



Report on Public Policy Position

Name of section:

Appellate Practice Section

Contact Person:

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Bill Number:

HB 4501 (Cushingberry) Civil procedure; costs and fees; costs and fees in the court of appeals and of court transcripts; increase. Amends secs. 321 & 2543 of 1961 PA 236 (MCL 600.321 & 600.2543).

Date position was adopted:

4/20/07

Process used to take the ideological position:

Vote

Number of members in the decision-making body:

23

Number who voted in favor and opposed to the position:

20 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

In June of 2003, the State Bar publicly stated that "[t]he judicial branch budget should be sufficient to meet constitutional requirements and to provide adequate resources for timely, fair and efficient disposition of cases." The Appellate Practice Section agrees with this statement, as well as the State Bar's further position that the judiciary "should be funded primarily by state general fund dollars" and only supplemented by filing fees. The Appellate Practice Section strongly supports a publicly funded judiciary as a necessary prerequisite to the timely dispensation of justice in this state.

Given the current economic climate in the State of Michigan, the Section opposes the court and court reporter fee increases proposed in House Bill No. 4501, since such increases are likely to inhibit full access to the Michigan justice system.

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?2007-HB-4501>