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June 30, 2006

The Honorable Leslie Mortimer
State Representative
State Capitol
P.O. Box 30014
Lansing, MI 48909-7514

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

Re: HB 5625 Representation in Small Claims Court

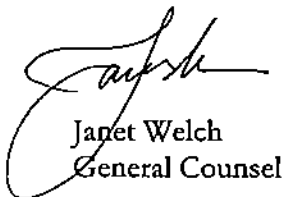
Dear Representative Mortimer:

At its June 9, 2006 meeting, the Board of Commissioners of the State Bar of Michigan unanimously voted to **actively oppose*** **HB 5625**. The position was adopted after consideration of positions recommending opposition from the State Bar's Real Property Law Section, Committee on Justice Initiatives and Unauthorized Practice of Law Committee.

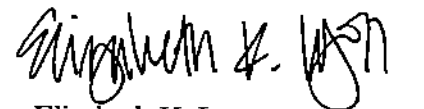
The Small Claims division of District Court specifically excludes non-attorney representation to maintain a system that is fair and equally accessible for all parties. The State Bar believes that the passage of HB 5625 would result in an imbalance within the small claims court as regular representation by increasingly sophisticated real estate agents would put inexperienced opposing parties at a disadvantage. Further, we are concerned that real estate agents assuming this responsibility would run the risk of the unauthorized practice of law.

If you would like to discuss this position in further detail or have questions, please contact Janet Welch directly at (517) 346-6375, jwtelch@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.

* Definition of active opposition: Pending legislation the State Bar opposes and which is the subject of active lobbying effort.