

CRIMINAL JURISPRUDENCE & PRACTICE COMMITTEE

Respectfully submits the following position on:

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HB 4869

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The Criminal Jurisprudence & Practice Committee is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Criminal Jurisprudence & Practice Committee only and is not an official position of the State Bar of Michigan, nor does it necessarily reflect the views of all members of the State Bar of Michigan.

The State Bar position on this matter is to oppose the bill.

The total membership of the Criminal Jurisprudence & Practice Committee is 17.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 17. The number who voted in favor to this position was 12. The number who voted opposed to this position was 0. The number who abstained from voting was 0.

Report on Public Policy Position

Name of Committee:

Criminal Jurisprudence & Practice Committee

Contact persons:

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Bill Number:

[HB 4869](#) (Schor) Courts; juries; physicians to be exempt from jury duty in certain circumstances; provide for. Amends sec. 1307a of [1961 PA 236](#) (MCL [600.1307a](#)).

Date position was adopted:

October 29, 2015

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:

17

Number who voted in favor and opposed to the position:

12 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote (absent)

Position:

Oppose

Explanation of the position, including any recommended amendments:

The committee voted unanimously to oppose HB 4869 for exempting one special profession from jury service. The law as written allows the following groups to claim exemption: (1) an individual more than 70 years of age; (2) a nursing mother. A physician would be the first professional exemption, if added.

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

<http://legislature.mi.gov/doc.aspx?2015-HB-4869>

FOR LEGISLATIVE ISSUES ONLY:

This position falls within the following Keller-permissible category:

- The regulation and discipline of attorneys
- ✓ The improvement of the functioning of the courts
- The availability of legal services to society
- The regulation of attorney trust accounts
- The regulation of the legal profession, including the education, the ethics, the competency, and the integrity of the profession.

Keller-permissible explanation:

The committee agreed that the bill is Keller permissible in affecting the functioning of the court by limited jury service of physicians.