

FAMILY LAW SECTION

Respectfully submits the following position on:

\*

ADM File No. 2008-11

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The Family Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Family Law Section only and is not the position of the State Bar of Michigan.

The State Bar of Michigan's position on this matter is to support the recommended amendments and offer additional language.

The total membership of the Family Law Section is 2,481.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 21. The number who voted in favor to this position was 18. The number who voted opposed to this position was 0.

## Report on Public Policy Position

**Name of committee:**

Family Law Section

**Contact person:**

Amy A. Yu

**E-mail:**

[ayu@amyulaw.com](mailto:ayu@amyulaw.com)

**Proposed Court Rule Amendment:**

[2008-11 Proposed Amendment of Rule 2.507 of the Michigan Court Rules](#)

This proposed amendment of MCR 2.507 was submitted to the Court to clarify that oral agreements not made in open court to settle a case will not be enforceable. Like an agreement subject to the statute of frauds, agreements to settle a case would be required to be made in open court or in writing to be binding.

**Date position was adopted:**

March 1, 2011

**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:**

21

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

18 Voted for position

0 Voted against position

3 Did not vote

**Position:**

Support

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

<http://courts.michigan.gov/supremecourt/Resources/Administrative/2008-11-11-23-10.pdf>

FAMILY LAW SECTION

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March 7, 2011

Michigan Supreme Court  
925 W. Ottawa St.  
Lansing, Michigan 48913

**Re: Supreme Court Adm File No. 2008-11**

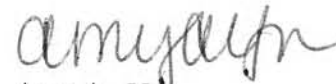
Dear Clerk:

The Family Law Council of the State Bar of Michigan, the governing body for the State Bar Family Law Section, has taken the following position on the proposed changes to MCR 2.507(G). The Council, by a vote of 18-0, supports the proposed amendment set out in Adm. File No. 2008-11.

The language to be deleted in subrule (G) is not necessary and the remaining language requiring that a party agreement respecting the proceedings be either in writing or on the record is consistent with existing law and ensures clarity.

Thank you for your assistance in this matter.

Sincerely,



Amy A. Yu  
Chair  
Family Law Council