

p 517-346-6300

p 800-968-1442

f 517-482-6248

www.michbar.org

306 Townsend Street
Michael Franck Building
Lansing, MI
48933-2083

October 7, 2005

The Honorable Michael N. Switalski
State Senator
State Capitol
P.O. Box 30036
Lansing, MI 48909-7536

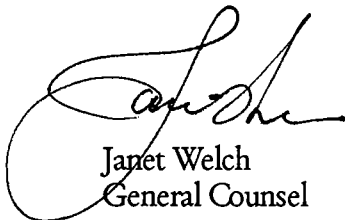
Re: SB 33 Civil Procedure Transcript Fee Increase

Dear Senator Switalski:

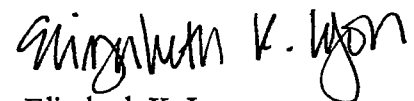
At its September 21, 2005 meeting, the State Bar of Michigan's Board of Commissioners unanimously voted to **support in principle¹ SB 33 provided that the bill is amended or tied to legislation enacted to recognize and provide relief for transcript fee costs for indigent parties and parties represented by pro bono counsel.** We recognize the need for court reporters to receive an increase, especially given the considerable period of time since the last increase. However, we are concerned that a mechanism be in place to ensure record fees are not increased for those parties who cannot afford to pay the current rates, or the proposed increase. If access to court records is diminished due to increased costs, then an individual's access to justice may be directly affected. We have enclosed for your information a position statement from the State Bar's Standing Committee on Justice Initiatives that provides greater detail.

If you would like to discuss this position in further detail or have questions, please contact Janet Welch directly at (517) 346-6375, jwelch@mail.michbar.org; or Elizabeth Lyon directly at (517) 346-6325, elyon@mail.michbar.org.

Sincerely,



Janet Welch
General Counsel



Elizabeth K. Lyon
Public Policy Program Analyst

CC. Thomas W. Cranmer, President
John T. Berry, Executive Director
Nell Kuhnmuensch, Governmental Consultant Services, Inc.

¹ Definition of support in principle: Pending legislation that the State Bar supports but is not the subject of active lobbying effort. The State Bar is on record on this position and will explain it upon request.