

## Report on Public Policy Position

**Name of committee:**

Civil Procedure and Courts Committee

**Contact person:**

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**Bill Number:**

[SB 0995](#) (George) Courts; juries; peremptory challenges when selecting jurors; eliminate. Amends [1961 PA 236](#) (MCL [600.101](#) - [600.9947](#)) by adding sec. 1350b & repeals secs. 12 & 13, ch. VIII & sec. 17, ch. XIV of [1927 PA 175](#) (MCL [768.12](#) et seq.).

**Date position was adopted:**

February 16, 2008

**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:**

20

**Number who voted in favor and opposed to the position:**

15 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

**Position:**

Oppose

**Explanation of the position, including any recommended amendments:**

The State Bar opposed a similar Bill during a previous legislative session on the ground that this was a subject that should be left to the Supreme Court to regulate under its authority over practice and procedure in the courts. The Committee supports that view. On the merits of the bill, the Committee opposes the bill. In civil cases, only 3 peremptory challenges per side are allowed. That small number avoids practical problems regarding summoning of sufficient numbers of potential jurors. And peremptory challenges are essential to give the parties a fair trial.

**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-SB-0995>

**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 proposed legislation would directly affect the conduct of trials.