proposed Amendment of Rule 1.109 of the Michigan Court Rules (ADM File No. 2002-37) — Court Records Defined; Document Defined; Filing Standards; Signatures; Electronic Filing and Service; Access (See *Michigan Bar Journal* March 2021, p 65)

STATUS: Comment Period Expired 7/1/21;

Public Hearing to be Scheduled

POSITION: Support the proposed amendments to Rule 1.109 (G)(1)(a) and (G)(3)(i) but oppose the proposed amendments to (G)(6)(a)(iv) concerning the treatment of undeliverable email.

Proposed Amendments of Rules 3.903, 3.966, 3.975, and 3.976 of the Michigan Court Rules (ADM File No. 2020-36) — Definitions; Other Placement Review Proceedings; Post-Dispositional Procedures: Child in Foster Care; Permanency Planning Hearings (See *Michigan Bar Journal* March, p 66)

STATUS: Comment Period Expired 7/1/21;

Public Hearing to be Scheduled

POSITION: Support.

Amendments of Rules 3.903 and 3.925 of the Michigan Court Rules (ADM File No. 2021-09) — Definitions; Open Proceedings; Judgments and Orders; Records Confidentiality; Destruction of Court Records; Setting Aside Adjudications (See *Michigan Bar Journal* March, p 67)

STATUS: Comment Period Expired 7/1/21;

Public Hearing to be Scheduled

POSITION: Support.

Amendment of Rule 3.944 of the Michigan Court Rules (ADM File No. 2021-09) — Probation Violation (See *Michigan Bar Journal* March 2021, p 68)

STATUS: Comment Period Expired 7/1/21;

Public Hearing to be Scheduled

POSITION: Support the amendment to Rule 3.944 and recommend that the rule include (1) more specific criteria about the qualifications of the person conducting the mental health or substance abuse assessment and (2) that the assessment is done in a culturally honoring manner.

Proposed Amendments of Rules 6.302 and 6.610 of the Michigan Court Rules (ADM File No. 2018-29) — Pleas of Guilty and Nolo Contendere; Criminal Procedure Generally (See *Michigan Bar Journal* April 2021, p 67)

STATUS: Comment Period Expired 7/1/21;

Public Hearing to be Scheduled

POSITION: Oppose.