

Report on Public Policy Position

Name of section:

Probate & Estate Planning Section

Contact person:

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Regarding:

Estate of Calvin Graves, Ct. App. Docket No. 286674

Date position was adopted:

December 12, 2009

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:

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 and Amend

Explanation of the position, including any recommended amendments:

The Section believes the Court of Appeals decision issued on December 3, 2009, continues to misinterpret the law and the Michigan Court Rules and does so in a manner that will create significant confusion and problems in the future.

The Section will request the Court to either withdraw and reissue its opinion or to make the decision an unpublished opinion.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://coa.courts.mi.gov/resources/asp/viewdocket.asp?casenumber=286674&inqtype=public&yr=0&yr=0>