

CIVIL PROCEDURE & COURTS COMMITTEE
Respectfully submits the following position on:

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HB 4694 – HB 4697

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The Civil Procedure & Courts Committee is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Civil Procedure & Courts Committee. The State Bar of Michigan has authorized the Civil Procedure & Courts Committee to advocate its position.

The State Bar of Michigan's position on this matter is to support the bills, but express the concern as to the success of the program without providing funding.

The total membership of the Civil Procedure & Courts Committee is 18.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 18. The number who voted in favor to this position was 15. The number who voted against it was 0.

Report on Public Policy Position

Name of Committee:

Civil Procedure & Courts Committee

Contact person:

Daniel D. Quick

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Bill Numbers:

[HB 4694](#)(Cotter) Courts, circuit court; Courts, district court; Mental health, other. Courts; circuit court; mental health court; create. Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding ch. heading & secs. 1090, 1091, 1092 & 1093.

[HB 4695](#)(Haines) Courts, circuit court; Courts, district court; Mental health, other. Courts; circuit court; mental health court; create. Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 1097 & 1098.

[HB 4696](#)(Walsh) Courts, circuit court; Courts, district court; Mental health, other. Courts; circuit court; mental health court; create. Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 1094, 1095 & 1096.

[HB 4697](#)(O'Brien) Courts, circuit court; Courts, district court; Mental health, other. Courts; circuit court; mental health court; create. Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 1099 & 1099a.

Date position was adopted:

July 18, 2013

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:

18

Number who voted in favor and opposed to the position:

15 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote

Position:

Support in principle and defer to drafters and other substantive committees as to ongoing review and revision of the proposals.

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?2013-HB-4694>

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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:

These bills would affect the functioning of the court in their creation of a new problem-solving court, focusing on those individuals in the system with mental illness.