2026 November Board of Commissioners Meeting

Schedule	Friday, November 20, 2026 8:30 AM — 10:30 AM EST
Venue	Grand Traverse Resort - Michigan Ballroom CD
Organizer	Amy Owens

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13. Adjournment 186

1. Call to Order

Presented by Erika L. Bryant

STATE BAR OF MICHIGAN
BOARD OF COMMISSIONERS
Friday, November 20, 2026
Grand Traverse Resort – Michigan Ballroom CD
AGENDA
8:30am

State Bar of Michigan Statement of Purpose

"The State Bar of Michigan shall aid in promoting improvements in the administration of justice and advancements in jurisprudence, in improving relations between the legal profession and the public, and in promoting the interests of the legal profession in this state."

Rule 1 of the Supreme Court Rules Concerning the State Bar of Michigan

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1. **Call to Order** ..... Erika L. Bryant, President

2. **Consent Agenda**

   2.1. Minutes
   - 2.1.1. September 18, 2026, Board Meeting (First Meeting)*
   - 2.1.2. September 18, 2026, Board Meeting (Second Meeting)*
   - 2.1.3. October 14, 2026, Executive Committee Meeting*

   2.2. President's Activities* ..... Erika L. Bryant, President

   2.3. Executive Director's Activities* ..... Peter Cunningham, Executive Director

   2.4. Finance and Audit Committee ..... Suzanne C. Larsen, Treasurer
   - 2.4.1. FY2026 Financial Reports through September 2026*

   2.5. Professional Standards Committee ..... Aaron V. Burrell, Secretary
   - 2.5.1. Client Protection Fund Claims (CPF)*
   - 2.5.2. Character and Fitness Nominations*

3. **Oath of Office** ..... Erika L. Bryant, President

4. **Upcoming Events – SBM Event Calendar** ..... Erika L. Bryant, President

LEADERSHIP REPORTS

5. **President's and Executive Director's Report** ..... Erika L. Bryant, President
   Peter Cunningham, Executive Director

   5.1. President's Report*

6. **Representative Assembly Report** ..... Alena M. Clark, Chairperson

7. **Young Lawyers Section Report** ..... Darnell T. Barton, Chairperson

COMMISSIONER COMMITTEES

8. **Public Policy**.....Thomas H. Howlett, President-Elect
   8.1. Court Rules*
   8.2. Legislation*

9. **Strategic Planning and Engagement** ..... David C. Anderson, Vice President
   9.1. Inauguration and Awards Luncheon Event Summary*

10. **Audit and Finance** .....Suzanne C. Larsen, Treasurer
    10.1. Finance Report

11. **Professional Standards** .....Aaron V. Burrell, Secretary

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12. **For the Good of the Public and the Profession**
    12.1. Comments or Questions from Commissioners
    12.2. Public Comment
    Any member of the public who wishes to address the commissioners during public comment must sign up before 8:30 a.m. on the date of the meeting using the "Public Comment Sign Up" sheet.

13. **Adjournment**

*Materials included with the agenda.

2. Consent Agenda

Presented by Erika L. Bryant

2.1. Minutes

Presented by Erika L. Bryant

2.1.1. September 18, 2026, Board Meeting (First Meeting)*

STATE BAR OF MICHIGAN
BOARD OF COMMISSIONERS MEETING MINUTES

President Hamameh called the meeting to order at 9:06 a.m. on Friday, September 18, 2026, in the Dennison Room at the Detroit Marriott in Troy, Michigan.

Commissioners present:
David C. Anderson, Treasurer
Hon. Karl A. Barr
Darnell Barton
Erika L. Bryant, President-Elect
Aaron V. Burrell
Hon. B. Chris Christenson
Alena Clark
Hon. Ponce Clay
Patrick J. Crowley
Tanisha Davis
Sherriee L. Detzler
Robert A. Easterly
Jacob G. Eccleston
Nicole A. Evans
Lisa J. Hamameh, President
Claudnyse D. Holloman
Thomas H. Howlett, Vice-President
Elizabeth A. Kitchen-Troop
Suzanne C. Larsen, Secretary
Joshua A. Lerner
James L. Liggins, Jr.
James W. Low
Ashley E. Lowe
Silva A. Mansoor
Gerard V. Mantese
Moheeb H. Murray
Thomas P. Murray, III
Gerrow D. "Gerry" Mason
Nicholas M. Ohanesian
Hon. David A. Perkins
Douglas B. Shapiro
Hon. Kristen D. Simmons
Lisa W. Timmons

Commissioners absent:
Elizabeth L. Luckenbach

Consent Agenda
The Board received the minutes from the July 24, 2026, Board meeting.
The Board received the minutes from the July 8, 2026, Executive Committee meeting.
The Board received the recent activities of the President.
The Board received the recent activities of the Executive Director.
The Board received the FY 2026 financial reports through July 2026.
The Board received the 2025 SBM Retirement Plan.
The Board received the SBM Entities Trust Annual Report.

President Hamameh asked if any items needed to be removed from the consent agenda. There were none.

A motion was offered and approved to accept the consent agenda.

Upcoming Events
President Hamameh highlighted several upcoming events, including the Face of Justice event on September 21 at Wayne State University and the Commission on Fairness and Public Trust's Pathways to the Judiciary event on October 29 in Royal Oak. She also reminded Commissioners that the Young Lawyers Section is seeking judges for the 25th Annual National Trial Advocacy Competition (NTAC) November 6-8 in Detroit, and she shared the link to the SBM Events Calendar.

President and Executive Director's Report: Lisa Hamameh, President and Peter Cunningham, Executive Director

President's Report

President Hamameh reported on her UP tour in August which included stops in Escanaba, Iron Mountain, Houghton, and Marquette. Secretary Larsen joined her for the tour, and attendance ranged from 3 to 17 members at each location. Ms. Hamameh noted that attendees were appreciative of the outreach and engaged in the discussions, although many were unfamiliar of State Bar initiatives and programs.

Executive Director's Report

Michigan Supreme Court Commissions Updates

Commission on Well Being in the Law

Molly Ranns, Director of Lawyers & Judges Assistance and co-chair of the commission, reported on the commission's September 2 meeting. Ms. Ranns provided an update on the attorney secure leave rule amendment and the recently released survey on attorney well-being, noting that the survey findings will be presented in the future.

Commission on Fairness and Public Trust

President-Elect Bryant indicated the commission will be meeting on Friday, September 25, and that she will provide an update at the next Board meeting. She also highlighted the Commission's upcoming "Pathways to the Judiciary" event, scheduled for October 29 at the Imagine Theater in Royal Oak, which is intended to demystify the process of becoming a judge in Michigan.

Justice for All Commission

Mr. Cunningham reported on the Commission's recent meeting, which included a presentation from the Institute for the Advancement of the American Legal System and an update from Michigan Legal Help the Community Legal Connections Program. Additionally, Mr. Cunningham announced that the State Bar signed a contract with the State Court Administrative Office (SCAO) for the proposed Legal Practitioner Pilot Program. Under the agreement, SCAO will provide $83,000 to build the character and fitness application portal and $600 per applicant for character and fitness investigations. The next phase will involve developing application and license renewal portals to support onboarding, database integration and fee collection.

Board of Commissioners Retreat

Mr. Cunningham provided an update on the Board retreat scheduled for November 19-20 at the Grand Traverse Resort in Acme, Michigan. The retreat will begin with a half day on Thursday afternoon and a full day on Friday until 5pm with a Board meeting included in the schedule. Molly Flood of the ABA Center for Bar Leadership will facilitate the retreat, and Chief Justice Cavanagh will join virtually via Zoom for part of the retreat. Registration for the retreat will go out next week.

Staff Updates

Mr. Cunningham reported that the annual license renewal was launched on September 9, and that the transition to the State Bar's new managed IT service provider, Adna Technologies, has gone well. He also noted that two IT staff positions were eliminated as part of the transition.

Mr. Cunningham further reported that General Counsel Drew Baker is currently on leave with no specified return date. Former General Counsel Cliff Flood will serve as Acting General Counsel during her absence.

Representative Assembly (RA) Report: Nicole A. Evans, Chairperson
Chair Evans reported that the Representative Assembly has a meeting this afternoon and will review proposals, conduct a contested election for RA clerk, and swear in Alena Clark as the new Chair of the Representative Assembly.

Young Lawyers Section (YLS) Report: Jacob Eccleston, Chairperson
Commissioner Eccleston reported on recent and upcoming events for YLS.

COMMISSIONER COMMITTEES

Public Policy: Erika L. Bryant, President-Elect
President-Elect Bryant had no items to report.

Finance and Audit: David C. Anderson, Treasurer

Contract Renewal: K2dnn
Treasurer Anderson provided information on the K2dnn contract renewal.

A motion was offered and approved to renew the contract for K2dnn.

Budget Amendments
Mr. Cunningham reviewed proposed amendments to the FY 2025-2026 budget, including $70,000 in additional revenue associated with the proposed Legal Practitioner Pilot Program and a $45,000 increase in expenses related to the transition to Adna Technologies as the State Bar's new managed IT service provider.

A motion was offered and approved to accept the proposed budget amendments.

Strategic Planning and Engagement Committee (SPEC): Thomas H. Howlett, Vice President

Events Reports
Vice President Howlett reviewed highlights from the 50-year Golden Celebration and Great Lakes Legal Conference reports including feedback from attendees.

Partner Program
Robin Eagleson, Director of Lawyer Services, presented the partner program Answering Legal which is a 24/7 live virtual receptionist service dedicated exclusively to law firms. Ms. Eagleson provided highlights from the program including discounts for SBM members and a royalty to SBM.

A motion was offered and approved to accept Answering Legal as a partner program.

Awards Criteria
Vice President Howlett reviewed the recommendations to the awards criteria including periodic presentation rather than annually, service tenure requirements, conduct and contributions, and posthumous consideration.

A motion was offered and approved to accept the awards criteria as recommended by SPEC.

A motion was offered and approved to accept the recommended number of awards as recommended by SPEC, to reduce the overall number of awards to seven and to change the Board policy to seven from SBM awards plus the Cummiskey award.

Vice President Howlett reviewed the recommendation to rename the Liberty Bell award to the Nancy F. Brown Liberty Bell Award. Due to the national/historical significance of the Liberty Bell Award and alternative staff-led memorial recognitions already completed, SPEC is not recommending the name of the award be changed.

Strategic Plan Recommendations
Commissioner Liggins, chair of SPEC's Strategic Plan Activities Report (SPAR) Review Subcommittee, presented the subcommittee's annual accomplishments and recommendations. In addition to completing a full review of the SPAR, the subcommittee considered the future of the SBM Strategic Plan which expires at the end of the 2026-2027 Bar year.

Commissioner Liggins presented SPEC's recommendation to undertake a comprehensive strategic planning process. The recommendation called for the incoming President to appoint a special committee of up to 15 members, consisting primarily of commissioners together with staff representatives, to assess the State Bar's current environment, identify emerging challenges and opportunities, engage stakeholders, and establish strategic priorities that will guide the State Bar. The recommended strategic plan would be presented to the Board of Commissioners before the end of the 2026-2027 Bar year.

A motion was offered and approved to do a full review of the SBM Strategic plan.

Commissioner Liggins also presented SPEC's recommendation to engage the ABA Center for Bar Leadership to facilitate the strategic planning process.

A motion was offered and approved to engage the ABA Center for Bar Leadership to help facilitate the strategic planning process.

Professional Standards: Suzanne C. Larsen, Secretary
Secretary Larsen had no items to report.

COMMISSIONER RECOGNITION

Recognition of Outgoing Board Members:
Commissioner Barton read a resolution honoring Hon. David A. Perkins, on his retirement from the Board of Commissioners and presented him with a gift of appreciation for his service.

Commissioner Ohanesian read a resolution honoring Gerrow (Gerry) Mason, on his retirement from the Board of Commissioners and presented him with a gift of appreciation for his service.

Commissioner Clark read a resolution honoring Nicole Evans, on her retirement from the Board of Commissioners and presented her with a gift of appreciation for her service.

Vice President Howlett read a resolution honoring Hon. B. Chris Christenson on his retirement from the Board of Commissioners and presented him with a gift of appreciation for his service.

Commissioner Eccleston read a resolution honoring Silvia A. Mansoor, on her retirement from the Board of Commissioners and presented her with a gift of appreciation for her service.

Recognition of President Lisa J. Hamameh

President-Elect Bryant provided remarks for the 91st President of the State Bar of Michigan, Lisa J. Hamameh.

Ms. Hamameh was presented with a plaque, memory book and gift in appreciation for her service.

FOR THE GOOD OF THE PUBLIC AND THE PROFESSION

Comments or questions from Commissioners

None

Comments or questions from the public

None

Adjournment

The meeting was adjourned at 11:08 a.m.

2.1.2. September 18, 2026, Board Meeting (Second Meeting)*

STATE BAR OF MICHIGAN
BOARD OF COMMISSIONERS MEETING MINUTES

President Hamameh called the meeting to order at 11:17a.m. on Friday, September 18, 2026, in the Dennison Room at the Detroit Marriott in Troy, Michigan.

Commissioners present:

David C. Anderson, Vice President
Darnell T. Barton
Mary A. Bowen
Erika L. Bryant, President
Aaron V. Burrell, Secretary
Alena Clark
Hon. Ponce Clay
Patrick J. Crowley
Tanisha Davis
Sherriee L. Detzler
Robin E. Dillard-Russaw
Robert A. Easterly
Jacob G. Eccleston
Claudnyse D. Holloman
Thomas H. Howlett, President-Elect
Elizabeth A. Kitchen-Troop
Suzanne C. Larsen, Treasurer
Joshua A. Lerner
James L. Liggins, Jr.
James W. Low
Ashley E. Lowe
Gerard V. Mantese
Moheeb H. Murray
Thomas P. Murray, III
Nicholas M. Ohanesian
Samantha J. Orvis
Douglas B. Shapiro
Hon. Kristen D. Simmons
Lisa W. Timmons
Marisa A. Vinsky
Danielle Walton

Commissioners absent:

Hon. Robbie J. Gaines Jr.
Elizabeth L. Luckenbach

President's Report

Welcome

President Bryant called the meeting to order and welcomed the new Commissioners to the Board.

Introduction of New Commissioners

Commissioner Robert Easterly welcomed and introduced new Commissioner Robin E. Dillard-Russaw.

Commissioner Thomas Murray Jr. welcomed and introduced new Commissioner Samantha J. Orvis.

Commissioner Joshua Lerner welcomed and introduced new Commissioner Marisa A. Vinsky.

Commissioner James Low welcomed and introduced new/returning Commissioner Danielle Walton.

Oath of Office

President Bryant read and administered the Oath of Office to the new Commissioners of the State Bar of Michigan.

Authorize President to Appoint and Executive Committee

A motion was moved and approved to authorize President Bryant to appoint the 2026-2027 Executive Committee, per bylaws Article 3, Section 9. The Executive Committee members will also become members of the Representative Assembly.

2026-2027 Commissioner Committees
President Bryant presented committee and section assignments to the Commissioners.

Board Applications
Amy Owens, Senior Executive Assistant, briefly covered the expense reporting system, Nexonia, and the BOC application, Convene. It was noted that new Commissioners would receive access to these systems within the new few days

Orientation and Board Retreat Planning
Executive Director Cunningham provided an update on new Commissioner orientation noting that we will be scheduling four one-hour virtual sessions. While new Commissioner schedules will be prioritized, all Commissioners will be invited to attend if desired.

Mr. Cunningham also provided an update on the Board retreat scheduled for November 19-20 at the Grand Traverse Resort in Acme, Michigan. The retreat will begin with a half day on Thursday afternoon and a full day on Friday until 5pm with a Board meeting included in the schedule. Molly Flood of the ABA Center for Bar Leadership will facilitate the retreat, and Chief Justice Cavanagh will join virtually via Zoom for part of the retreat. Registration for the retreat will go out next week.

President Speaking Engagements
President Bryant reminded all commissioners to utilize the president request form for presidential events and speaking engagements.

2026-2027 Board of Commissioners and Representative Assembly Meeting Dates
President Bryant shared the list of dates for the 2026-2027 Board of Commissioners and Representative Assembly meetings.

Adjournment
The meeting was adjourned at 11:41 p.m.

2.1.3. October 14, 2026, Executive Committee Meeting*

State Bar of Michigan
Executive Committee Virtual Meeting
Wednesday, October 14, 2026
4:00 p.m.

President Bryant called the meeting to order at 4:01 p.m.

Members Present:
Erika Bryant, President; Thomas H. Howlett, President-Elect; David C. Anderson, Vice-President; Suzanne C. Larsen, Treasurer; Aaron V. Burrell, Secretary; Alena M. Clark, Representative Assembly Chair; Tanisha M. Davis, Representative Assembly Chair-Elect; Ashley E. Lowe, Commissioner; Robert A. Easterly, Commissioner; James L. Liggins, Commissioner

State Bar Staff Present:
Peter Cunningham, Executive Director; Amy Owens, Senior Executive Assistant; Felicia Thomas, Assistant Executive Director; Kari Thrush; Assistant Executive Director; Kevin Francart, UPL Counsel

Minutes:
A motion was offered and supported to approve the September 2, 2026, Executive Committee meeting minutes. One abstention was recorded from Ashley Lowe due to non-attendance at the prior meeting.

President and Executive Director's Report
Commissions Update
President Bryant noted vacancies for the Fairness and Public Trust Commission and the Well Being in the Law Commission due to expiring terms.

A motion was offered and approved to appoint Aaron Burrell to the Fairness and Public Trust Commission and David Anderson to the Well Being in the Law Commission.

The recommendations will be brought to the BOC at the November meeting.

Officers Retreat
President Bryant provided an update on the officer's retreat that occurred on Friday, October 9 at the Detroit Athletic Club. The purpose was to begin a series of conversations on issues facing the bar and profession and to align collaborative work with staff, commissioners and stakeholders.

Board Retreat
Mr. Cunningham reported that we have nearly 100% participation for the BOC retreat in November with only one Commissioner not able to attend.

New Commissioner Orientation
Mr. Cunningham discussed the New Commissioner Orientation, noting the first session was on October 13 and went very well. Session two is scheduled for October 19 with staff working on scheduling sessions three and four. We are hoping to have all sessions completed before the November retreat.

Committee Appointments
Strategic Planning Committee – President Bryant has appointed a Strategic Planning Committee with James Liggins as Chair and 13 other commissioners contributing including David Anderson, Darnell Barton, Aaron Burrell, Alena Clark, Hon. Ponce Clay, Patrick Crowley, Sherriee Detzler, Robert Easterly, Thomas Howlett, Suzanne Larsen, Ashley Lowe, Nick Ohanesian and Lisa Timmons. The kickoff meeting is currently being scheduled.

Apportionment Committee – Mr. Cunningham provided a reminder that court rules require reapportionment for the Board and Representative Assembly be done every six years. A reapportionment committee will be created and work will begin in November/December with recommendations to go to the BOC in January to align with election timing.

Rules Concerning the State Bar of Michigan
Mr. Cunningham reported that staff are continuing to work on proposed updates to the Supreme Court rules governing the State Bar. The goal is to finalize a memo by the end of the calendar year for the Executive Committee to review and determine how to submit changes to the Supreme Court.

Staff Updates
Mr. Cunningham announced several staffing updates. A new managing editor of the *Michigan Bar* Journal will be starting on October 19. He also reported that Assistant Executive Director Felicia Thomas will be leaving the State Bar on November 2 to accept a position with Wayne County Indigent Criminal Defense Services. Finally, he reported that Brian Burgess, Director of Research and Analytics, departed the State Bar on October 9 by mutual agreement.

Representative Assembly (RA) Report
Chair Clark said they are working on a lot of internal housekeeping items and will provide more information at the next meeting.

Closed Session: Personnel Matter and UPL Complaint
A motion was offered and approved to move into a closed session at 4:36 p.m. to discuss a UPL complaint and a personnel matter.

The Executive Committee returned to open session at 5:12 p.m.

A motion was offered and approved to direct staff to prepare and send an appropriate response to the resolution from the Berrien County Board of Commissioners dated September 17, 2026.

Adjournment

The meeting was adjourned at 5:14 p.m.

2.2. President's Activities*

Presented by Erika L. Bryant

President Erika L. Bryant
President's Activities
September 18 through November 20, 2026

Date	Event	Location
September 18	Board of Commissioners Meeting/Inaugural & Awards Luncheon	Troy
September 25	ADR Section's Annual Meeting	Zoom
September 26	SBM YLS Retreat Dinner	Detroit
September 29	The Legal Summit: The Case for Leadership The Unity Collaborative (TUC)	Detroit
October 6	Wayne State University Law School – Student Organization Leader Luncheon	Detroit
October 6	Investiture, Hon. Nicole Castka	Grosse Pointe
October 9	SBM Officers Retreat	Detroit
October 13	New Commissioner Orientation	Zoom
October 14	SBM Executive Committee Meeting	Zoom
October 14	Macomb County Bar Association 120th Anniversary Celebration and Presidential Installation	Mt. Clemens
October 15	Detroit Chapter of The Links, Inc. Bottom of the Ballot Election Forum	Zoom
October 18	Wolverine Bar Foundation Law Student Reception	Detroit
October 19	New Commissioner Orientation	Zoom
October 22	Floyd Skinner Bar Association Scholarship Reception and Gala	Grand Rapids
October 27- October 29	Great Rivers Bar Leaders Conference	Scottsdale, AZ
November 2	SBM Faces of Justice Program	Detroit
November 4	SBM Executive Committee Meeting	Zoom
November 6	Drew Baker's Memorial Service	Troy

November 7	YLS National Trial Advocacy Competition (NTAC) and Awards Reception	Detroit
November 9	New Commissioner Orientation	Zoom
November 12	Detroit Bar Foundation 2026 Annual Dennis W. Archer Public Service Award Gala	Detroit
November 12	Lakeshore Legal Aid 60th Anniversary Celebration	Detroit

2.3. Executive Director's Activities*

Presented by Peter Cunningham

Executive Director Peter Cunningham Activities
September 19 through November 20, 2026

Date	Event
September 21	Meeting with President Bryant & President-elect Howlett and SBM staff on State Bar Messaging
September 25	Commission on Fairness and Public Trust Meeting
October 1	Meeting with Jeff Kirkey, ICLE Director
October 1	JFA Executive Team Meeting
October 2	Meeting with RA Leadership on 2026-2027 RA Committees
October 5	Commission on Well-Being in the Law Executive Team Meeting
October 9	SBM Officers Retreat
October 12	Capitol Club Business Meeting
October 13	New Commissioner Orientation Session 1
October 14	SBM Executive Committee Meeting
October 15	Call with Chief Justice Cavanagh
October 15	JFA Executive Team Meeting
October 19	New Commissioner Orientation Session 2
October 26- October 29	Great Rivers Bar Leaders Conference
November 2	Commission on Well-Being in the Law Executive Team Meeting
November 11	Michigan Supreme Court Historical Society Board Meeting
November 12	JFA Executive Team Meeting
November 12	Strategic Planning and Engagement Committee Meeting
November 13	Commission on Fairness and Public Trust Executive Team Meeting
November 16	Meeting with SBM Officers on General Counsel Position
November 17	SBM Finance & Audit Committee Meeting
November 17	Professional Standards Committee Meeting
November 18	Public Policy Committee Meeting

November 19- November 20	Board of Commissioners Retreat/Board of Commissioners Meeting

2.4. Finance and Audit Committee

Presented by Suzanne C. Larsen

2.4.1. FY2026 Financial Reports through September 2026*

State Bar of Michigan Financial Results Summary

For the Twelve Months Ended September 30, 2026
Fiscal Year 2026

Administrative Fund - Summary of Results as of September 30, 2026

Operating Revenues	$12,975,555
Operating Expenses	(11,997,643)
Operating Income (Loss)	977,912
Non-Operating Income (Loss)	1,145,866
Change in Net Position	$2,123,778
Net Position, October 1, 2025	$18,394,134
Net Position, September 30, 2026	$20,517,912

As of September 30, 2026, Net Position *excluding* net assets restricted for retiree healthcare was $15,068,560, an increase of $1,236,602 since the beginning of the year. Excluding retiree health care trust income, results were favorable to budget by $1,995,565. This includes $603,332 of year-end non-cash pension and retiree health care (OPEB) credits, which are not budgeted. Excluding these credits, results were favorable to budget by $1,392,233.

YTD Operating Revenue variance – $471,742, favorable to budget (3.8%):

- License fee and related revenue was higher than budget by $89,260 (0.9%) due to higher new attorney license fees and collected late fees, partially offset by lower reinstatement fees.
- Other operating revenue was higher than budget by $382,482 (18.7%) primarily due to higher Bar Journal, Character & Fitness, Lawyer Referral Services, pro hac vice fees, CPF administration fee, credit card processing fee recovery, and E-Journal revenues.

YTD Operating Expense variance - $1,516,594, favorable to budget (11.2%):

Labor Operating Expenses - $1,028,640, favorable (11.5%)

- Salaries expenses were lower than budget by $300,811 (4.5%) due to vacancies, partly offset by year-end sick leave and payroll accrual increases.
- Employee Benefits & Payroll Taxes were lower than budget by $727,829 (32.6%), including the $603,332 of year-end pension and retiree health care credits. Excluding

the credits, benefits were $124,497 (5.6%) below budget, reflecting vacancies, lower retiree healthcare premium payments, and retirement plan administration fees.

Non-Labor Operating Expenses - $487,954, favorable (10.7%) due to broad savings in most programs:

- Division 1 - $91,676, favorable (17.2%) primarily due to lower IAP, Outreach, and UPL expenses, partially offset by higher Client Protection Fund expenses.

- Division 2 - $334,466, favorable (13.5%) primarily due to lower Digital, IT, Bar Journal, and Great Lakes Legal Conference expenses. This includes $53,752 allocated to phase 1 of the website project.

- Division 3 - $61,812, favorable (4.0%) primarily due to lower Executive Office, Human Resources, and Finance expenses.

YTD Non-Operating Revenue Budget Variance - $449,366, favorable to budget (64.5%):

- Investment income was favorable to budget by $7,230 (1.0%). Compared with FY 2025, investment income decreased $49,574 as short-term interest rates declined.
- Retiree Health Care Trust had a net investment income of $442,137 (this amount is not budgeted).

Cash and Investment Balance

As of September 30, 2026, cash and investment balances net of *due to Sections, ADS, Client Protection Fund, and Retiree Health Care Trust* were $14,896,310, an increase of $1,227,280 from the beginning of the year, reflecting FY 2027 license fees received in advance and operating results, partially offset by capital expenditures.

SBM Entities Retiree Health Care Trust

As of September 30, 2026, the SBM retiree health care trust investments were $5,316,109, an increase of $306,268 since the beginning of the year. The change was due to investment income of $457,313, less disbursements of $135,869 and investment advisor, actuarial and custodian fees of $15,176.

Capital Budget

Capital expenditures totaled $480,330, or 86% of the FY 2026 amended capital expenditures budget of $555,330. No costs were incurred for Phase 2 of the website project ($75,000 budgeted).

Client Protection Fund

The Net Position of the Client Protection Fund as of September 30, 2026, totaled $3,110,294, a decrease of $187,036 from the beginning of the year. The change was driven by higher claims

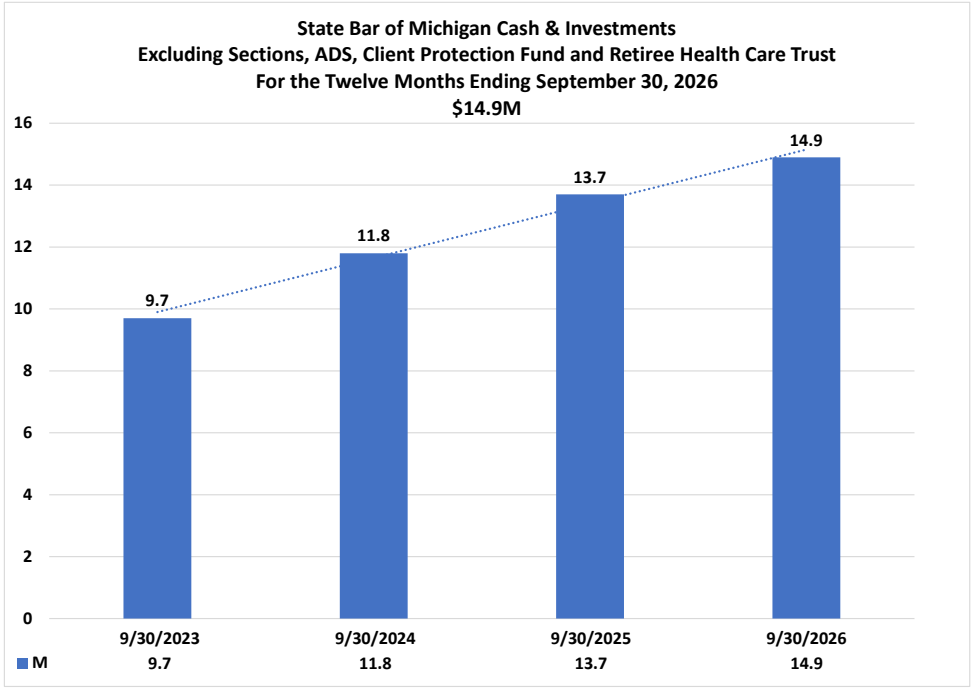
payments which increased $333,651 (90.7%) to $701,326 and decrease in investment income $36,837 due to lower interest rates, while revenues and administration expenses remained essentially flat.

SBM Membership

As of September 30, 2026, the active, inactive, and emeritus membership in good standing totaled 47,553, an increase of 331 attorneys since the beginning of the year. The number of active fee-paying attorneys decreased by 139 to 39,083. During FY 2026, 965 new attorneys joined SBM, compared to 938 in FY 2025.

Year-End Pension and Retiree Health Care (OPEB) Credits

In September, SBM recorded its share of the State of Michigan (SERS) pension and retiree health care plans based on the annual actuarial valuations. These entries reduced benefits expense by $604,037 ($580,908 retiree health care and $23,129 pension). After $147,819 of required contributions paid during the year, benefits expense resulted in a net credit of $456,218. SBM now reports a net OPEB asset of $955,553, replacing a net OPEB liability of $126,297. The net pension liability decreased to $61,786 from $82,698. These credits are non-cash accounting entries and do not provide resources for operations.



As of September 30, 2026, the cash and investment balance in the State Bar Admin Fund net of *due to Sections, ADS, Client Protection Fund, and Retiree Health Care Trust* was $14,896,310 an increase of $1,227,280 from the beginning of the year primarily due to collection of license fees.

Summary of Cash and Investment Balances by Financial Institution

9/30/2026

Bank Rating	Assets	Financial Institution		Amount	Interest Rate
		SBM Chase Checking	$	510,203	
		SBM Chase Credit Card	$	505,560	
		SBM Chase E Checking	$	126,950	
		SBM Chase Payroll	$	(2,344)	
		ADS Chase Checking	$	89,888	
		ADS Chase Petty Cash	$	260	
		CPF Chase Checking	$	41,454	
4	$3.8 trillion	**** Chase Total**	**$**	**1,271,971**	
		SBM Horizon Bank Money Market	$	9	
		SBM Horizon ICS	$	563,646	3.40%
5	$6.4 billion	**Horizon Bank Total w/CD**	**$**	**563,655**	
		SBM Fifth Third Commercial Now	$	60,997	
5	$214 billion	**Fifth Third Total**	**$**	**60,997**	
		MSUFCU Savings & MM	$	15	0.05%
		MSUFCU Checking	$	10,291	
		MSUFCU Total	**$**	**10,306**	
4	$8.4 billion	**MSUFCU Total w/CDs**	**$**	**761,430**	
		CASE Cr Un	$	5	
5	$0.4 billion	**CASE Cr Un Total w/CD**	**$**	**59,267**	
		Grand River Bank	$	-	
5	$0.5 billion	**Grand River Bank Total w/CD**	**$**	**766,316**	
		MI Schools & Govt Cr Un	$	5	
5	$4.3 billion	**MI Schools & Govt Cr Un w/CD**	**$**	**974,622**	
		FNBA	$	1,501,115	
4	$6.7 billion	**FNBA Total w/CDs**	**$**	**1,501,115**	
		SBM Flagstar Savings	$	3,619	2.30%
3	$88 billion	**Flagstar Total w/CD**	**$**	**203,619**	
		SBM Flagstar ICS Checking	$	3,815	2.20%
		ADS Flagstar ICS Checking Account	$	6,753	2.20%
		CPF Flagstar ICS Checking	$	4,559	2.20%
		Flagstar Bank FDIC Insured with CDARs	**$**	**7,558,905**	

Fund Summary		
Client Protection Fund	$	3,218,229
State Bar Admin Fund (including Sections)	$	18,258,066
Attorney Discipline System	$	4,664,002
SBM - Retiree Health Care Trust	$	5,316,109
ADB - Retiree Health Care Trust	$	1,849,432
AGC - Retiree Health Care Trust	$	5,515,739
Total	**$**	**38,821,577**

State Bar Admin Fund Summary		
Cash and Investments	$	18,258,066
Less:		
Due (to)/from Sections	$	(3,074,768)
Due (to)/from ADS	$	(275,239)
Due (to)/from CPF	$	(11,750)
Due to Sections and CPF	$	(3,361,756)
Net Administrative Fund	$	14,896,310

SBM Average Weighted Yield: 3.68%
ADS Average Weighted Yield: 3.83%
CPF Average Weighted Yield: 3.84%

Notes:

- All amounts are based on reconciled book balance and interest rates as of
- Actual unreconciled Chase balance per statements was $729,628(**).
- Funds held in bank accounts are FDIC insured up to $250,000 per bank.
- ICS and CDARS are invested in multiple banks up to the FDIC limit for each bank and are FDIC insured.
- Bank star rating from Bauer Financial.
- Average weighted yields exclude retiree health care trusts.
- Funds held in SBM Entities Trust with Schwab are invested in bond mutual funds (36%), equity mutual funds (64%), and cash (less than 1%).

Asset size & ratings from Bauer Financial were updated on 9/28/26/26 (based on 6/30/26 data)

SBM US Treasuries & Gov Money Market		Amount	Interest Rates	Maturity
912797SA6	$	225,000	3.50%	10/01/26
91282CLS8	$	569,911	4.10%	10/31/26
91282CDK4	$	199,053	3.72%	11/30/26
912797WG8	$	229,909	3.91%	12/22/26
912797WP8	$	199,668	4.03%	01/12/27
912797WP8	$	274,791	3.98%	01/12/27
91282CMH1	$	247,864	3.85%	01/31/27
91282CKA8	$	467,777	3.51%	02/15/27
912797WC7	$	245,793	3.97%	02/25/27
91282CMV0	$	299,365	3.88%	03/31/27
91282CEF4	$	246,834	3.82%	03/31/27
91282CMY4	$	294,954	3.58%	04/30/27
91282CNE7	$	249,076	3.89%	05/31/27
91282CKV2	$	200,256	4.19%	06/15/27
91282CNL1	$	313,362	3.75%	06/30/27
9128282R0	$	197,077	4.11%	08/15/27
91282CNV9	$	247,932	3.63%	08/31/27
91282CNV9	$	247,932	4.31%	08/31/27
91282CPL9	$	492,617	3.48%	11/30/27
9128283W8	$	247,273	4.05%	02/15/28
91282CRB9	$	197,883	4.80%	07/31/28
91282CHX2	$	247,783	4.60%	08/31/28
91282CJA0	$	243,823	4.82%	09/30/28
US Gov MM Fund - OGSXX	$	519,946	3.38%	
JPM cash - pending purchase settlement	$	(274,867)	0.00%	
SBM US Treasuries & Gov Money Market Total	**$**	**6,631,013**		

CPF US Treasuries & Gov Money Market		Amount	Interest Rates	Maturity
912797WQ6	$	98,754	4.00%	01/19/27
912797UD7	$	161,806	3.52%	03/18/27

91282CMV0	$	208,558	3.88%	03/31/27
912797UX3	$	243,574	3.69%	05/13/27
91282CNE7	$	797,044	3.95%	05/31/27
91282CNL1	$	248,700	3.95%	06/30/27
91282CAH4	$	154,219	4.03%	08/31/27
91282CQS3	$	148,008	4.08%	05/31/28
91282CHQ7	$	320,938	4.18%	07/31/28
91282CNU1	$	156,488	4.17%	08/15/28
US Gov MM Fund - MJGXX	$	103,986	3.22%	
CPF US Treasuries & Gov Money Market Total	**$**	**2,642,073**		

ADS US Treasuries & Gov Money Market		**Amount**	**Interest Rates**	**Maturity**
91282CLS8	$	199,969	4.10%	10/31/26
91282CDK4	$	199,053	3.72%	11/30/26
912797WP8	$	197,691	3.95%	01/12/27
91282CMH1	$	326,821	3.74%	01/31/27
91282CKA8	$	198,905	3.98%	02/15/27
91282CEF4	$	197,269	3.82%	03/31/27
912828ZN3	$	195,609	4.10%	04/30/27
912828X88	$	197,498	4.24%	05/15/27
91282CNE7	$	249,076	3.88%	05/31/27
91282CNL1	$	198,960	3.75%	06/30/27
91282CNP2	$	198,884	4.27%	07/31/27
91282CNV9	$	247,932	3.63%	08/31/27
91282CAH4	$	168,677	4.03%	08/31/27
91282CNU1	$	171,158	4.17%	08/15/28
US Gov MM Fund - OGSXX	$	197,813	3.38%	
ADS US Treasuries & Gov Money Market Total	**$**	**3,145,315**		

US Treasuries & Gov Money Market Total	**$**	**12,418,401**		
(not FDIC insured)				

CDARS		**Amount**	**Interest Rates**	**Maturity**
SBM Flagstar CDARS	$	300,000	3.54%	10/08/26
SBM Flagstar CDARS	$	350,000	3.62%	12/03/26
SBM Flagstar CDARS	$	325,000	3.53%	01/14/27
SBM Flagstar CDARS	$	500,000	3.60%	03/04/27
SBM Flagstar CDARS	$	308,257	4.05%	09/02/27
SBM Flagstar CDARS	$	484,469	4.40%	09/23/27
SBM Flagstar CDARS	$	500,000	3.60%	01/13/28
SBM Flagstar CDARS	$	762,043	3.74%	02/03/28
SBM Flagstar CDARS	$	265,605	3.62%	02/17/28
SBM Flagstar CDARS	$	451,475	3.62%	02/17/28
SBM Flagstar CDARS	$	120,000	4.18%	05/18/28
SBM Flagstar CDARS	$	250,000	4.19%	06/01/28

SBM Flagstar CDARS	$	250,000	4.19%	06/01/28
SBM Flagstar CDARS	$	225,000	4.32%	09/14/28
CPF Flagstar CDARS	$	100,000	3.54%	10/08/26
CPF Flagstar CDARS	$	110,000	3.50%	11/19/26
CPF Flagstar CDARS	$	107,660	4.40%	09/23/27
CPF Flagstar CDARS	$	212,484	3.62%	02/17/28
ADS Flagstar CDARS	$	250,000	3.56%	02/18/27
ADS Flagstar CDARS	$	300,000	3.60%	03/04/27
ADS Flagstar CDARS	$	215,320	4.40%	09/23/27
ADS Flagstar CDARS	$	200,000	3.62%	02/17/28
ADS Flagstar CDARS	$	356,467	4.19%	06/01/28
ADS Flagstar CDARS	$	100,000	4.32%	09/14/28
CDARS Total	**$**	**7,543,778**		

CDs		**Amount**	**Interest Rates**	**Maturity**
SBM-FNBA	$	250,000	4.29%	10/29/26
SBM-FNBA	$	210,000	4.29%	10/31/26
SBM-FNBA	$	250,000	3.95%	10/31/26
SBM-Flagstar	$	200,000	3.77%	11/12/26
SBM-CD MSU Federal Credit Union	$	163,618	3.55%	12/02/26
SBM-Grand River	$	261,314	3.83%	03/22/27
SBM-Grand River	$	250,000	3.83%	03/22/27
MI Schools & Govt Cr Un	$	200,000	4.05%	04/14/27
MI Schools & Govt Cr Un	$	516,244	4.05%	04/16/27
MI Schools & Govt Cr Un	$	258,373	4.05%	04/24/27
SBM-Grand River	$	255,003	3.95%	04/29/27
SBM-FNBA	$	267,640	4.10%	06/29/27
SBM-FNBA	$	267,640	4.10%	06/30/27
SBM-FNBA	$	255,835	4.10%	06/30/27
SBM-CASE Credit Union	$	59,262	3.50%	07/08/27
SBM-CD MSU Federal Credit Union	$	587,506	3.70%	08/12/27
CDs Total	**$**	**4,252,435**		
Total Cash & Investments	**$**	**26,140,298**		
Total Amount of Cash and Investments not FDIC-insured	**$**	**16,443,855**	**62.9%**	
(includes Tbills and Gov MM held at JPM)				

SBM Entities Retiree Healthcare Trust (Schwab)		
SBM - Ret Healthcare Trust	$	5,316,109
ADB - Ret Healthcare Trust	$	1,849,432
AGC - Ret Healthcare Trust	$	5,515,739
SBM Entities Retiree Healthcare Trust Total	**$**	**12,681,280**
Total Investments	**$**	**38,821,577**

Monthly SBM Attorney and Affiliate Report - September 30, 2026

FY 2026

Attorneys and Affiliates In Good Standing	September 30 2018	September 30 2019	September 30 2020	September 30 2021	September 30 2022	September 30 2023	September 30 2024	September 30 2025	September 30 2026	FY Increase (Decrease)
Active	42,342	42,506	42,401	42,393	42,395	41,985	41,427	41,430	41,470	40
Less than 50 yrs serv	40,973	41,036	40,559	40,504	40,680	40,115	39,399	39,222	39,083	(139)
50 yrs or greater	1,369	1,470	1,842	1,889	1,715	1,870	2,028	2,208	2,387	179
Voluntary Inactive	1,169	1,139	1,192	1,097	1,072	1,106	1,262	1,195	1,116	(79)
Less than 50 yrs serv	1,142	1,105	1,149	1,055	1,030	1,059	1,217	1,151	1,068	(83)
50 yrs or greater	27	34	43	42	42	47	45	44	48	4
Emeritus	2,204	2,447	2,727	3,033	3,306	3,733	4,245	4,597	4,967	370
Total Attorneys in Good Standing	**45,715**	**46,092**	**46,320**	**46,523**	**46,773**	**46,824**	**46,934**	**47,222**	**47,553**	331
Fee-paying Attorneys (Active & Inactive less than 50 yrs of Serv)	**42,115**	**42,141**	**41,708**	**41,559**	**41,710**	**41,174**	**40,616**	**40,373**	**40,151**	(222)
Affiliates										
Legal Administrators	10	10	8	5	2	2	4	4	4	-
Legal Assistants	401	393	317	219	214	194	195	210	248	38
Total Affiliates in Good Standing	**411**	**403**	**325**	**224**	**216**	**196**	**199**	**214**	**252**	38

Total Attorneys and Former Attorneys in the Database

State Bar of Michigan Attorney and Affiliate Type	September 30 2018	September 30 2019	September 30 2020	September 30 2021	September 30 2022	September 30 2023	September 30 2024	September 30 2025	September 30 2026	FY Increase (Decrease)
Attorneys in Good Standing:							(558)			
ATA (Active)	42,342	42,506	42,401	42,393	42,395	41,985	41,427	41,430	41,470	40
ATVI (Voluntary Inactive)	1,169	1,139	1,192	1,097	1,072	1,106	1,262	1,195	1,116	(79)
ATE (Emeritus)	2,204	2,447	2,727	3,033	3,306	3,733	4,245	4,597	4,967	370
Total Attorneys in Good Standing	**45,715**	**46,092**	**46,320**	**46,523**	**46,773**	**46,824**	**46,934**	**47,222**	**47,553**	331
Attorneys Not in Good Standing:					116	236	241	94	211	
ATN (Suspended for Non-Payment of Dues)	6,072	6,246	6,416	6,472	6,588	6,824	7,065	7,159	7,370	211
ATDS (Discipline Suspension - Active)	439	440	445	449	454	456	466	478	479	1
ATDI (Discipline Suspension - Inactive)	19	24	25	25	25	25	27	29	31	2
ATDC (Discipline Suspension - Non-Payment of Court Costs)	15	16	16	14	14	15	15	15	14	(1)
ATNS (Discipline Suspension - Non-Payment of Other Costs)	95	98	100	102	106	104	111	110	109	(1)
ATS (Attorney Suspension - Other)*	1	1	2	-	-	-	-	-	-	-
ATR (Revoked)	583	596	613	623	634	645	647	660	668	8
ATU (Status Unknown - Last known status was inactive)**	2,070	2,070	2,070	2,070	2,047	2,047	2,047	2,047	2,047	-
Total Attorneys Not in Good Standing	**9,294**	**9,491**	**9,687**	**9,755**	**9,868**	**10,116**	**10,378**	**10,498**	**10,718**	220
Other:										
ATSC (Former special certificate)	155	157	158	164	167	170	173	175	178	3
ATW (Resigned)	1,689	1,798	1,907	2,036	2,143	2,282	2,428	2,574	2,708	134
ATX (Deceased)	9,287	9,524	9,793	10,260	10,664	10,958	11,212	11,594	11,870	276
Total Other	**11,131**	**11,479**	**11,858**	**12,460**	**12,974**	**13,410**	**13,813**	**14,343**	**14,756**	413
Total Attorneys in Database	**66,140**	**67,062**	**67,865**	**68,738**	**69,615**	**70,350**	**71,125**	**72,063**	**73,027**	964

* ATS is a new status added effective August 2012 - suspended by a court, administrative agency, or similar authority

** ATU is a new status added in 2010 to account for approximately 2,600 attorneys who were found not to be accounted for in the iMIS database
The last known status was inactive and many are likely deceased. We are researching these attorneys to determine a final disposition.

N/R - not reported

Notes: Through September 30, 2026 a total of 965 new attorneys joined SBM, compared to 938 new attorneys who joined SBM through September 30, 2025.

State Bar of Michigan Financial Safety Calculation

FY 2026

The Liquid Unrestricted Net Assets (LUNA) ratio includes net liquid assets that have no restrictions on use. This ratio includes cash, investments, receivables and other liquid assets, and excludes all liabilities (e.g. unearned revenue, accrued salary and vacation expenses, pension expenses). The recommended minimum is 15% (or 1.8 months of budgeted operating expenses).

As of September 30, 2026, the LUNA ratio (financial capability as a percentage of next year's budgeted expenses) is favorable at 87%, or 10.5 months of FY 2027 budgeted expenses, compared to the 15% minimum margin required in the policy. The policy that provides the definition for this calculation is attached.

Financial Capability as of September 30, 2026	
Unrestricted Net Position	$12,048,628
FY 2027 Budgeted Expenses	$13,817,961
LUNA	87%
Min LUNA	15%

State Bar of Michigan
Financial Safety Policy
Approved by BOC on November 19, 2022

The financial capability of the State Bar of Michigan's Administrative Fund shall be defined as a ratio of Liquid Unrestricted Net Assets measured on September 30 to the SBM's Administrative Fund's Budget for the following fiscal year. Liquid Unrestricted Net Assets include assets that have no restrictions on use, e.g. cash, investments, receivables and other assets and exclude all liabilities (e.g. unearned revenue, accrued salary and vacation expenses, pension expenses, and other accrued expenses). Net assets designated for retiree healthcare and net fixed assets are considered restricted and are not included in the calculation.

The financial capability as defined above shall be targeted to be no less than 15% of the annual budgeted expenses in order to assure an adequate financial safety.

The Unrestricted Net Position Ratio will be calculated on September 30 of each year to ensure compliance with the policy. If the actual financial capability is calculated to be less than 15% of the projected budgeted expenses for the following year, the Treasurer shall inform the Board of Commissioners that there is not an adequate financial safety margin, and to consider fees increases or possible budget adjustments.

November 2022

2.5. Professional Standards Committee

Presented by Aaron V. Burrell

2.5.1. Client Protection Fund Claims (CPF)*

SBM STATE BAR OF MICHIGAN

TO:	Board of Commissioners
FROM:	Professional Standards Committee
DATE:	November 20, 2026, BOC Meeting
RE:	Client Protection Fund Claims for Consent Agenda

Rule 15 of the Client Protection Fund Rules provides that "claims, proceedings and reports involving claims for reimbursement are confidential until the Board authorizes reimbursement to the Claimant." To protect CPF claim information as required in the Rule, and to avoid negative publicity about a lawyer subject to a claim, which has been denied and appealed, the CPF Report to the Board of Commissioners is designated "confidential."

CONSENT AGENDA
CLIENT PROTECTION FUND

Claims Recommended for Payment:

a) Consent Agenda

Claim No	Amt Recommended	Claim No	Amt Recommended
CPF 4389	$2,000	**CPF 4474**	$2,250
CPF 4425	$4,400	**CPF 4485**	$1,500
CPF 4443	$1,500	**CPF 4496**	$5,500
CPF 4445	$5,100	**CPF 4500**	$5,356.25
CPF 4455	$1,600	**CPF 4502**	$2,000
CPF 4456	$1,700	**CPF 4518**	$1,400
CPF 4457	$6,000	**CPF 4519**	$2,100
CPF 4459	$5,000	**CPF 4520**	$600
CPF 4461	$1,850	**CPF 4523**	$7,000
CPF 4462	$1,200	**CPF 4542**	$2,000
CPF 4463	$800	**CPF 4543**	$4,400
CPF 4467	$2,500	**CPF 4545**	$3,000
CPF 4468	$18,000	**TOTAL**	**$88,756.25**

b) Supporting Documentation is Provided Separately.

The Professional Standards Committee recommends payment of these claims by the State Bar of Michigan Client Protection Fund:

CPF 4389
***Total Loss:* $2,000**

Claimant retained Respondent for representation in a grandparenting time matter and paid $2,000 for the representation. Respondent did not provide any legal services on behalf of Claimant.

Approximately two months after being retained by Claimant, Respondent was suspended from the practice of law for 90 days. Respondent failed to advise Claimant of the suspension. Eight months later, Respondent was again suspended for 30 days. Respondent did not advise Claimant of this suspension either. Three months after the second suspension, Respondent was then disbarred. Respondent's suspensions and disbarment were for other matters not related to Claimant.

Respondent received $2,000 from Claimant but provided no legal services before being suspended and eventually disbarred. The Committees recommended reimbursement in the amount of $2,000 pursuant to **CPF Rule 7(A)(1)**, as it is dishonest conduct to fail to return unearned fees.

CPF 4425
***Total Loss:* $4,400**

Claimant retained Respondent for representation in a divorce matter. The written fee agreement provides for a retainer of $5,500 to be billed against at $400 per hour. Claimant paid Respondent $5,900.

Respondent drafted and filed a Verified Complaint for Divorce, a Verified Statement, an Ex Parte Mutual Restraining Order and eventually a Substitution of Attorney before withdrawing from the matter due to health issues and later passing away.

There were no invoices or billing records per Claimant and Respondent's Interim Administrator (IA). However, there was a spreadsheet provided to the IA documenting that Claimant paid Respondent $5,900 with a remaining balance of $4,400. Due to the lack of invoices and billing records in the client file maintained by Respondent, the IA has no way to confidently verify if this balance is still accurate.

Based on the balance of $4,400 stated to be remaining, at $400 per hour, that would provide evidence that Respondent completed 3.75 hours on Claimant's matter, earning $1,500. The documents drafted by Respondent that were provided to the Fund align with the entries on the Court's Register of Actions (ROA). The entries in the ROA substantiate that Respondent

likely did spend 3.75 hours on the matter, therefore, it is assumed the spreadsheet was still accurately reflecting services rendered before Respondent's withdrawal.

Respondent did not refund the unearned fees before withdrawing from Claimant's matter. The Committees recommend reimbursement in the amount of $4,400 pursuant to **CPF Rule 7(A)(1)**.

CPF 4443
***Total Loss:* $1,500**

Claimant retained Respondent for representation in an Operating While Intoxicated (OWI) case for a fee of $1,500, which Claimant paid. There is no written fee or retainer agreement. In other claims against Respondent, the fees were flat and non-refundable. Therefore, it is assumed this was also a flat non-refundable fee.

Respondent unexpectedly passed away 16 days after being retained by Claimant. Respondent never met with Claimant and only had one conversation by phone. During this call Claimant retained Respondent, paid the fee, and Respondent advised Claimant to see a drug and alcohol assessment counselor. No other legal work was completed before Respondent's passing.

Claimant retained Respondent one day after being arrested for the OWI offense. The Court did not file or open a case against Claimant until 3 months after Respondent's untimely passing and 4 months after the offense occurred.

Respondent's Interim Administrator (IA) confirmed that Claimant was a client of Respondent's but had no other information as Claimant's client file was returned and they did not retain a copy. The IA stated that Respondent's record keeping was poor and they were insolvent at the time of their death, therefore, there was no money available to provide refunds to Respondent's clients.

The Committees recommend a reimbursement of $1,500 to Claimant pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide the agreed upon services and there were no funds available to provide refunds to their clients at the time of their death. Therefore, the money provided to Respondent by Claimant would be considered unearned and excessive.

Additionally, the claim is recommended for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4445
Total Loss: **$5,100**

Respondent's client was injured in an auto accident and obtained a litigation funding loan from Claimant at Respondent's request. Claimant provided a loan to Respondent's client, which would be reimbursed by settlement proceeds once the case concluded.

The case settled and Respondent remitted the client's portion of the proceeds to the client, reserving $5,100 to be paid to Claimant on the client's behalf. However, Respondent failed to remit this payment to Claimant or their client, instead embezzling Claimant's funds.

The Committees recommend reimbursement in the amount of $5,100 to Claimant, pursuant to **CPF Rules 7(A)(1)** and **7(A)(2)**, as Respondent embezzled funds due to a third-party on behalf of their client.

CPF 4455
Total Loss: **$1,600**

Claimant retained Respondent for representation in a family law matter. Pursuant to the fee agreement, Claimant remitted $3,600 to be billed against at $400 per hour.

Respondent filed an Appearance and Counterclaim for divorce and communicated with Claimant a few times before withdrawing for health reasons and later passing away. Respondent provided approximately five hours of billable time before withdrawing from Claimant's case. At $400 per hour this would equal $2,000.

The Committees recommend reimbursement of $1,600, pursuant to **CPF Rule 7(A)(1)**, as Respondent failed to refund the unearned fees at the time they withdrew from the case, before passing away.

CPF 4456
Total Loss: **$1,700**

Claimant retained Respondent for representation in a landlord-tenant/eviction matter to be followed with filing a lawsuit against the landlords for damages, for a fee of $4,000. Claimant paid an initial $2,000 and was to pay the remaining $2,000 by the end of the representation. There is no written fee or retainer agreement. In other claims against Respondent, the fees were flat and non-refundable. Therefore, it is assumed this was also a flat, non-refundable fee.

Respondent entered an Appearance and filed a Counter Complaint with Proof of Service on Claimant's behalf. The remaining entries and Hearings on the Court's Register of Actions (ROA) were adjourned to a later date and occurred after Respondent untimely passing.

Respondent was unable to provide representation in the Circuit Court for Claimant's lawsuit for damages as they passed away before the matter was completed in the District Court case. However, the District Court entered an Order for Dismissal by Stipulation, and the case was then transferred to the Circuit Court (due to Respondent's Counter Complaint previously filed).

Respondent's Interim Administrator (IA) confirmed that Claimant was a client of Respondent's but had no other information as they had returned Claimant's client file and did not retain a copy. The IA stated that Respondent's record keeping was poor and they were insolvent at the time of their death, therefore, there was no money available to provide refunds to Respondent's clients.

As there were no billing statements or invoices maintained by Respondent, it is assumed the entries in the ROA reflect the amount of work completed by Respondent before their death. Respondent entered an Appearance and filed a Counter Complaint; therefore, they earned a small portion of the $2,000 paid to them by Claimant. Though it is impossible to determine the 'hourly' rate of Respondent due to their fee arrangements being flat and non-refundable, staff assumes Respondent spent roughly one hour on Claimant's matter.

Staff has determined that Respondent earned roughly $300 on the work provided (*based on an average hourly rate of $300 in the State of Michigan in 2025 per Clio Legal Trends Data*). Therefore, there would be an outstanding unearned balance due to Claimant of $1,700.

The Committees recommend reimbursement of $1,700 to Claimant pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide the full agreed upon services and there were no funds available to provide refunds to their clients at the time of their death. Therefore, any money beyond $300 provided to Respondent by Claimant would be considered unearned, and excessive.

Additionally, the claim is recommended for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4457
***Total Loss:* $6,000**

Claimant retained Respondent for a civil ligation matter, for a non-refundable flat fee of $10,000 pursuant to a Legal Services Agreement. An initial payment of $5,500 was due at signing; $5,000 towards the balance and $500 for costs and expenses. The remaining $5,000 was to be paid in monthly installments of $500 until paid in full. Claimant paid $6,000 in total to Respondent.

Respondent unexpectedly passed away 46 days after being retained. Respondent was unable to provide the agreed upon services and only filed an appearance on Claimant's

behalf. All other entries on the Register of Actions (ROA) between the date of their appearance and their passing were scheduling entries by the Court.

Respondent's Interim Administrator (IA) confirmed that Claimant was a client of Respondent's but had no other information as they had returned Claimant's client file and did not retain a copy. The IA stated that Respondent's record keeping was poor and they were insolvent at the time of their death, therefore, there was no money available to provide refunds to Respondent's clients.

The Committees recommend a reimbursement of $6,000 to Claimant pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide the agreed upon services and there were no funds available to provide refunds to their clients at the time of their death. Therefore, the money provided to Respondent by Claimant would be considered unearned, and excessive.

Additionally, the claim is recommended for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4459
***Total Loss:* $5,000**

Claimant retained Respondent to represent a family member in filing a Habeas Corpus Petition pursuant to a non-refundable fee agreement, which provided for a $10,000 fee.

Claimant made the first payment of $6,000 and communicated with Respondent regarding the matter. However, 10 months later, Respondent was suspended from the practice of law and failed to provide any significant legal services before the suspension. Respondent also did not notify Claimant of the suspension, continued to communicate with Claimant, accepted an additional $500 four-months post suspension and another $750 seven-months after the suspension.

Eventually, Respondent entered into a Stipulation for Consent Disbarment with Conditions and Waiver agreeing to return Claimant's documents to the Attorney Grievance Commission (AGC) and to reimburse Claimant $5,000. Respondent failed to uphold the agreement even after the final disbarment was issued.

The Committees recommend reimbursement in the amount of $5,000 to Claimant, consistent with the Attorney Discipline Board's (ADB) Order of Disbarment pursuant to **CPF Rule 10(D)(1)**. The claim is also recommended for reimbursement pursuant to **CPF Rule 7(A)(1)** as Respondent failed to refund the unearned fees.

CPF 4461
***Total Loss:* $1,850**

Claimant retained Respondent on their family member's behalf for representation in a criminal matter for a flat fee of $5,000. Claimant paid $3,100 toward the fee.

Respondent filed a Writ of Habeas Corpus and attended one hearing before unexpectedly passing away.

Respondent received $3,100 of a $5,000 flat fee retainer but was only able to provide approximately one-quarter of the required representation. On a quantum meruit basis, the total fee earned by Respondent was approximately $1,250.

The Committee recommends reimbursement of $1,850 ($3,100 minus $1,250), pursuant to **CPF Rule 7(A)(1)** for the unearned fees. As the matter was a flat fee, it was likely also non-refundable, therefore, the Committee recommended approval of the claim under the discretionary provisions of **CPF Rule 8(A)**.

CPF 4462
***Total Loss:* $1,200**

Claimant retained Respondent for representation in an expungement matter for a fee of $1,200. There is no written fee or retainer agreement. In other matters involving Respondent, the fees were flat and non-refundable. Therefore, it is assumed this was also a flat, non-refundable fee.

Respondent filed an Appearance on Claimant's behalf but failed to attend the first Hearing held for the matter. The Expungement Hearing was then Adjourned. However, Respondent unexpectedly passed away two weeks before the new hearing date. Therefore, the only service Respondent provided Claimant was filing the Appearance.

Respondent's Interim Administrator (IA) provided a letter to Claimant confirming they were a legitimate client of Respondent's, which is also supported by the Court's Register of Actions (ROA). The IA stated that Respondent was insolvent at the time of their death, therefore, there was no money available to provide refunds to Respondent's clients.

The Committees recommend a full reimbursement to Claimant for $1,200 pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide the services they were retained for before their passing. The minimal services they were able to provide were of no use to Claimant, therefore, would be considered excessive and unearned.

Additionally, the Committee recommended the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4463
***Total Loss:* $800**

Claimant retained Respondent for representation in a retail fraud charge and a probation violation for a fee of $1,500. Claimant only paid $1,100 before Respondent's unexpected passing.

There is no written fee or retainer agreement. However, in other matters involving Respondent, the fees were flat and non-refundable. Therefore, it is assumed this is a flat, non-refundable fee.

Respondent had represented Claimant in a Circuit Court case in 2022 under a separate fee agreement, which resulted in Claimant receiving 5 years of probation starting in 2023. In July of 2025 Claimant violated their probation, and a Hearing was scheduled in October 2025 which was then Adjourned to a later date. However, Respondent passed away a week prior to the new date. Therefore, Respondent was unable to provide any services to Claimant in this matter before their passing.

In the other matter for the retail fraud in the District Court, Respondent provided some services before their untimely passing. Respondent filed an Appearance and attended Claimant's Arraignment Hearing where Claimant pled not guilty. The remaining Hearings were Adjourned to dates after Respondent's passing.

Respondent's appointed Interim Administrator (IA) confirmed that Claimant was a legitimate client of Respondent but lacks information as to the financial arrangements made or scope of work in Claimant's matter. From the IA's understanding, any money Respondent received was treated as a flat non-refundable fee. Per the IA, Respondent's record keeping was poor, and they were insolvent when they passed away, therefore, there is no money to reimburse any of the clients. The IA took over some of the matters but is requesting the Fund reimburse the remaining clients.

As there were no billing statements or invoices maintained by Respondent, staff assumes the entries in the ROA reflect the amount of work completed by Respondent before their death. Respondent filed an Appearance and attended Claimant's Arraignment Hearing; therefore, they earned a small portion of the $1,100 paid to them by Claimant.

Though it is impossible to determine the 'hourly' rate of Respondent due to their fee arrangements being flat and non-refundable, staff assumes Respondent spent roughly one hour on Claimant's matter. Staff has determined that Respondent earned roughly $300 on the work provided (*based on an average hourly rate of $300 in the State of Michigan in 2025 per Clio Legal Trends Data*). Therefore, there would be an outstanding unearned balance due to Claimant of $800.

The Committees recommend a reimbursement of $800 to Claimant pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide the full agreed upon services and there

were no funds available to provide refunds to their clients at the time of their death. Therefore, any money beyond $300 provided to Respondent by Claimant would be considered unearned, and excessive.

Additionally, the Committees recommended the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4467
***Total Loss:* $2,500**

Claimant retained Respondent for a collection of personal property matter for a fee of $2,500 which Claimant paid in full. There was no written fee or retainer agreement. However, in other claims against Respondent, the fees were flat and non-refundable; therefore, it is assumed this was also a flat, non-refundable fee.

Claimant previously retained Respondent for a divorce matter that had been concluded prior to retaining Respondent for the personal property collection matter. Respondent's Interim Administrator (IA) confirmed that Claimant was a legitimate former client of Respondent's for the divorce, however, there was no documentation available to the IA to confirm if Respondent was retained by Claimant for another matter.

The IA stated that the client file was returned to Claimant and no copy was retained. The IA also lacks information as to the financial arrangements made or scope of work in Claimant's matter. Any money Respondent received was treated as a flat non-refundable fee. Respondent's record keeping was poor, and they were insolvent when they passed away, therefore, there is no money to reimburse any of the clients. The IA took over some of the matters but is requesting the Fund reimburse the remaining clients.

As Respondent's recording keeping was inadequate and Claimant was able to provide proof of payment, it is assumed that Claimant did in fact retain Respondent for the collection matter.

Claimant states that they only discussed the matter with Respondent, and no case was filed. Claimant states that the agreement was that Respondent would begin working on the matter and filing with the Court after the holidays, however, Respondent unexpectedly passed away. Staff attempted to locate a case or Register of Actions related to this matter but were unable to locate one.

The Committees recommend a full reimbursement of $2,500 to Claimant pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide any services to Claimant before their untimely passing and there were no funds available for Respondent's IA to provide refunds to Respondent's clients at the time of their death for any unearned or excessive fees.

The Committees also recommend the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4468
***Total Loss:* $18,000**

Respondent was retained to provide representation for Claimant's family member in two criminal matters (*District Court bound over to Circuit Court for the same matter*). Respondent provided services in the District Court matter from the beginning to when the case was closed and bound over to Circuit Court.

Claimant states that agreed upon fee was $30,000 which Claimant paid. However, there is no written fee or retainer agreement that the Fund was able to obtain. The Fund requested information from Respondent's appointed Interim Administrator (IA); however, the IA did not respond to the Fund's requests.

Respondent provided services for about a year and a half before their passing. Claimant is requesting a reimbursement of $20,000 for the services that were not provided by Respondent before their unexpected passing.

Per the Register of Actions (ROA), the Circuit Court matter continued for about 10 months after Respondent's untimely passing. During the 10 month span, Claimant's family member attended 2 Pretrial Hearings in Pro Per, and the Court appointed attorney attended 3 Pretrial Hearings, 1 Miscellaneous Hearing, 1 Motion Hearing, a 4 day Jury Trial, the Sentencing Hearing and filed an answer to the Motion filed by the Prosecutor.

Respondent attended nine total Hearings before their passing. Claimant's family member and their Court appointed attorney attended fourteen Hearings, including a four-day Jury Trial, on the matter to completion/sentencing after Respondent's passing. As there were no billing statements, nor a fee or retainer agreement provided to the Fund, staff has to estimate the amount of money due to Claimant based on the entries in the ROA for both matters.

Based on the total entries, it is assumed Respondent completed about 40% of the work on the matter. 40% of $30,000 is $12,000. Therefore, staff estimates Respondent earned $12,000, leaving a refund due to Claimant of $18,000.

The Committees recommend a reimbursement of $18,000, pursuant to **CPF Rule 7(A)(1)** as Respondent failed to safeguard funds and fees paid and unearned in an appropriate Trust account pursuant to MRPC 1.15 during their lifetime so that excessive or unearned fees may be refunded upon their death.

CPF 4474
***Total Loss:* $2,250**

Claimant retained Respondent for representation in an ongoing child custody case for a fee of $3,500 to be made in payments. Respondent passed away only weeks after being retained.

Claimant made two payments to Respondent for a total of $2,250 before Respondent passed away. There is no written fee or retainer agreement, however in other claims against Respondent, the agreements were under flat non-refundable fees. Therefore, it is assumed this was also a flat non-refundable fee.

Staff reviewed the Register of Actions (ROA) for Claimant's case. There is no recent activity on the case, with the most recent entry of a Motion filed in late 2005, that was dismissed in 2006. Other than that, the case has only been re-assigned Judges in 2017 and 2021. Therefore, it is assumed Respondent did not provide any services to Claimant before their untimely passing.

Respondent's appointed Interim Administrator (IA) confirmed that Claimant was a legitimate client of Respondents but lacks information as to the financial arrangements made or scope of work in Claimant's matter. From the IA's understanding, any money Respondent received was treated as a flat non-refundable fee. Per the IA, Respondent's record keeping was poor, and they were insolvent when they passed away, therefore, there is no money to reimburse any of the clients. The IA took over some of the matters but is requesting the Fund reimburse the remaining clients.

The Committees recommend reimbursement in the amount of $2,250 pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide any services to Claimant before their untimely passing, therefore the money they received was unearned. There were also no funds available for Respondent's IA to provide refunds to Respondent's clients at the time of their death for any unearned or excessive fees.

Additionally, the Committees recommend the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A),** as it was likely a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4485
***Total Loss:* $1,500**

Claimant retained Respondent for representation in a Driver's License Reinstatement Hearing for a flat fee of $1,500. There is no written retainer or fee agreement as it was allegedly a verbal agreement, as seen in other claims filed against Respondent. Claimant, however, did provide receipts for proof of payment to Respondent in the amount of $1,500.

The initial consultation was by phone where Claimant discussed the matter with Respondent. During the consultation Respondent went over the quoted fees, instructions on what Claimant needed to do before the application could be filed and provided a recommendation on who to set up an appointment with for an evaluation.

Claimant states Respondent informed them of what documents they would need to gather and actions they would need to take on their own to begin the process (e.g. obtain their driving record and reference letters and complete a 12 panel drug screen and an application). Once Claimant completed the tasks and provided Respondent with the requested documents they were planning to move forward with submitting the Application for Hearing where Respondent would provide legal representation on Claimant's behalf.

Eventually, Claimant completed the prerequisites to be able to submit the application and attempted to contact Respondent to let them know that it was time to file the Application for Hearing. After unsuccessful attempts at making contact with Respondent, Claimant spoke to the evaluator recommended by Respondent, who informed Claimant of Respondent's passing.

Prior to Respondent's untimely passing, no tangible services were provided yet, though Claimant had already paid Respondent $1,500 in advance. Respondent had only provided advice on the matter to ensure the proper steps were taken on Claimant's behalf before they would file the application to get a hearing. Other than the initial consultation, Claimant and Respondent exchanged very few text messages where Respondent provided Claimant contact information for an evaluator for the drug and alcohol assessment.

When Claimant was made aware of Respondent's passing, Claimant contacted Respondent's legal assistant to request their file and a refund, to which the assistant told Claimant they no longer had access to any of the files. Eventually Claimant was unable to make contact with the legal assistant again.

Staff requested information and documents from Respondent's appointed Interim Administrator (IA); however, the IA could only confirm that Claimant was a legitimate client of Respondent's and that there was no fee/retainer agreements, nor any money available to provide refunds to Respondent's clients after their passing.

The Committees recommend reimbursement to Claimant in the amount of $1,500 pursuant to **CPF Rule 7(A)(1)** as the agreed upon services were not provided before Respondent's passing, therefore, the fee is unearned.

However, as it was a flat fee, it is highly likely that it was also considered non-refundable and earned upon receipt. Consequently, if that is fact, Respondent did not have a duty to maintain an IOLTA for funds provided to them by clients to be available for refunds in the event of their passing. Therefore, the Committees recommend the claim be approved for reimbursement under the discretionary provisions of **CPF Rule 8(A)**.

CPF 4496
***Total Loss:* $5,500**

Claimant retained Respondent to appeal a criminal conviction/file a 6.500 motion for a fee of $5,500, which Claimant paid in full. Respondent unexpectedly passed away less than four months after being retained by Claimant. Respondent had not filed anything for Claimant's matter per the Court's Register of Actions (ROA) in Claimant's case before their passing. Claimant's case has been closed as of January 2020.

Staff requested information from Respondent's appointed Interim Administrator (IA). Respondent's IA failed to provide a response for Claimant's matter. However, in other claims filed against Respondent, it was noted that the IA lacked information as to the financial arrangements made or scope of work in all other Claimants' matters. Any money Respondent received was treated as a flat non-refundable fee. Respondent's record keeping was poor, and they were insolvent when they passed away, therefore, there is no money to reimburse any of the clients. The IA took over some of the matters but is requesting the Fund reimburse the remaining clients.

The Committees recommend a reimbursement of $5,500 to Claimant pursuant to **CPF Rule 7(A)(1)** as there is no evidence to show Respondent completed any work in Claimant's matter before their unexpected passing. Respondent was unable to provide the agreed upon services and there were no funds available to provide refunds to their clients at the time of their death. Therefore, the money provided to Respondent by Claimant would be considered unearned, and excessive.

Additionally, the Committees recommend the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was likely a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4500
***Total Loss:* $5,356.25**

Claimant retained Respondent for representation in a divorce with minor children matter, pursuant to a written fee agreement that provides for a non-refundable engagement fee of $6,500 to be billed against at $395 per hour, which entitled Claimant to 16.45 hours of legal services.

After billing 2.25 hours of legal services, Respondent unexpectedly passed away and was unable to complete the representation. As Respondent completed 2.25 hours on the matter at $395 per hour, they earned $888.75 of the $6,500, leaving a remaining balance of $5,611.25.

However, Respondent paid the Court's filing fee on Claimant's behalf which was $255. Thus, $255 would be deducted, leaving an unearned balance of $5,356.25.

As the fee was non-refundable, and considered earned upon receipt, Respondent was not required to deposit the funds into an IOLTA. Respondent's Interim Administrator (IA) confirmed with the Fund that Respondent did not have an IOLTA and their business account had insufficient funds to reimburse their clients.

A significant portion of the fee was technically unearned as it was agreed that 16.45 hours of services would be provided to Claimant. Respondent only completed 2.25 hours of services; therefore, this is an excessive fee. As Respondent is deceased and their business account is insufficient, their Interim Administrator is unable to provide a refund of the excessive and unearned fee on Respondent's behalf.

The Committees recommend the claim for reimbursement in the amount of $5,356.25, pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to complete the agreed upon services under the non-refundable engagement agreement before their unexpected passing.

The Committees also recommend the claim for reimbursement pursuant to **CPF Rule 8(A)** as this claim could be denied as non-refundable fees are legal and allowed Respondent to waive depositing the funds into an IOLTA. The non-refundable language classifies the fee as earned upon receipt, even if the agreed upon services were not fully provided. Under this rule, the Committee is authorized to use discretionary provisions to approve payment of a claim that would otherwise be excluded under the CPF Rules.

CPF 4502
***Total Loss:* $2,000**

Claimant retained Respondent to represent their family member for a post-conviction matter for a fee of $2,000, which Claimant paid. There was no written fee or retainer agreement. However, in other claims involving Respondent, the retainer was a flat non-refundable fee, considered earned upon receipt. Therefore, it is assumed this was also a flat non-refundable fee.

Claimant hired Respondent in November of 2024. Respondent unexpectedly passed away about a year later. Staff reviewed the Circuit Court's Register of Actions (ROA) in the matter and there was nothing filed with the Court from December 7th 2021 until January 27th 2026. Staff also reviewed two ROAs in the Court of Appeals related to the client's matter; in one matter there has been no activity since 2017 and nothing since 2021 in the other case. Both cases state that Claimant's family member was self-represented. Therefore, Respondent did not file anything with any Court before their untimely passing.

Respondent's appointed Interim Administrator (IA) confirmed that Claimant's family memeber was a legitimate client of Respondent but lacks information as to the financial arrangements made or the scope of work in Claimant's matter. From the IA's understanding, any money Respondent received was treated as a flat non-refundable fee. Per the IA, Respondent's record keeping was poor, and they were insolvent when they passed away,

therefore, there is no money to reimburse any of the clients. The IA took over some of the matters but is requesting the Fund reimburse the remaining clients.

The only document provided to the Fund from the client file maintained by Respondent was an email from Respondent's legal assistant to the Michigan Department of Corrections (MDOC) with the subject of the email stating is was a 'FOIA request' and an MDOC Visiting Application.

Since there are no other documents available from the file, it is to be assumed that Respondent provided very little, if at all, any services for Claimant's family member's matter other than potentially visiting the client (which cannot be substantiated as the application does not have any verification or authorization from MDOC staff written on it).

The Committees recommend reimbursement in the amount of $2,000 pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide services to Claimant's family member before their untimely passing and there were no funds available for Respondent's IA to provide refunds to Respondent's clients at the time of their death for any unearned or excessive fees.

The Committees also recommend the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4518
***Total Loss:* $1,400**

Claimant retained Respondent to file a complaint for child custody and paid the fee of $2,000, plus $275 for filing fees. There is no written fee or retainer agreement. In other claims against Respondent, the fees were flat and non-refundable. Therefore, it is assumed this was also a flat, non-refundable fee. Respondent filed the Summons and Complaint on Claimant's behalf for custody, visitation and FOC support, and paid the $275 filing fee.

Respondent only filed the Complaint and Summons for custody but failed to have proper service or a Motion for alternative service completed before their untimely passing. Ultimately Claimant's case was dismissed at the Court's direction for failure to serve. Per Claimant's subsequent counsel, they had to refile the case from 'scratch', which was eventually transferred to a different county.

Respondent's appointed Interim Administrator (IA) confirmed that Claimant was a legitimate client of Respondent but lacks information as to the financial arrangements made or scope of work in Claimant's matter. From the IA's understanding, any money Respondent received was treated as a flat non-refundable fee. Per the IA, Respondent's record keeping was poor, and they were insolvent when they passed away, therefore, there is no money to reimburse

any of the clients. The IA took over some of the matters but is requesting the Fund reimburse the remaining clients.

The Committees recommended reimbursement of $1,400 pursuant to **CPF Rule 7(A)(1)** assuming Respondent completed roughly 2 hours of work at $300 per hour before their passing (*based on an average hourly rate of $300 in the State of Michigan in 2025 per Clio Legal Trends Data*).

The Committees also recommend the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

Claimant also requests reimbursement for the $275 filing fee paid to the Court to file the Complaint and Summons; however, this is recommended for denial as the funds were remitted to the Court and not misappropriated by Respondent under **CPF Rule 7(C)(8)**.

CPF 4519
Total Loss: $2,100

Claimant retained Respondent for criminal defense under a verbal agreement for $2,500 to be made in payments. Claimant paid a total of $2,250 before Respondent unexpectedly passed away. There is no written fee or retainer agreement, however, in other claims against Respondent, their standard practice was to use flat, non-refundable fees. Therefore, it is assumed this matter was also under a flat non-refundable fee.

Per the Court's Register of Actions (ROA), and Claimant's subsequent counsel, Respondent only filed an Appearance on Claimant's behalf and waived the Arraignment. Respondent then passed away less than 2 months later (1 day before the scheduled Status Conference Hearing).

Respondent's Interim Administrator (IA) confirmed that Claimant was a client of Respondent's but had no other information as they had returned Claimant's client file and did not retain a copy. The IA stated that Respondent's record keeping was poor and they were insolvent at the time of their death, therefore, there was no money available to provide refunds to Respondent's clients.

As there were no billing statements or invoices maintained by Respondent, staff assumes the entries in the ROA reflect the amount of work completed by Respondent before their death. Per the ROA, Respondent only filed an Appearance and waived the Arraignment at the same time, therefore, Respondent earned a very small portion of the $2,250 paid to them by Claimant.

Though it is impossible to determine the 'hourly' rate of Respondent due to their fee arrangements being flat and non-refundable, staff assumes they spent about 30 minutes on Claimant's matter.

For Respondent's 30 minutes of work on Claimant's matter, staff has determined that Respondent earned roughly $150 for the work provided. Therefore, there would be an outstanding unearned balance due to Claimant of $2,100. (*based on an average hourly rate of $300 in the State of Michigan in 2025 per Clio Legal Trends Data*).

The Committees recommend a reimbursement of $2,100 to Claimant pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide the full agreed upon services and there were no funds available to provide refunds to their clients at the time of their death. Therefore, any money beyond $150 provided to Respondent by Claimant would be considered unearned, and excessive.

Additionally, the Committees recommended the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4520
***Total Loss:* $600**

Claimant retained Respondent for representation in a Domestic Violence charge for a fee of $1,200 with $600 due upfront and the rest to be paid within two months. Claimant paid $600 total towards the fee. There is no written fee or retainer agreement. Historically, Respondent utilized flat, non-refundable fee agreements in other matters. Therefore, it is assumed this was also a flat non-refundable fee.

Claimant's Court appointed attorney had already been representing Claimant for over two months before Respondent filed an Appearance, therefore, Respondent would not have been involved with Claimant's Arraignment or Plea. Per the Court's Register of Actions (ROA), and Claimant's subsequent counsel, Respondent only filed an Appearance on Claimant's behalf and completed no other services. Respondent then unexpectedly passed away 19 days after filing the appearance.

Respondent's Interim Administrator (IA) confirmed that Claimant was a client of Respondent's but had no other information as they had returned Claimant's client file and did not retain a copy. The IA stated that Respondent's record keeping was poor and they were insolvent at the time of their death, therefore, there was no money available to provide refunds to Respondent's clients.

The Committees recommend a reimbursement of $600 to Claimant pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to provide the agreed upon services and there were no funds available to provide refunds to their clients at the time of their death. Respondent was

unable to provide any legal services to Claimant (as they only filed an appearance before their passing shortly thereafter). Therefore, the money provided to Respondent by Claimant would be considered unearned, and excessive.

Additionally, the Committees recommended the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A)**, as it was a flat non-refundable fee, considered earned upon receipt. Thus, Respondent was not required to hold the funds in an IOLTA to be available for reimbursement after their passing.

CPF 4523
***Total Loss:* $7,000**

Claimant retained Respondent to represent them in a Civil Forfeiture matter for a fee of $3,500, which Claimant paid. Claimant also paid Respondent a separate retainer in the amount of $5,000 for a potential criminal action. In total, Claimant paid Respondent $8,500.

Respondent filed an Answer to the Forfeiture Complaint but failed to file a statutorily required Verified Claim. The Court granted the opposing party's Motion to Strike the Answer and provided 14 days for Respondent to file a Verified Claim and Answer. Respondent then filed a Verified Claim and Answer.

During the representation of Claimant, Respondent was suspended from the practice of law for 90 days in an unrelated disciplinary matter. When Respondent became suspended from the practice of law during their representation of Claimant, they failed to notify Claimant that they were suspended and continued to represent Claimant and communicate with them even though Respondent was prohibited to do so.

Despite the suspension Respondent attempted to have Claimant's matter delayed far enough in the future so they would not have to advise Claimant of their suspension as it was assumed there would be a reinstatement. Respondent also failed to notify opposing counsel and the Court of their suspension and instead requested a delay in moving the case forward (presumably after the suspension was lifted). However, opposing counsel learned of the suspension and notified the Court, which lead to an administrative closure of Claimant's case.

Respondent failed to inform Claimant that their case was administratively closed and instead continued to tell them there were Hearing dates scheduled when there were not. Respondent was never reinstated to the practice of law since the suspension went into effect. Claimant eventually learned of the suspension and the administrative closure of their matter when they finally contacted the Court themselves after getting nowhere with Respondent.

Eventually, Respondent entered in to a Stipulation for Consent Disbarment with Conditions and Waiver agreeing to reimburse Claimant $2,000. Respondent failed to uphold the agreement, even after the final Order of Disbarment was issued.

Staff attempted to locate a criminal case that Respondent was provided the additional $5,000 retainer for but were unable to locate one. It is assumed that this case never came to fruition, therefore, Respondent did not earn the money.

The Committees recommend reimbursement of $7,000 from the $8,500 paid in total to Respondent (*$2,000 restitution ordered in the civil matter pursuant to **CPF Rule 10(D)(1)** + $5,000 paid to Respondent for the 'potential' criminal representation pursuant to **CPF Rule 7(A)(1)***).

CPF 4542
***Total Loss:* $2,000**

Claimant retained Respondent for representation in a divorce matter. Respondent represented Claimant for the entirety of the case when the final judgement of the divorce was entered. Claimant is not requesting any reimbursement related to this representation.

In the Judgement of Divorce, the Court ordered a Post Judgement QDRO (Qualified Domestic Relations Order) to be prepared. Claimant requested Respondent to assist them in preparing the QDRO, and paid Respondent an additional $2,000. Respondent passed away 2 months later before being able to provide the agreed upon services to Claimant.

Respondent did not have an Interim Administrator. Respondent's friend, who is also an attorney, took on the remaining active cases for Respondent including Claimant's. The State Bar's Interim Administrator Program (IAP) informed the Fund that Respondent's paralegal returned Claimant's client file to Claimant's new attorney. IAP also confirmed there were no funds remaining in Respondent's IOLTA or operating account, therefore, Respondent's office is unable to provide any refunds to the clients for the non-refundable retainers they paid to Respondent.

Respondent was unable to provide the agreed upon services and prepare the Post Judgement QDRO before their untimely passing. Respondent's IOLTA and operating accounts had insufficient funds to reimburse Respondent's clients after their untimely passing.

The Committees recommend a reimbursement of $2,000 to Claimant pursuant to **CPF Rule 7(A)(1)**, as the fee was unearned and Respondent's office was unable to provide refunds.

The Committees also recommend the claim for reimbursement under the discretionary provisions of **CPF Rule 8(A)**. The State Bar's IAP confirmed the Respondent's fees were non-refundable and considered earned upon receipt. Therefore, Respondent was not required to deposit funds provided to them by their clients into an IOLTA.

CPF 4543
Total Loss: $4,400

Claimant retained Respondent for a divorce matter for a fee of $5,400 to be billed against at $400 per hour, which Claimant paid. Claimant also paid the $175 filing fee with the Court as they had initiated the divorce prior to retaining Respondent.

Per Claimant and the Court's Register of Actions (ROA), Respondent filed an Appearance, attended a 25 minute Mediation Hearing and filed an Answer to Counter Complaint with a Proof of Service before their untimely passing. There was no billing statement or invoice provided to the Fund to determine if any other work was completed. Staff estimates that Respondent spent approximately 2.5 hours on Claimant's matter, therefore, Respondent earned $1,000.

Respondent did not have an Interim Administrator. Respondent's friend, who is also an attorney, took on Respondent's remaining cases including Claimant's. The State Bar's Interim Administrator Program (IAP) informed the Fund that Respondent's paralegal returned Claimant's client file to Claimant's new attorney. IAP also confirmed there were no funds remaining in Respondent's IOLTA or operating account, therefore, Respondent's office was unable to provide any refunds to the clients for the retainers they paid to Respondent.

The Committees recommend a reimbursement of $4,400 to Claimant pursuant to **CPF Rule 7(A)(1)** as Respondent was unable to complete the entirety of the legal services they were retained for before they passed away. Respondent's IOLTA and operating accounts have insufficient funds, therefore, their office was unable to provide refunds of the unearned fees upon Respondent's death.

A full reimbursement was recommended for denial as Respondent provided some services before their passing, therefore, that would constitute unjust enrichment, which is prohibited pursuant to **CPF Rule 8(C)**.

CPF 4545
***Total Loss:* $3,000**

Claimants retained Respondent pursuant to a written retainer agreement, to defend them in a lawsuit filed by an Estate and paid $3,000 for the representation.

Respondent prepared their Appearance and an Answer to the Motion and mailed them on July 14th, even though there was an electronic filing option available. A Motion Hearing was scheduled for the following day on July 15th, of which Respondent was aware, but unavailable. Respondent failed to secure an Adjournment, falsely advising Claimants that the Hearing was Adjourned.

Since Respondent mailed the documents instead of e-filing, they were not received by the Court until four days after the Motion Hearing was held. As the Court had not received a

response and no one appeared on the matter, the Court entered an Order approving the opposing party's Motion. Respondent also filed an Answer, but not until July 17th, days after the Hearing. Respondent then filed a Motion to Set Aside the Order but dismissed the Motion because it was moot. The opposing party had already taken possession of the Estate's property from the Claimants by Court Order.

Then Respondent sent the Claimants an invoice with charges totaling $3,096, accounting for the $3,000 retainer that had already been paid, with a balance owing of $96. The invoice included charges related to filing a Motion to Set Aside the Order of Possession Pending Judgment and other work required to undo Respondent's errors.

Eventually, Respondent was disbarred and ordered to pay restitution to the Claimants in the amount of $3,000. The Committees recommend reimbursement in the amount of $3,000 pursuant to **CPF Rules 7(A)(1)** and **10(D)(1)**.

2.5.2. Character and Fitness Nominations*

SBM STATE BAR OF MICHIGAN

CONFIDENTIAL

November 5, 2026

TO: Board of Commissioners

RE: District Character & Fitness Committee Appointments

I have received nominations for District Committee appointments from the following Commissioner Districts: A, B, C, D, E, F, G, H and I.

Attached are lists that show the nominations of new or reappointed members in the district, the term expiration for all members, and the information we were able to collect regarding the make-up of each committee. Ethnic designations are taken from membership records and reflect the category chosen by the member on their fees statement for the year 2026-2027. Discipline verification was performed for all nominees on October 22, 2026, and will be repeated prior to the beginning of the year.

Sincerely,

Keith D. Wilkinson
Director - Character & Fitness

DIRECT DIAL: (517) 346-6344 | FAX: (517) 372-0403 | KWILKINSON@MICHBAR.ORG
CHARACTER & FITNESS DEPT | 306 TOWNSEND STREET | LANSING, MI 48933-2083

PROPOSED 2027 District Character Fitness Committee

District A

Commissioner: Suzanne C. Larsen
Chairperson: Christina L. DeMoore

Appointment(s) Terminating December 31, 2026

Due to term limits, resignation, relocation outside of district, or other.

P30043	Marc T Dedenbach		P31571	Robert W Parker
P32267	Christina L DeMoore	Chair	P30685	Kenneth C Penokie
P69576	Brandon J Evans		P61575	Beth R. Wickwire
P60725	Jennifer J. France			

Member(s) Requesting Re-Appointment

January 2027 - December 2028

			Date of Discipline Status Report
P30557	Barry D. Adler	**Leelanau**	10/22/2026

Member(s) Nominated

District Committee Appointment January 2027 - December 2028

			Date of Discipline Status Report
P76358	Dominic F Andriacchi, Jr	**Ishpeming**	10/22/2026
P41102	Cheryl Gore Follette	**Traverse City**	10/22/2026
P80895	Patrick C. Greeley	**Marquette**	10/22/2026
P81511	Amy L. Stikovich	**Petoskey**	10/22/2026

Chairperson Nominated

			Date of Discipline Status Report
P81511	Amy L. Stikovich		10/22/2026

Mid-Term Member(s)

January 2026 - December 2027 - No Action Required

			Date of Discipline Status Report
P83850	Joshua J. Elliott	**Sault Sainte Marie**	10/22/2026
P54906	Alfred E. Feleppa, III	**Sault Sainte Marie**	10/22/2026
P34150	Ann Victoria Hopcroft	**Oscoda**	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District B

Commissioner: Danielle Walton
Chairperson: Nancy K. Chinonis

Appointment(s) Terminating December 31, 2026

Due to term limits, resignation, relocation outside of district, or other.

P71350	Nancy K. Chinonis	CHAIR
P76097	Elias J Fanous	

Member(s) Requesting Re-Appointment

January 2027 - December 2028

			Date of Discipline Status Report
P72615	Alexander Pahany	Bad Axe	10/22/2026
P45599	Michael A. Tesner	Fenton	10/22/2026

Member(s) Nominated

District Committee Appointment January 2027 - December 2028

			Date of Discipline Status Report
P84214	Jonathan C. Glab	Flint	10/22/2026
P79487	Rebecca J. Callebs Kerr	Flint	10/22/2026
P59045	Kimberly A. Kramer	Bay City	10/22/2026

Chairperson Nominated

		Date of Discipline Status Report
P72615	Alexander Pahany	10/22/2026

Mid-Term Member(s)

January 2026 - December 2027 - No Action Required

			Date of Discipline Status Report
P61086	Aneerah R. Ali	Flint	10/22/2026
P72659	Vinson F. Carter	Flint	10/22/2026
P86780	Rachael D. Greene	Flint	10/22/2026
P68599	Kevin Kenneth Kilby	Saginaw	10/22/2026
P23008	Michael W. Krellwitz	Grand Blanc	10/22/2026
P56058	Mark J. Newman	Flint	10/22/2026
P64802	I'Lanta M. Robbins	Flint	10/22/2026
P44779	Timothy R. Winship	Grand Blanc	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District C

Commissioners: Thomas Murray | Nicholas Ohanesian

Chairperson: Jill S. Mulder

Appointment(s) Terminating December 31, 2026

Due to term limits, resignation, relocation outside of district, or other.

P78256	Meredith Beidler	P58831	Karen L Moore	
P75501	Charissa C. Huang	P53270	Jill S Mulder	CHAIR
P72367	Tobijah B. Koenig	P73332	Victoria A. Mullen	

Member(s) Requesting Re-Appointment

January 2027 - December 2028

			Date of Discipline Status Report
P79487	Shon A. Cook	Muskegon	10/22/2026
P51452	Kurt R. Killman	Grand Rapids	10/22/2026

Member(s) Nominated

District Committee Appointment January 2027 - December 2028

			Date of Discipline Status Report
P86365	Michael W. Bila	Grand Rapids	10/22/2026
P59188	James K. Champion	Ada	10/22/2026
P32080	Albert J. Engel	Grand Rapids	10/22/2026
P47524	Mark E. Hills	Grand Rapids	10/22/2026
P73907	Elizabeth R. Husa	Grand Rapids	10/22/2026
P80953	James K. Leonard	Ada	10/22/2026
P84052	James L. Rivet	Norton Shores	10/22/2026

Chairperson Nominated

		Date of Discipline Status Report
P40578	Kurt R. Killman	10/22/2026

Mid-Term Member(s)

January 2026 - December 2027 - No Action Required

			Date of Discipline Status Report
P74894	Regina A. Berlin	Grand Rapids	10/22/2026
P86534	Amber L. Kipfmiller	Hudsonville	10/22/2026
P44651	Aileen M. Leipprandt	Ada	10/22/2026
P83386	Daniel T. McGraw	Grand Rapids	10/22/2026
P68216	Hon. Christina M. Mims	Grand Rapids	10/22/2026
P68475	Courtney E. Schlipp Fisk	Grand Rapids	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District D

Commissioner: Sherriee L. Detzler

Chairperson: Ryan Zemke

Appointment(s) Terminating December 31, 2026

Due to term limits, resignation, relocation outside of district, or other.

P76740	Adrian D Cranford	P73254	Alan Loncar
P79681	Hon. Aaron J. Hall	P61759	Hon James M Maceroni
P55577	Mireille G. Leruth Phillips		

Member(s) Requesting Re-Appointment

January 2027 - December 2028

				Date of Discipline Status Report
P64777	Kerry A. Ange		Port Huron	10/22/2026
P69745	Howard Brauckmuller		Sterling Heights	10/22/2026
P48961	Joseph N. Ejbeh		Mount Clemens	10/22/2026
P75741	Caitlin Creed Murphy		Warren	10/22/2026
P64735	Doris L. Neal		Eastpointe	10/22/2026
P85382	Taylor M. Roggenbuck		Port Huron	10/22/2026
P72107	Ryan Zemke	CHAIR	Clinton Township	10/22/2026

Member(s) Nominated

District Committee Appointment January 2027 - December 2028

			Date of Discipline Status Report
P77774	Grace J. Crivello	Mount Clemens	10/22/2026
P53693	Lisa M. Janeczek	Sterling Heights	10/22/2026
P86347	Sathe S. Khaldi	Port Huron	10/22/2026
P58604	Samantha A. Lord	Port Huron	10/22/2026

Mid-Term Member(s)

January 2026 - December 2027 - No Action Required

			Date of Discipline Status Report
P44090	James C. Bishai	Shelby Charter Twp	10/22/2026
P60404	Dana A. Chiamp	Mount Clemens	10/22/2026
P53440	Jennifer J. Chupa	Warren	10/22/2026
P57177	Tonya C. Goetz	Mount Clemens	10/22/2026
P85830	Kathy P. Griffin	Sterling Heights	10/22/2026
P46671	Brian A. McKenna	Saint Clair Shores	10/22/2026
P69641	Heidi T. Sharp	Clinton Township	10/22/2026
P55825	John R. Tatone	Utica	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District E

Commissioners: Robert A. Easterly | Hon. Kristen D. Simmons

Chairperson: Gabrielle A. Lawrence

Appointment(s) Terminating December 31, 2026

Due to term limits, resignation, relocation outside of district, or other.

P25532	Michael B. Farrell	P75354	Joshua Mark Pease
P71394	Erin E Harrington	P73864	Adam Paul Sadowski
P59253	Coffiann U Hawthorne	P76293	Hon Kristen D Simmons
P58226	Jennifer Rosa Matuja	P60247	Jennifer D Warner
		P80350	Jason W Werkema

Member(s) Requesting Re-Appointment

January 2027 - December 2028

			Date of Discipline Status Report
P77141	Genevieve Fischre	Lansing	10/22/2026
P55484	Erin H. Walz	East Lansing	10/22/2026
P26754	John Weslowski	East Lansing	10/22/2026

Member(s) Nominated

District Committee Appointment January 2027 - December 2028

			Date of Discipline Status Report
P64456	Rebecca J. Cassell	Howell	10/22/2026
P40506	Kathleen A. Lopilato	Williamston	10/22/2026
P69746	Tara A. Pearson	Howell	10/22/2026
P40777	Scott L. Teter	Lansing	10/22/2026
P83048	Kami Lynne Trescone	Lansing	10/22/2026
P83886	Ryan Wier	Lansing	10/22/2026

Mid-Term Member(s)

January 2026 - December 2027 - No Action Required

			Date of Discipline Status Report
P67601	Geraldine A. Brown	East Lansing	10/22/2026
P84198	Ralph W. Carmichael	Lansing	10/22/2026
P83736	Jacob G. Eccleston	Lansing	10/22/2026
P76846	Gabrielle C. Lawrence	Lansing	10/22/2026
P68892	John Reginald Nizol	Lansing	10/22/2026
P84663	Alexandra L. Page	Lansing	10/22/2026
P83038	Amber Thomas	Lansing	10/22/2026
P40540	William D. Tomblin	East Lansing	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District F

Commissioner: James Liggins
Chairperson: Alicia Storm

Appointment(s) Terminating December 31, 2026

Due to term limits, resignation, relocation outside of district, or other.

P41663	Stephen J. Hessen		P47287	Mary M. Spiegel	
P82578	Benjamin M Norg		P77299	Alicia K. Storm	CHAIR
P63915	Sondra Gay Marie Nowak				

Member(s) Requesting Re-Appointment

January 2027 - December 2028

			Date of Discipline Status Report
P83048	Kami Lynne Trescone	Lansing	10/22/2026
P83886	Ryan Wier	Lansing	10/22/2026
P77272	Richard O. Cherry	Kalamazoo	10/22/2026
P85855	Kwame G. Gyimah	Kalamazoo	10/22/2026

Member(s) Nominated

District Committee Appointment January 2027 - December 2028

			Date of Discipline Status Report
P63149	Katherine KM Ambrose	Marshall	10/22/2026

Chairperson Nominated

		Date of Discipline Status Report
P84996	Thaddeus J. Hackworth	10/22/2026

Mid-Term Member(s)

January 2026 - December 2027 - No Action Required

			Date of Discipline Status Report
P72669	Patrice Ona Lewis	Kalamazoo	10/22/2026
P69751	Thomas D. Siver	Allegan	10/22/2026
P78256	Meredith Beidler	Allegan	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District G

Commissioner: Douglas Shapiro
Chairperson: Jennifer A. Engelhardt

Appointment(s) Terminating December 31, 2026

Due to term limits, resignation, relocation outside of district, or other.

P72723	Jennifer L Lawrence	P62695	Hon. Miriam A Perry
P70385	Hon. Sharifa Kerene Moore	P54839	Atallah T Taweel

Member(s) Requesting Re-Appointment

January 2027 - December 2028

			Date of Discipline Status Report
P82274	Jesse Belanger	Ann Arbor	10/22/2026
P64993	Jennifer A. Engelhardt CHAIR	Ann Arbor	10/22/2026
P83763	Travis A. Gonyou	Ann Arbor	10/22/2026

Member(s) Nominated

District Committee Appointment January 2027 - December 2028

			Date of Discipline Status Report
P71979	Ava Billimoria	Ann Arbor	10/22/2026
P65534	Brett S. Border	Ann Arbor	10/22/2026
P68563	Thomas W. James	Ann Arbor	10/22/2026
P79962	Jennifer Richards	Ann Arbor	10/22/2026

Mid-Term Member(s)

January 2026 - December 2027 - No Action Required

			Date of Discipline Status Report
P25499	Patrick M. Barrett	Ann Arbor	10/22/2026
P38172	Robert A. Boonin	Ann Arbor	10/22/2026
P40386	James A. Fink	Ann Arbor	10/22/2026
P59488	Hon. Tamara A. Garwood	Ann Arbor	10/22/2026
P28493	Mark A. Hopper	Ann Arbor	10/22/2026
P67570	Elizabeth A. Kitchen-Troop	Ann Arbor	10/22/2026
P85462	Ryan P. O'Dowd	Jackson	10/22/2026
P74646	Katherine M. Sharkey	Ann Arbor	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District H

Commissioners:	Aaron V. Burrell,	Hon. Ponce D. Clay
	Hon. Robbie J. Gaines, Jr.	Lisa W. Timmons
Chairperson:	Jennifer L. Mariucci	

Appointment(s) Terminating December 31, 2026

Due to term limits, resignation, relocation outside of district, or other.

P71924	Jienelle Raye Alvarado	P44184	Meghan Kennedy Riordan
P67583	Erika R. Breitfeld	P50144	Linda M Rooney
P32428	John A Cothorn	P35047	Phillip A. Schaedler
P64254	Renee Sophia Coulter	P53883	Hon Regina Thomas
P74222	Elisa M Gomez	P63936	Suzanne Lynn Ulicny
P39760	John A. Maksym	P41295	Sharon Clark Woodside

Member(s) Requesting Re-Appointment

January 2027 - December 2028

			Date of Discipline Status Report
P63108	January Dragich	Grosse Pointe Farms	10/22/2026
P45333	Sean FitzGerald	Northville	10/22/2026
P76028	Roshundra Graham-Simmons	Detroit	10/22/2026
P67995	Ahmed M. Hassouna	Canton	10/22/2026
P58652	Aaron Kleid	Detroit	10/22/2026
P49213	Michael G. Kramer	Livonia	10/22/2026
P61688	Lorinda Lindsay	Detroit	10/22/2026
P65363	Larry R. Maitland, II	Livonia	10/22/2026
P63284	Priya Marwah	Northville	10/22/2026
P70510	Sarah Prescott	Northville	10/22/2026
P26903	Daniel M. Share	Detroit	10/22/2026

Member(s) Nominated

District Committee Appointment January 2027 - December 2028

			Date of Discipline Status Report
P66368	Hon. Karen Y. Braxton	Detroit	10/22/2026
P82410	Charity R. Dean	Detroit	10/22/2026
P70663	Kristina L. Derro	Detroit	10/22/2026
P84463	Monique S. Eubanks	Detroit	10/22/2026
P84028	Lydia Anderson Fields	Detroit	10/22/2026
P78791	Hon. Macie Tuiasosopo Gaines	Detroit	10/22/2026
P84281	Fallon D. Moore	Detroit	10/22/2026
P85374	Abdallah M. Moughni	Dearborn	10/22/2026
P82135	Stephanie B. White	Detroit	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District H

	Chairperson Nominated	*Date of Discipline Status Report*
P65363	Larry R. Maitland, II	10/22/2026

Mid-Term Member(s)

January 2026 - December 2027 - No Action Required

			Date of Discipline Status Report
P71481	Tiffany A. Armstrong	Plymouth	10/22/2026
P75433	Mark T. Evely	Livonia	10/22/2026
P48592	Richard G. Finch	Detroit	10/22/2026
P39624	John A. Hubbard	Plymouth	10/22/2026
P69798	Altinia L. Kandrevas	Detroit	10/22/2026
P66228	David S. Maquera	Detroit	10/22/2026
P72089	Jennifer L. Mariucci	Northville	10/22/2026
P58801	Hon. Lisa Robinson Martin	Romulus	10/22/2026
P63314	Jacquelyn A. McClinton	Detroit	10/22/2026
P70678	Shenique A. Moss	Grosse Pointe Farms	10/22/2026
P83833	Adam Mourtada	Dearborn	10/22/2026
P74121	Melissa S. Palepu	Detroit	10/22/2026
P63532	Jessica Renee Simmons	Detroit	10/22/2026
P56278	Delicia Taylor Coleman	Detroit	10/22/2026
P77752	Lisa W. Timmons	Detroit	10/22/2026
P65472	Zana Tomich	Detroit	10/22/2026
P65372	Christopher R. Trudeau	Detroit	10/22/2026
P71349	Maya K. Watson	Detroit	10/22/2026
P75309	Adam Michael Wenner	Detroit	10/22/2026
P63046	Rita O. White	Canton	10/22/2026
P64900	Latoya M. Willis	Detroit	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District I

Commissioners:	David C. Anderson	Elizabeth L. Luckenbach
	Joshua A. Lerner	Gerard V. Mantese
	James W. Low	Moheeb H. Murray
	Ashley E. Lowe	Samantha J. Orvis
Chairperson:	Joshua M. Stapp	

Appointment(s) Terminating December 31, 2026

Due to term limits, resignation, relocation outside of district, or other.

P69623	Alexander A Ayar	P16383	Stephen M. Landau
P72080	Mary Alexis Bowen	P48742	Jason J Liss
P73812	Emily Ann Calabrese	P35634	John K Maloney
P73271	Michael Vincent Gallo	P28082	Steven J Matz
P73789	Nadine R Hatten	P68374	Cecilia Quirindongo Baunsoe
P41805	Thomas Kalas	P72969	Matthew David Smith
P56172	Hon Maureen Hannon Kinsella	P73001	Mark Christopher Vanneste

Member(s) Requesting Re-Appointment

January 2027 - December 2028

			Date of Discipline Status Report
P57914	Matthew P. Allen	Troy	10/22/2026
P74225	Daphne Short Cunningham	Auburn Hills	10/22/2026
P57317	Matthew Fraiberg	Birmingham	10/22/2026
P57751	Jason P. Kief	Southfield	10/22/2026
P51473	Alexandra LaCombe	Birmingham	10/22/2026
P47341	Andrey T. Tomkiw	Pleasant Ridge	10/22/2026

Member(s) Nominated

District Committee Appointment January 2027 - December 2028

			Date of Discipline Status Report
P81851	Brandon R. Barlog	Pontiac	10/22/2026
P66411	Ryan S. Bewersdorf	Birmingham	10/22/2026
P70852	Anne R. Gabbert	Troy	10/22/2026
P84146	Taylor R. Goodwin	Bloomfield Hills	10/22/2026
P84290	Krenissa D. Hicks	Southfield	10/22/2026
P82783	Matthew J. High	Bloomfield Hills	10/22/2026
P73800	Claudnyse D. Holloman	Southfield	10/22/2026
P85654	Emily M. Honet	Bloomfield Hills	10/22/2026
P47784	Bruce F. Jackson	Keego Harbor	10/22/2026
P81644	Melissa Kopriva McIver	Berkley	10/22/2026
P82001	Zachary D. Lincoln	Southfield	10/22/2026
P79003	Nicole F. MacMillan	Troy	10/22/2026
P79888	Vincent C. Sallan	Southfield	10/22/2026

PROPOSED 2027 District Character Fitness Committee

District I

Mid-Term Member(s)

January 2026 - December 2027 - No Action Required

				Date of Discipline Status Report
P74377	Scott Matthew Aaronson		West Bloomfield	10/22/2026
P12273	Mark H. Cousens		Royal Oak	10/22/2026
P52897	Joshua A. Lerner		Pontiac	10/22/2026
P75920	Tyler R. Martinez		Southfield	10/22/2026
P60743	John S. McPhee		Bingham Farms	10/22/2026
P43562	Leonard Mungo		Troy	10/22/2026
P75369	Samantha Jolene Orvis		Bloomfield Hills	10/22/2026
P79986	Joseph A. Peterson		Troy	10/22/2026
P55889	Jodi Munn Schebel		Southfield	10/22/2026
P76913	Alexander Simpson, II		Berkley	10/22/2026
P84260	Joshua M. Stapp	CHAIR	Pontiac	10/22/2026

Demographics for all Character & Fitness District Committees as of January 1, 2027

Years of SBM M'ship	All Districts	District A	District B	District C	District D	District E	District F	District G	District H	District I
≤5 yrs	3.6%	0.0%	7.7%	13.3%	10.5%	0.0%	11.1%	0.0%	0.0%	0.0%
≤10 yrs	17.4%	25.0%	7.7%	13.3%	5.3%	35.3%	11.1%	20.0%	17.1%	20.0%
≤15 yrs	10.8%	25.0%	7.7%	6.7%	10.5%	11.8%	22.2%	6.7%	7.3%	13.3%
≤20 yrs	13.2%	0.0%	15.4%	13.3%	5.3%	0.0%	11.1%	13.3%	22.0%	16.7%
≥21 yrs	55.1%	50.0%	61.5%	53.3%	68.4%	52.9%	44.4%	60.0%	53.7%	50.0%
Self Reported Gender	**All Districts**	**District A**	**District B**	**District C**	**District D**	**District E**	**District F**	**District G**	**District H**	**District I**
Male	48.5%	62.5%	61.5%	53.3%	36.8%	35.3%	66.7%	60.0%	34.1%	60.0%
Female	49.7%	37.5%	38.5%	46.7%	57.9%	58.8%	33.3%	40.0%	63.4%	40.0%
Other Identification	1.8%	0.0%	0.0%	0.0%	5.3%	5.9%	0.0%	0.0%	2.4%	0.0%
Self Reported Ethnicity	**All Districts**	**District A**	**District B**	**District C**	**District D**	**District E**	**District F**	**District G**	**District H**	**District I**
Am Indian	0.6%	12.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Asian/ Pacific Islander	1.8%	0.0%	0.0%	0.0%	5.3%	0.0%	0.0%	6.7%	2.4%	0.0%
African	12.6%	0.0%	7.7%	0.0%	5.3%	11.8%	11.1%	0.0%	26.8%	16.7%
European	47.3%	75.0%	46.2%	60.0%	42.1%	76.5%	33.3%	60.0%	31.7%	40.0%
Hispanic / Latino	3.0%	0.0%	0.0%	13.3%	0.0%	0.0%	0.0%	0.0%	2.4%	6.7%
Multi Racial	3.6%	0.0%	0.0%	6.7%	0.0%	5.9%	0.0%	0.0%	4.9%	6.7%
Arab Origin	3.0%	0.0%	0.0%	0.0%	10.5%	0.0%	0.0%	0.0%	7.3%	0.0%
Other Ethnicity	3.0%	0.0%	7.7%	0.0%	5.3%	0.0%	0.0%	0.0%	4.9%	3.3%
Prefer Not to Answer	25.1%	12.5%	38.5%	20.0%	31.6%	5.9%	55.6%	33.3%	19.5%	26.7%
Total Members	**All Districts**	**District A**	**District B**	**District C**	**District D**	**District E**	**District F**	**District G**	**District H**	**District I**
	167	8	13	15	19	17	9	15	41	30

3. Oath of Office

Presented by Erika L. Bryant

4. Upcoming Events

Presented by Erika L. Bryant

5. President's and Executive Director's Report

Presented by Erika L. Bryant and Peter Cunningham

5.1. President's Report*

MEMORANDUM

TO: Board of Commissioners

FROM: Erika L. Bryant, Esq.

SUBJECT: President's Report

DATE: November 20, 2026

It is customary for the President to provide a verbal update on recent activities during Board meetings. In the interest of time, I am sharing my update in writing—with no promises that this will become regular practice! As always, I welcome your feedback and questions.

My first 62 days in office have been busy and rewarding, with activities falling primarily into four categories: Fueling Our Legal Pipeline; Celebrating Milestones; Connecting with Colleagues and the Public; and Exchanging Ideas.

A. Fueling Our Legal Pipeline

The unofficial start of my term (I was President-Elect at the time) was Foundations Week at Michigan State University College of Law, where I had the opportunity to serve on a distinguished panel discussing the importance of civility and professionalism with first-year law students. The panel was followed by breakout sessions during which we explored real-life ethical scenarios. The students were highly engaged, making for some thoughtful and lively discussions. MSU Law alumnus Nathan Triplett joined me at the post-program reception.

I also had two opportunities to connect with law students at Wayne State University Law School. The first was a lunchtime meeting with student organization leaders. The second was a Sunday afternoon reception hosted by the Wolverine Bar Association in partnership with the Black Women Lawyers of Michigan, the Association of Black Judges, and the D. Augustus Straker Bar Association. I am pleased to report that all five Michigan-based law schools were represented, and one student from each school received $200 to help defray the cost of textbooks, courtesy of the Wolverine Bar Foundation.

I rounded out my law school visits (so far!) at the University of Detroit Mercy School of Law's Faces of Justice program. I was particularly honored to participate on the day dedicated to first-generation law students. As a first-generation law student myself, I appreciated the opportunity to share my experiences and pay it forward.

Last, but certainly not least, I am becoming something of a regular with our Young Lawyers Section and the valuable pipeline work being done under Chair Barton's leadership. I spent time with the Section's leadership at its retreat and also served as a judge at NTAC.

B. Celebrating Milestones

My first two months also provided wonderful opportunities to celebrate milestones with our local and affinity bar associations and legal community partners.

First up was the Floyd Skinner Bar Association's scholarship event. FSBA has the distinction of being the first bar association to secure a spot on my presidential calendar, having sent its invitation last spring! In a wonderful full-circle moment, a first-year law student I met during MSU's Foundations Week received a $10,000 scholarship to support her legal education.

Next, I had the pleasure of attending the Macomb County Bar Association's 120th anniversary celebration, which included the installation of Commissioner Detzler as its President. I especially appreciated the warm hospitality extended by MCBA's members, including Past SBM President Tom Rombach.

I also joined Lakeshore Legal Aid in celebrating 60 years of service to the community and had the pleasure of joining our colleagues in honoring Judge Edward Ewell, recipient of the Detroit Bar Foundation's 2026 Archer Award.

C. Connecting with Colleagues and the Public

I attended the investiture of the Honorable Nicole Castka and participated in two public-facing panels: The Unity Collaborative's Legal Summit and The Detroit Links, Inc.'s *Bottom of the Ballot* webinar.

Each of these engagements provided opportunities to connect with colleagues, engage with the public, and reinforce the importance of the rule of law and an independent judiciary.

D. Exchanging Ideas

Our Executive Director, President-Elect, and I attended the Great Rivers Bar Conference in Scottsdale, Arizona. Of the nine participating bar associations, only two—Michigan and Wisconsin—are mandatory bars. Nevertheless, there is much we can learn from our colleagues in statewide voluntary bar associations.

Our two-day gathering was packed with thoughtful discussions, questions, and ideas worth considering as we move forward. Hosted by the State Bar of Wisconsin, the conference featured roundtable discussions led by each participating association on a variety of topics. Michigan led a discussion on how bar associations can support practice readiness for new lawyers.

One presentation that particularly caught my and President-Elect Howlett's attention was the Ohio State Bar Association's discussion of efforts to bridge the rural practice gap. Not only does Ohio's current bar president practice in a rural community, but the association also successfully secured legislative funding to encourage attorneys to practice in underserved rural areas. Through this initiative, eligible attorneys can receive up to $30,000 in student loan forgiveness, with benefits tied to each year of service in a rural community. Ohio's approach aligns with the recommendations of our Representative Assembly concerning the elimination of legal deserts in Michigan. It may be an initiative worth exploring further as we consider ways to expand access to legal services throughout our state.

6. Representative Assembly Report

Presented by Alena M. Clark

7. Young Lawyers Section Report

Presented by Amy Owens

8. Public Policy

Presented by Thomas H. Howlett

8.1. Court Rules*

Order

Michigan Supreme Court
Lansing, Michigan

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

September 10, 2026

ADM File No. 2026-11

Proposed Amendment of
Rule 2.107 of the Michigan
Court Rules

On order of the Court, this is to advise that the Court is considering an amendment of Rule 2.107 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the Public Administrative Hearings page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and
deleted text is shown by strikeover.]

Rule 2.107 Service and Filing of Pleadings and Other Documents

(A)-(B) [Unchanged.]

(C) Manner of Service. Except under MCR 1.109(G)(6)(a), service of a copy of a document on an attorney must be made by delivery or by mailing to the attorney at his or her last known business address or, if the attorney does not have a business address, then to his or her last known residence address. Except under MCR 1.109(G)(6)(a), service on a party must be made by delivery or by mailing to the party at the address stated in the party's pleadings.

(1)-(2) [Unchanged.]

(3) Mailing. Mailing a copy under this rule means enclosing it in a sealed envelope with first class postage fully prepaid, addressed to the person to be served, and depositing the envelope and its contents in the United States mail. Service by mail is complete at the time of mailing, regardless of the date of postal processing or the postmark applied by the United States Postal Service. A postmark is evidence of the mailing date, but it is not conclusive.

Other evidence may establish the date the envelope and its contents were deposited in the United States mail, including but not limited to:

(a) a Postage Validation Imprint (PVI),

(b) certificate of mailing,

(c) certified mail receipt, or

(d) sworn statement attesting to the date of mailing.

(4) [Unchanged.]

(D)-(G) [Unchanged.]

Staff Comment (ADM File No. 2026-11): In response to the updated definition of *postmark* by the United States Postal Service, the proposed amendment of MCR 2.107 would clarify that service is complete at the time of mailing regardless of the postmark applied and provide other types of evidence that can be introduced as evidence of the mailing date.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be provided to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Written comments on this proposal may be submitted by **January 1, 2027**.

The Court asks commenters to submit written comments via the Court's website to the extent possible. **To submit a comment via the Court's website**, click on the "Comment on 2026-11" button under this proposal on the Court's Proposed & Adopted Orders on Administrative Matters webpage. The Court also accepts comments by email. **To submit a comment by email**, please attach a Microsoft Word document to your email and send to ADMcomment@courts.mi.gov and refer to ADM File No. 2026-11. If you are unable to submit a written comment online or by email, the Court will accept comments during the written comment period mailed to P.O. Box 30052, Lansing, MI 48909. For more information on submitting public comments regarding Michigan Supreme Court rule proposals, see the Public Comments on Court Rule Proposals webpage.

Written comments may be posted on the One Court of Justice website under the chapter(s) affected by this proposal.

I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 10, 2026

Clerk

Public Policy Position
ADM File No. 2026-11: Proposed Amendment of MCR 2.107

Support

Explanation
The Committee voted unanimously to support the proposed amendment of MCR 2.107. The shifting USPS definition of "postmark" makes an amendment of MCR 2.107 necessary.

Position Vote:
Voted For position: 10
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 9

Contact Persons:
Garrett Burton gburton@sado.org
Mira Edmonds edmondm@umich.edu

Public Policy Position
ADM File No. 2026-11: Proposed Amendment of MCR 2.107

Support

Explanation
The Committee voted to support the proposed amendment of MCR 2.107.

Position Vote:
Voted For position: 16
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 10

Contact Persons:
Alexandria L. Casperson CaspersonA@michigan.gov

Public Policy Position
ADM File No. 2026-12 – Proposed Amendment of MCR 2.107

Support

Explanation
The Committee voted to support the proposed amendment of MCR 2.107.

Position Vote:
Voted For position: 13
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 3

Contact Persons:
Heidi A. Naasko hnaasko@dykema.com
Heather M. Herbert hherbert@lakeshorelegalaid.org

Public Policy Position
ADM File No. 2026-11 - Proposed Amendment of MCR 2.107

Support

Explanation
These proposed amendments covering service by mail and postmark requirements appear to change very little in practice, because the mailbox rule still applies. What these amendments do not do is resolve the ramifications arising from the slow delivery of mail; however, they are a necessary response to the USPS's redefining what the date of mailing means for the USPS's purposes (primarily for mail-in ballots) and they aim to address the problem of postmark dates not accurately reflecting when mailings occur, with the desire to maintain the 'old' definition of date of mailing.

Position Vote:
Voted for position: 13
Voted against position: 0
Abstained from vote: 2
Did not vote: 6

Contact Person: Donald C. Wheaton, Jr.
Email: don@lawyerhousecalls.com

Public Policy Position
ADM File No. 2026-11: Proposed Amendment of MCR 2.107

Support with Amendment

Explanation
The Section supports the proposed amendment of MCR 2.107, but recommends that the mention of establishing the date the envelope and its contents were deposited in the U.S. mail by "sworn statement attesting to the date of the mailing" in (C)(3)(d) be deleted.

Position Vote:
Voted for position: 10
Voted against position: 0
Abstained from vote: 0
Did not vote: 4

Contact Person: Madelyne Lawry
Email: neglaw@sharedresources.us

From: Barney Whitesman <secretarywhitesman@aol.com>
Sent: Wednesday, October 14, 2026 1:16 PM
To: Clerk Info <ClerkInfo@courts.mi.gov>; secretarywhitesman@aol.com
Subject: MCR 2.107(G) and (C.)(4.)(f)

Dear Ms. Kingston-Miller:

I write to express my objection to the draft of MCR 2.107 for the pilot program. It appears to allow the failure to identify time-sensitive documents in the subject line of emails. This is a very real flaw which will cause much prejudice, as it will allow the sender to bury time-sensitive demands within emails without giving notice to the recipient that there is an important document which must be timely responded to. Please convey my objections to the Court.

With thanks,

Barney Whitesman

Barney R. Whitesman
Lawyer
1121 S. Grand Traverse
Flint, MI, 48502
(810) 239-1430
(616) 430-1778
www.whitesman.com

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From:	Andrew G. Huff, Ph.D., M.S.
To:	MSC Office of Administrative Counsel
Cc:	Timothy Williams
Subject:	Re: ADM File No. 2026-11, Proposed Amendment of MCR 2.107
Date:	Thursday, October 22, 2026 11:22:05 AM
Attachments:	publickey - andrew@andrewhuff.com - 0xFEFF5FE5.asc signature.asc

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Re: ADM File No. 2026-11, Proposed Amendment of MCR 2.107

I ask the Court to adopt the clarification only with protections for the party being served. I write as a Michigan citizen; I am not a lawyer.

The proposal provides that service is complete at mailing, that the postmark is evidence but not conclusive, and that the mailing date may be proved by a validation imprint, a certificate of mailing, a certified mail receipt, or a sworn statement. The first three are records made by someone other than the sender. The fourth is the sender's own word. Service complete at mailing already favors the sender, who is often an institution or the state, over the recipient, often an individual, whose response clock starts before the envelope arrives. Letting the sender fix the date by affidavit removes the recipient's last check.

I ask the Court to:

1. Provide that where the mailing date is contested, a sworn statement alone does not establish it; an independent record under (a) to (c) is required, and the recipient may obtain a hearing on timely request.

2. Add three days to every response period triggered by mailed service, so the recipient is not charged for transit.

3. Add a mailbox rule for incarcerated parties: their documents are served and filed when delivered to institutional officials, since they control neither the mail nor its records.

4. Provide that a recipient who shows non-receipt or late receipt by affidavit is entitled to relief from any default or missed deadline that resulted.

Clarity is a virtue. Clarity that always resolves against the individual is not.

Respectfully,
Dr. Andrew G. Huff

--
Andrew G. Huff, Ph.D., M.S.

Founder
Risk Factor Research, LLC
andrewhuff.com
X (Twitter) @AGHuff
Risk Factor Substack

Order

Michigan Supreme Court
Lansing, Michigan

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

September 23, 2026

ADM File No. 2022-43

Proposed Amendment of
Rule 2.118 of the Michigan
Court Rules

On order of the Court, this is to advise that the Court is considering an amendment of Rule 2.118 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the Public Administrative Hearings page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and
deleted text is shown by strikeover.]

Rule 2.118 Amended and Supplemental Pleadings

(A)-(C) [Unchanged.]

(D) Relation Back of Amendments.

(1) An amendment that adds a claim or a defense relates back to the date of the original pleading if the claim or defense asserted in the amended pleading arose out of the conduct, transaction, or occurrence set forth, or attempted to be set forth, in the original pleading. In a medical malpractice action, an amendment of an affidavit of merit or affidavit of meritorious defense relates back to the date of the original filing of the affidavit.

(2) An amendment that substitutes a plaintiff relates back to the date of the original pleading if the substituted plaintiff shares an identity of interest with the original plaintiff, the substituted plaintiff's claim is the same as that alleged in the original complaint, and the ability to defend against the claim is not prejudiced by the substitution.

(3) An amendment that changes the party or the naming of the party against whom a claim is asserted relates back to the date of the original pleading only if

(a) the amendment asserts a claim or defense that arose out of the conduct, transaction, or occurrence set out, or attempted to be set out in the original pleading;

(b) within the time period provided by MCR 2.102(D) the party to be brought in by amendment received such notice of the action that it will not be prejudiced in defending on the merits; and

(c) the party to be brought in by amendment knew or should have known that the action would have been brought against it, but for a mistake concerning the proper party's identity.

(E) [Unchanged.]

Staff Comment (ADM File No. 2022-43): The proposed amendment of MCR 2.118 would clarify that the rule does not necessarily preclude relation-back of a pleading amendment to substitute a plaintiff or correct a misnomer.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be provided to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Written comments on this proposal may be submitted by **January 1, 2027**.

The Court asks commenters to submit written comments via the Court's website to the extent possible. **To submit a comment via the Court's website**, click on the "Comment on 2022-43" button under this proposal on the Court's Proposed & Adopted Orders on Administrative Matters webpage. The Court also accepts comments by email. **To submit a comment by email**, please attach a Microsoft Word document to your email and send to ADMcomment@courts.mi.gov and refer to ADM File No. 2022-43. If you are unable to submit a written comment online or by email, the Court will accept comments during the written comment period mailed to P.O. Box 30052, Lansing, MI 48909. For more information on submitting public comments regarding Michigan Supreme Court rule proposals, see the Public Comments on Court Rule Proposals webpage.

Written comments may be posted on the One Court of Justice website under the chapter(s) affected by this proposal.

I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 23, 2026

Clerk

Public Policy Position
ADM File No. 2022-43: Proposed Amendment of MCR 2.118

Support with Amendment

Explanation

The Committee voted to support the proposed amendment of MCR 2.118 with a clarifying amendment expressly distinguishing correction of the named intended defendant who was properly served from substitution of a different defendant which remains subject to notice, prejudice, and mistake requirements of proposed MCR 2.118(D)(3), and an acknowledgement that this rule change would not affect existing misnomer case law.

Position Vote:

Voted For position: 18
Voted against position: 1
Abstained from vote: 0
Did not vote (absence): 8

Contact Persons:

Edmund S. Aronowitz edmund@aronowitzlawfirm.com

Public Policy Position
ADM File No. 2022-43 - Proposed Amendment of MCR 2.118

Support

Explanation
The proposed change clarifies when amendments to pleadings will relate back to and will be effective as of the original filing date in cases involving misnamed parties or other identity errors. Family cases generally have very clear parties, thus this rule often will not apply; however, this will streamline fixing cases where a party's name was spelled wrong or changed and the other party didn't know that, for example.

Position Vote:
Voted for position: 13
Voted against position: 0
Abstained from vote: 2
Did not vote: 6

Contact Person: Donald C. Wheaton, Jr.
Email: don@lawyerhousecalls.com

From:	Andrew G. Huff, Ph.D., M.S.
To:	MSC Office of Administrative Counsel
Cc:	Timothy Williams
Subject:	Re: ADM File No. 2022-43, Proposed Amendment of MCR 2.118
Date:	Thursday, October 22, 2026 11:30:49 AM
Attachments:	publickey - andrew@andrewhuff.com - 0xFEFF5FE5.asc signature.asc

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Re: ADM File No. 2022-43, Proposed Amendment of MCR 2.118

I write as a Michigan citizen; I am not a lawyer. I support the proposal. Subrule (D)(3) allows an amendment changing a defendant to relate back only where the new party had notice within the service period and knew or should have known the action was meant for it but for a mistake in identity. That protects the individual who would otherwise be sued for the first time on a stale claim, while letting a claimant reach the responsible party. Two additions:

1. State that the rule applies to governmental defendants and their employees on the same terms as private parties, and that where the identity of a responsible officer or employee was withheld or misstated by the government, the "mistake concerning the proper party's identity" is established.

2. Provide that the notice required by (D)(3)(b) may be shown by notice to the party's employer, insurer, or counsel where that person was the one who concealed or confused the identity.

A rule that lets the state hide behind the name of its employee is a rule that protects the state. This one should not.

Respectfully,
Dr. Andrew G. Huff

--
Andrew G. Huff, Ph.D., M.S.

Founder
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X (Twitter) @AGHuff
Risk Factor Substack

Order

Michigan Supreme Court
Lansing, Michigan

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

September 2, 2026

ADM File No. 2026-05

Proposed Addition of Rule 3.231 of the Michigan Court Rules

On order of the Court, this is to advise that the Court is considering an addition of Rule 3.231 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the Public Administrative Hearings page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[NEW] Rule 3.231 Cases Involving Abusive Relationship

(A) Applicability.

(1) The court may apply the protections in this rule in an action when a court has entered between the same parties, a personal protection order under MCL 600.2950 or an Extreme Risk Protection Order under MCL 691.1801 *et. seq*., or an equivalent order under the law of another jurisdiction, provided the order between the parties is final and effective at any time the action is pending. The court may also apply the protections in this rule when the court finds after a hearing in the action that a party has directly or through the use of surrogates engaged in a pattern of behavior designed to exercise power or control over the other party, including, but not limited to engaging in conduct that would be grounds for issuing a personal protection order under MCL 600.2950.

(a) A party may request the protections in this rule in the pleadings initiating the action, by motion, or when the conditions of subrule (A)(1) have been met, during a scheduling or settlement conference.

(b) The court may, on its own motion, apply the protections in this rule when the conditions of subrule (A)(1) have been met.

(c) The court may order the conference in subrule (E) without making any preliminary findings.

(B) Change in Venue. Notwithstanding MCR 2.222(B), the court may, on its own motion or a party's motion, under MCR 2.222, change venue to the circuit court in a county in which another court has issued a personal protection order, an extreme risk personal protection order, or in which another action involving the parties or their children is pending. The court may not enter an order changing venue unless:

(1) jurisdiction and venue would be proper in that circuit,

(2) the new venue will be safe and convenient for the abused party, and

(3) the new venue will coordinate the actions and assign the same judge.

All costs of the proceeding in another county are to be borne by the court ordering the change of venue.

(C) Hearings and Trials. The court may, on its own motion or a party's motion, order any of the following protective measures for hearings, trials, or conferences in the action when the court finds the protective measures are necessary for the safety or participation of a party who may be intimidated without the protective measure because of the party's domestic abuse experience.

(1) The court may exclude an abusive party's relatives, friends, and colleagues from attending an in-person hearing in the action to prevent intimidation of the abused party. Unless the excluded person is a witness, the court must provide the person with an opportunity to view the proceeding remotely.

(2) The court may allow one or more parties to attend any hearing or conference remotely by videoconferencing technology.

(3) The court may require any cross-examination questions directly from one party to the other to be asked through the court.

(D) Pretrial Proceedings. The court may order any of the following protective measures for amendments, motions, discovery, or information provided to the court or friend of the court.

(1) If the court finds that a party is attempting to amend the pleadings to delay the proceedings or to control or harass the other party, in addition to the conditions in MCR 2.118(A), the court may limit the scope of amendments to the pleadings to issues that could not have been pled earlier or place limits on the time for filing a future motion for leave to file an amended pleading.

(2) If the court finds that a party is filing motions to delay the proceedings or to control or harass the other party, in addition to any sanctions allowed under MCR 1.109(E), the court may do any of the following:

(a) Require the offending party to file all motions at a single time.

(b) Require the offending party to file all motions by a date certain.

(c) Require all motions to be heard on a single date.

(3) The court may limit discovery to the Verified Financial Information Form in MCR 3.206(C) and documents that may be acquired from third parties and agencies pursuant to subpoena. If the court limits discovery, the court shall permit additional discovery upon motion of a party demonstrating that the discovery is necessary to prepare for trial. If the court permits additional discovery, the court may impose conditions necessary for the protection of a witness, a party, or a child in the case.

(4) The court may enter an order limiting disclosure of information to an abusive party, including but not limited to the residential address or place of employment that the abused party provides to the court or friend of the court. An individual who recklessly or deliberately discloses information contrary to an order entered under this rule is in contempt of court and subject to sanctions under MCL 600.1701 *et. seq*.

(E) Court User Safety Planning Conference. When the court through the pleadings or otherwise becomes aware of potentially abusive behavior, the court may order the parties to attend a "court user safety planning conference" to determine what other safety measures may be necessary to protect the parties and their children during the action.

(1) The State Court Administrative Office shall establish the qualification and training requirements for individuals to hold a "court user safety planning conference." If an individual does not meet the training and qualification requirements but demonstrates other qualifications and experience that would enable the individual to conduct the conference, the State Court Administrative Office may approve the individual to conduct the conference.

(2) The individual conducting the conference must meet separately with each party. The purpose of the conference is to advance the safety of a party who has been or is at risk of being abused by limiting opportunities for potentially abusive parties to engage in abusive behavior and to avoid situations where a potentially abusive person could engage in behavior that would have negative consequences for that person. The conference is not designed to

assess blame, punish, or reward either party.

(3) The individual conducting the conference will explain the next steps in the process and what steps each party should take to make the process safer by following court orders, avoiding violating provisions to keep each party safe, and explain precautions available to each party to access the court safely.

(4) Following the conference, the individual conducting the conference may recommend provisions to the court allowed under this rule to protect the parties.

Staff Comment (ADM File No. 2026-05): The proposed addition of MCR 3.231 would allow a trial court to apply procedural protections in domestic relations actions to allow parties in an abusive relationship to safely participate in case-related proceedings.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be provided to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Written comments on this proposal may be submitted by **January 1, 2027**.

The Court asks commenters to submit written comments via the Court's website to the extent possible. **To submit a comment via the Court's website**, click on the "Comment on 2026-05" button under this proposal on the Court's Proposed & Adopted Orders on Administrative Matters webpage. The Court also accepts comments by email. **To submit a comment by email**, please attach a Microsoft Word document to your email and send to ADMcomment@courts.mi.gov and refer to ADM File No. 2026-05. If you are unable to submit a written comment online or by email, the Court will accept comments during the written comment period mailed to P.O. Box 30052, Lansing, MI 48909. For more information on submitting public comments regarding Michigan Supreme Court rule proposals, see the Public Comments on Court Rule Proposals webpage.

Written comments may be posted on the One Court of Justice website under the chapter(s) affected by this proposal.

I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 2, 2026

Clerk

Public Policy Position
ADM File No. 2026-05: Proposed Addition of MCR 3.231

Support in Concept

Explanation
The Committee voted to support ADM File No. 2026-05 in concept and to recommend several further amendments:

- In section (A)(1), add civil restraining orders and criminal no-contact orders to the list of orders which allow for the trial court to proceed under this new rule;
- Include language in (D)(3) to clarify that a limitation on discovery requests only applies to the abusive party;
- Provide procedures for how cross-examination under section (C)(3) would operate (i.e., whether the parties would need to submit questions to the court in advance); and
- Require informed consent of the survivor before entering an order changing venue.

ADM File No 2026-05 has room for improvement, but overall, it is a positive step in preventing abusers from using domestic relations cases as a means by which to continue their abuse of a domestic abuse survivor.

Position Vote:
Voted For position: 6
Voted against position: 4
Abstained from vote: 0
Did not vote (absence): 9

Contact Persons:
Garrett Burton gburton@sado.org
Mira Edmonds edmondm@umich.edu

Public Policy Position
ADM File No. 2026-05: Proposed Addition of MCR 3.231

Opposed

Explanation
The Committee voted to support the position of the Family Law Section and oppose ADM File No. 2026-05.

Position Vote:
Voted For position: 19
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 8

Contact Persons:
Edmund S. Aronowitz edmund@aronowitzlawfirm.com

Public Policy Position
ADM File No. 2026-05 – Proposed Addition of MCR 3.231

Support in Concept

Explanation
The Committee voted to support the proposed addition of MCR 3.231 in concept, but urges the Board to give consideration to the amendments proposed by the Access to Justice Policy Committee.

Position Vote:
Voted For position: 13
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 3

Contact Persons:
Heidi A. Naasko hnaasko@dykema.com
Heather M. Herbert hherbert@lakeshorelegalaid.org

Public Policy Position
ADM File No. 2026-05 - Proposed Addition of MCR 3.231

Oppose

Explanation
The Section's main concerns included the current lack of education for many family division judges on domestic violence nuances, the potential for abusers to manipulate the system, and the possibility of judges using venue changes to avoid difficult cases. The Section affirmatively states that existing legal protections for abuse survivors are sufficient, but judges either do not use or do not enforce them effectively. An additional court rule will further complicate and confuse existing legal cases at best, and at worst will give perpetrators new mechanisms for abusing the system and further harming victims. Greater education for the bench is needed before considering implementing any new court rules on domestic violence.

Position Vote:
Voted for position: 14
Voted against position: 0
Abstained from vote: 1
Did not vote: 6

Contact Person: Donald C. Wheaton, Jr.
Email: don@lawyerhousecalls.com

Comment Submission

Name: Representative Noah Arbit

Date: 09/05/2026

ADM File Number: 2026-05

Comment:

I strongly support the proposed rule to provide additional protections for victims of domestic abuse in the course of pursuing judicial matters, and ensuring court processes do not become a venue for additional abuse.

From:	Andrew G. Huff, Ph.D., M.S.
To:	MSC Office of Administrative Counsel
Cc:	Timothy Williams
Subject:	Re: ADM File No. 2026-05, Proposed Addition of MCR 3.231
Date:	Thursday, October 22, 2026 11:24:33 AM
Attachments:	publickey - andrew@andrewhuff.com - 0xFEFF5FE5.asc signature.asc

Re: ADM File No. 2026-05, Proposed Addition of MCR 3.231

I write as a Michigan citizen who has served as an expert witness and who lectures on national security law; I am not a lawyer. I support procedural protections for a party who has been abused and who asks for them. The proposed rule goes well beyond that, and in several places it lets a court impose consequences on an individual, in a civil case that will decide custody and property, on the court's own motion, after findings made on a standard the rule does not state. I ask for the following changes.

1. Remove the court's own-motion authority in subrule (A)(1)(b). Protections should be available on a party's request under (A)(1)(a). A court that decides for itself that one party is "abusive," then limits that party's motions, discovery, and cross-examination, has become a participant in the case.

2. State the standard and require findings. The second trigger in (A)(1), a "pattern of behavior designed to exercise power or control," is undefined and lower than the standard for a personal protection order. Require clear and convincing evidence, written findings, and an opportunity for the party to be heard with counsel before any protection other than remote appearance is applied. A finding under this rule will follow the party into the custody determination; it must be made like one.

3. Do not use an extreme risk protection order as a trigger. An ERPO under MCL 691.1801 can be entered ex parte on the petition of a third party and deprives the respondent of a constitutional right before any hearing. Letting it switch on a second set of civil disabilities compounds a summary deprivation with another.

4. Protect the restricted party's ability to litigate. Subrule (D)(3) lets the court limit discovery to the financial form and third-party subpoenas, and (D)(1) and (D)(2) let it ration amendments and motions for an "offending party." These limits reach the evidence needed on custody, parenting time, and the division of property. Provide that limits under (D) may not bar discovery or motions that bear on a disputed issue of custody, parenting time, or property, and that any limit requires a finding that the specific filing was made to harass or delay.

5. Preserve confrontation. Subrule (C)(3), cross-examination through the court, should be available only on the protected party's request, and the questioning party must be permitted to ask follow-up questions through the same channel.

6. Make the safety planning conference transparent. Subrule (E)(4) lets the person who conducted separate meetings with each party recommend provisions to the court. That is ex parte input into the record. Require that any recommendation be in writing, served on both parties, and subject to objection and hearing before the court acts on it, and that the conference not be used to gather evidence.

7. Bind the courts to the venue safeguards in (B) and charge the transferring court with costs, as drafted. That subrule is sound.

Protections for one individual against another are legitimate. Protections the court chooses for itself and imposes on a finding it does not have to prove are not.

Respectfully,
Dr. Andrew G. Huff

--
Andrew G. Huff, Ph.D., M.S.

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Order

Michigan Supreme Court
Lansing, Michigan

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

September 2, 2026

ADM File No. 2026-19

Amendment of Rule 5.207 of the Michigan Court Rules

On order of the Court, the following amendment of Rule 5.207 of the Michigan Court Rules is adopted, effective immediately. Concurrently, individuals are invited to comment on the form or the merits of the amendment during the usual comment period. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the Public Administrative Hearings page.

Immediate adoption of this proposal does not necessarily mean that the Court will retain the amendment in its present form following the public comment period.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 5.207 ~~Sale of~~ Real Estate Transactions

(A) ~~Petition~~Decedent Estate Cases. Any petition seeking court approval to sell real property~~to approve the sale of real estate~~ must contain the following:

(1)-(2) [Unchanged.]

(3) the financial condition of the estate before the proposed sale, and

(4) [Unchanged.]

(B) Conservatorship Cases.

(1) Petition. Any petition to sell, dispose of, mortgage, pledge, or place a lien against real property, must contain the following:

(a) the terms and purpose of the proposed transaction,

(b) the legal description of the property,

(c) the financial condition of the estate before the proposed transaction, and

(d) an appraisal of the value of the property conducted within the preceding six months by a professional licensed under Article 26 of the Occupation Code, MCL 339.2601 *et seq*.

(2) Sale for Less Than Appraised Value. If the court approves a sale of a principal dwelling for less than the appraised value of the property, the court must state on the record why the sale is in the protected individual's best interest.

(B) [Relettered (C) but otherwise unchanged.]

Staff Comment (ADM File No. 2026-19): The amendment of MCR 5.207 aligns the rule, as it relates to conservatorships, with MCL 700.5423, which requires a property appraisal to be submitted to and considered by a court before approving certain transactions involving property of a protected individual. See 2026 PA 68. In accordance with MCL 700.5423, the rule was also expanded to require judicial approval when attempting to sell, dispose, mortgage, pledge, or place a lien against a protected individual's property.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be provided to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Written comments on this proposal may be submitted by **January 1, 2027**.

The Court asks commenters to submit written comments via the Court's website to the extent possible. **To submit a comment via the Court's website**, click on the "Comment on 2026-19" button under this proposal on the Court's Proposed & Adopted Orders on Administrative Matters webpage. The Court also accepts comments by email. **To submit a comment by email**, please attach a Microsoft Word document to your email and send to ADMcomment@courts.mi.gov and refer to ADM File No. 2026-19. If you are unable to submit a written comment online or by email, the Court will accept comments during the written comment period mailed to P.O. Box 30052, Lansing, MI 48909. For more information on submitting public comments regarding Michigan Supreme Court rule proposals, see the Public Comments on Court Rule Proposals webpage.

Written comments may be posted on the One Court of Justice website under the chapter(s) affected by this proposal.

I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 2, 2026

Clerk

Public Policy Position
ADM File No. 2026-19: Amendment of MCR 5.207

Support

Explanation

The Committee voted unanimously to support the proposed amendment of MCR 5.207. The amendment would align the Court Rules with the requirements of 2026 PA 68, which was enacted by the Michigan Legislature based upon a recommendation from the Attorney General's Elder Abuse Task Force. The legislation was intended to address the risk of fraud and abuse of elder Michiganders by limiting the ability of guardians and conservators to sell or mortgage a ward's home for less than fair market value.

Position Vote:

Voted For position: 11
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 8

Contact Persons:

Garrett Burton gburton@sado.org
Mira Edmonds edmondm@umich.edu

Public Policy Position
ADM File No. 2026-19: Amendment of MCR 5.207

Support

Explanation
The Committee voted to support the proposed amendment of MCR 5.207, but did note that there may be unintended, negative consequences caused by the enactment of 2026 PA 68. Specifically, but not limiting the appraisal requirement to only property over a specified value, the new statute may make the necessary and desirable sale of property of lesser value economically infeasible. In such cases, the appraisal requirement may also result in unnecessary time and complexity being added to what otherwise would be straightforward proceedings.

Position Vote:
Voted For position: 18
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 9

Contact Persons:
Edmund S. Aronowitz edmund@aronowitzlawfirm.com

Public Policy Position
ADM File No. 2026-19 – Amendment of MCR 5.207

Support

Explanation
The Committee voted to support the proposed amendment of MCR 5.207.

Position Vote:
Voted For position: 13
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 3

Contact Persons:
Heidi A. Naasko hnaasko@dykema.com
Heather M. Herbert hherbert@lakeshorelegalaid.org

Public Policy Position
ADM File No. 2026-19 – Amendment of MCR 5.207

Support with Recommended Amendments

Explanation
Support ADM File No. 2026-19 with the following changes:
a. Proposed MCR 5.207 should be amended to allow a parcel number instead of a legal description.
b. MCR 5.125(C)(26) and (27) should be concurrently amended with proposed MCR 5.207.

Position Vote:
Voted for position: 18
Voted against position: 0
Abstained from vote: 1
Did not vote: 4

Contact Person: Angela Hentkowski
Email: ahentkowski@stewardsheridan.com

From:	Andrew G. Huff, Ph.D., M.S.
To:	MSC Office of Administrative Counsel
Cc:	Timothy Williams
Subject:	Re: ADM File No. 2026-19, Amendment of MCR 5.207
Date:	Thursday, October 22, 2026 11:27:49 AM
Attachments:	publickey - andrew@andrewhuff.com - 0xFEFF5FE5.asc signature.asc

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Re: ADM File No. 2026-19, Amendment of MCR 5.207

I write as a Michigan citizen; I am not a lawyer. The amendment implements MCL 700.5423 by requiring a licensed appraisal within six months before a court approves the sale, mortgage, or encumbrance of a protected individual's real property, and requires the court to state on the record why a sale of a principal dwelling below appraised value serves the protected individual. These are protections for the individual against the state's appointee, and I support them. I ask the Court to add:

1. Notice of the petition, with the appraisal attached, to the protected individual personally, in plain language, and a right to be heard before any order on a principal dwelling, in person or through a guardian ad litem who has met with the individual.

2. A provision that the conservator may not select the appraiser without court approval, so the person seeking to dispose of the property does not choose the person valuing it.

3. A right for the protected individual or any interested person to obtain a second appraisal at the estate's expense if the first is challenged on stated grounds.

The home is the last thing a person under conservatorship controls. The rule should make it the hardest thing to take.

Respectfully,
Dr. Andrew G. Huff

--
Andrew G. Huff, Ph.D., M.S.

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Risk Factor Substack

Order

Michigan Supreme Court
Lansing, Michigan

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

September 2, 2026

ADM File No. 2024-28

Proposed Amendment of
Rule 8.119 of the Michigan
Court Rules

On order of the Court, this is to advise that the Court is considering an amendment of Rule 8.119 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the Public Administrative Hearings page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and
deleted text is shown by strikeover.]

Rule 8.119 Court Records and Reports; Duties of Clerks

(A)-(B) [Unchanged.]

(C) Filing of Documents and Other Materials. The clerk of the court shall process and maintain documents filed with the court as prescribed by Michigan Court Rules and the Michigan Trial Court Records Management Standards and all filed documents must be file stamped in accordance with these standards. The clerk of the court may only reject documents submitted for filing that do not comply with MCR 1.109(D)(1) and (2), improperly display personal identifying information (PII) protected under MCR 1.109(D)(9), are not signed in accordance with MCR 1.109(E), or are not accompanied by a required filing fee or a request for fee waiver under MCR 2.002(B), unless already waived or suspended by court order. Documents prepared or issued by the court for placement in the case file are not subject to rejection by the clerk of the court and shall not be stamped filed but shall be recorded in the case history as required in subrule (D)(1)(a) and placed in the case file.

(1) If a clerk of the court rejects a document under this subrule, the clerk must identify the reason for rejection on a form approved by the state court administrator.

(2) If the filer believes the rejection is a mistake, they may seek judicial review of the clerk's decision to reject the filing.

(3) If the judge finds that the rejection was a mistake, the filing will be accepted as of the date it was originally submitted.

(D)-(L) [Unchanged.]

Staff Comment (ADM File No. 2024-28): The proposed amendment of MCR 8.119 would allow the clerk of the court to reject documents submitted for filing that improperly display personal identifying information protected under MCR 1.109(D)(9) and would implement a process for judicial review of rejected filings.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be provided to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Written comments on this proposal may be submitted by **January 1, 2027**.

The Court asks commenters to submit written comments via the Court's website to the extent possible. **To submit a comment via the Court's website**, click on the "Comment on 2024-28" button under this proposal on the Court's Proposed & Adopted Orders on Administrative Matters webpage. The Court also accepts comments by email. **To submit a comment by email**, please attach a Microsoft Word document to your email and send to ADMcomment@courts.mi.gov and refer to ADM File No. 2024-28. If you are unable to submit a written comment online or by email, the Court will accept comments during the written comment period mailed to P.O. Box 30052, Lansing, MI 48909. For more information on submitting public comments regarding Michigan Supreme Court rule proposals, see the Public Comments on Court Rule Proposals webpage.

Written comments may be posted on the One Court of Justice website under the chapter(s) affected by this proposal.

I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 2, 2026

Clerk

Public Policy Position
ADM File No. 2024-28: Proposed Amendment of MCR 8.119

Support with Amendment

Explanation
The Committee voted unanimously to support ADM File No. 2024-28 with further amendments.

The Committee recommends that the proposed rule establish a fixed period to cure a filing rejected for including PII and allow a timely corrected filing to relate back to the original filing date. The clerk could notify the filer of the PII issue within a certain number of days of the filing and allow 21 days to correct and resubmit the document. If resubmitted within that period, the corrected filing would relate back to the original filing date, much like the correction of an appellate filing defect. This would protect litigants from missing a statute of limitations or other deadlines because of PII.

The Committee supports allowing a filer to seek judicial review of a rejection that the filer believes was improper, but recommends that both the request for review and any hearing be available at no cost to the filer. The SCAO-approved form that clerks would be required to use to notify filers of a rejection could include a section for objecting to the rejection and requesting judicial review. The filer could return the completed form to the clerk, who could then schedule a hearing at no cost. There could be a specific period in which the court must decide the matter (perhaps 7 or 14 days).

Position Vote:
Voted For position: 11
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 8

Contact Persons:
Garrett Burton gburton@sado.org
Mira Edmonds edmondm@umich.edu

Public Policy Position
ADM File No. 2024-08: Proposed Amendment of MCR 8.119

Support with Amendment

Explanation
The Committee voted to support the proposed amendment of MCR 8.119 with a comment that it may be desirable to establish a fixed period of time to cure a filing rejected for including PII and allow a timely corrected filing to relate back to the original filing date to protect litigants, especially unrepresented litigants, from missing a statute of limitations or other deadline because of PII inclusion.

Position Vote:
Voted For position: 15
Voted against position: 2
Abstained from vote: 0
Did not vote (absence): 10

Contact Persons:
Edmund S. Aronowitz edmund@aronowitzlawfirm.com

Public Policy Position
ADM File No. 2024-28: Proposed Amendment of MCR 8.119

Support with Amendment

Explanation
The Committee voted unanimously to support ADM File No. 2024-28 with an amendment establishing a fixed period of time for a filer to cure a filing rejected for including PII and allow a timely corrected filing to relate back to the original filing date. The Committee did not reach agreement on the appropriate length of time.

Position Vote:
Voted For position: 15
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 11

Contact Persons:
Alexandria L. Casperson CaspersonA@michigan.gov

Comment Submission

Name: Abraham Dane
Date: 09/18/2026
ADM File Number: 2024-28

Comment:

Good afternoon. I am the elected county clerk for Hillsdale County and I oppose this change to Rule 8.119(C). The county clerk staff should not be responsible for reviewing every page of submitted court documents. This would be an extra burden on my staff and would increase training and day to day processing time. In essence this would be an unfunded mandate by the State of Michigan. It should remain the responsibility of the litigant and/or attorney to make sure they are handling personal identifying information properly.

Comment Submission

Name: Cheryl A. Neilsen

Date: 09/18/2026

ADM File Number: 2024-28

Comment:

I am the elected County Clerk for Montmorency County, and I oppose this change to rule 8.119(c). This would create an extra burden on the clerk's office and staff to review every page of a document and increase processing time of documents. It needs remain the responsibility of the litigant or attorney. Thank you for your consideration in this matter.

From:	Andrew G. Huff, Ph.D., M.S.
To:	MSC Office of Administrative Counsel
Cc:	Timothy Williams
Subject:	Re: ADM File No. 2024-28, Proposed Amendment of MCR 8.119
Date:	Thursday, October 22, 2026 11:18:22 AM
Attachments:	publickey - andrew@andrewhuff.com - 0xFEFF5FE5.asc signature.asc

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Re: ADM File No. 2024-28, Proposed Amendment of MCR 8.119

I ask the Court to replace rejection with acceptance and cure. I write as a Michigan citizen who has served as an expert witness; I am not a lawyer.

The proposal lets a clerk, a non-judicial employee, refuse a filing because it displays personal identifying information in the wrong place. The judicial review it adds helps only a filer who can show the clerk made a mistake. A filer whose document did display protected information, as a self-represented litigant's often will, gets no relief at all: the filing never happened, and a limitations period, a response deadline, or an appeal can be lost by an administrative act with no hearing and no judge. Protecting personal information is a proper goal; the state's interest is fully met by restricting public access. The individual's right to be heard is met only by accepting the filing.

I ask the Court to provide that:

1. A document that improperly displays protected information is accepted and deemed filed on the date received, with public access restricted by the clerk.

2. The clerk notifies the filer in writing the same day, states the specific defect, and allows 14 days to file a conforming version, which relates back. If a conforming version is not filed, the document remains filed under restricted access.

3. Judicial review under proposed subrule (C)(2) is available on request without fee and must be decided within 7 days, and relief under (C)(3) extends to any rejection, not only a mistaken one.

4. No filing from an incarcerated or self-represented party may be rejected on this ground.

5. The subrule's other rejection grounds should carry the same protection: a filing submitted with a fee waiver request is accepted pending the ruling on the waiver.

Respectfully,
Dr. Andrew G. Huff

--
Andrew G. Huff, Ph.D., M.S.

Founder
Risk Factor Research, LLC
andrewhuff.com
X (Twitter) @AGHuff
Risk Factor Substack

Comment Submission

Name: Lori Shemka
Date: 11/01/2026
ADM File Number: 2024-28

Comment:

This observation is offered in my personal capacity. I discourage the Court from adopting the October 22, 2026 comment's suggestion #4. A person will sometimes append materials to their MCR 6.500 motion that include the PII of complainants or other nonparties.

8.2. Legislation*

SBM STATE BAR OF MICHIGAN

To: Members of the Public Policy Committee
Board of Commissioners

From: Nathan A. Triplett, Director of Governmental Relations

Date: October 26, 2026

Re: HB 6296 – Youth and Family Justice Bureau / Juvenile Justice & Child Welfare Training Institute

Background

House Bill 6296 would, in relevant part, amend the Probate Code, 1938 PA 288, to create both a Youth and Family Justice Bureau and a Juvenile Justice Training Institute within the Department of Licensing and Regulator Affairs ("LARA"). The bill is the result of a legislator-led workgroup with support from the Michigan Association for Family Court Administration ("MAFCA") and is modeled substantially on the Pennsylvania Juvenile Court Judges' Commission.

The Youth and Family Justice Bureau would be governed by a twelve-member board consisting of six family court judges and six individuals appointed by MAFCA. The Michigan Supreme Court and MAFCA would each nominate individuals for appointment to the board. Appointments would be made by the Governor, Speaker of the House, and Senate Majority Leader.

The Youth and Family Justice Bureau would:

- advise the family division of the circuit courts on all matters pertaining to the proper care and maintenance of juvenile under their jurisdiction;
- establish standards and make recommendations on administrative methods and judicial procedures to the court;
- establish standards and make recommendations on the personnel practices and employment standards used in juvenile probation offices;
- collect and analyze data to ensure reasonable and efficient administration of the court,
- monitor detention and residential facilities for compliance;
- provide training and continuing legal education and certification for attorneys, juvenile probation officers, detention staff, service providers, and child welfare professionals;
- advise the State Court Administrative Office ("SCAO") regarding approval of forms for use in juvenile matters; and
- issue grants to local governments for probation and child welfare services.

The Juvenile Justice and Child Welfare Training Institute would be established by the Youth and Family Justice Bureau "in collaboration with" SCAO and a public university in Michigan. The Institute would do the following:

- maintain a secure and centralized monitoring system for training records;

- enforce standardized documentation protocols across all courts and facilities ensuring all training programs follow an approved curriculum;
- submit monthly reports to courts and out of home placement providers;
- manage initial certification records, annual training logs, specialized or refresher certifications, and records for internal trainers;
- collect training, performance, and outcome data;
- review national best practices in juvenile justice systems;
- translate research into updated training content;
- pilot innovative intervention models and assess effectiveness;
- evaluate outcomes of court diversion programs, behavior management systems, and trauma-informed approaches;
- collaborate with court associations, judiciary, the Michigan Department of Health & Human Services ("MDHHS"), and SCAO to review the effectiveness of current laws, court rules, and facility regulations;
- use data collected to inform state-level juvenile justice reform efforts and recommend changes to state policy;
- produce annual stakeholder and legislature reports;
- support Youth and Family Justice Bureau and MDHHS with comprehensive quality assurance;
- serve as the state's official clearinghouse for evidence-based, promising, and emerging practices, and innovative, data-supported local models;
- maintain a searchable digital repository of evidence-based practices, cultural and promising practices, and innovative, data-supported local models;
- vet local and statewide initiatives and develop criteria with SCAO, MDHHS, and court associations for identifying and validating promising practices in use by courts and facilities;
- host webinars, workshops, and learning collaboratives; and
- assist with fidelity monitoring and outcome tracking.

House Bill 6296 was introduced by State Representative Luke Meerman and referred to the House Judiciary Committee. While the bill has not been taken up by the Judiciary Committee, Representative Meerman did hold a hearing on September 8, 2026 before his Oversight Subcommittee on the Child Welfare System regarding the workgroup that produced this bill with testimony from MAFCA representatives.

The State Court Administrative Office and the Michigan Probate Judges Association oppose HB 6296. Among SCAO's chief concerns is the fact that the legislation likely violates the separation of powers. Creating an executive branch agency charged with overseeing the work of the judiciary arguably violates Article III, Section 2 of the Michigan Constitution, which prohibits any person exercising powers of one branch of government from exercising powers properly belonging to another branch.[1] By empowering agencies outside the judiciary with the power to assign judges significant

[1] Article VI, Section 1 of the Michigan Constitution provides that: "[T]he the judicial power of the state is vested exclusively in one court of justice which shall be divided into one supreme court, one court of appeals, one trial court of general jurisdiction known as the circuit court, one probate court, and courts of limited jurisdiction that the legislature may establish by a two-thirds vote of the members elected to and serving in each house."

administrative work, HB 6296 may also violate Article VI, Section 4 of the Michigan Constitution which vests the Michigan Supreme Court with general superintending control over all courts. Other SCAO concerns include: duplication of effort related to juvenile justice data collection and analysis, establishing an outsized role of a private association (i.e., MAFCA) in the structure of the proposed board, and assigning many functions currently housed in other executive branch agencies (e.g, MDHHS and the Office of the Child Advocate) to the new Youth and Family Justice Bureau without removing these functions from existing agencies.

Keller Considerations

House Bill 6296 would overhaul Michigan's juvenile justice system with significant impacts on the functioning of the family division of circuit courts, probate courts, the State Court Administrative Office, and on the constitutional separation of powers between the judiciary and the other coordinate branches of government. This overhaul would also have unknown impacts on the implementation of recently-enacted juvenile justice reform legislation (supported by the State Bar of Michigan), as well as efforts already underway by SCAO regarding juvenile justice data collection and analysis. These impacts are necessarily related to the functioning of Michigan courts. House Bill 6296 is therefore *Keller*-permissible.

Note that HB 6296 also proposes to add a new definition of "reasonable efforts" to the Probate Code and creates a checklist of tasks that MDHHS "must in good faith and with due diligence" complete "consistent with the circumstances and while ensuring the child's health and safety as the paramount concern." This provision, standing alone, would likely not satisfy the germaneness standard set forth by *Keller*. For that reason, this memorandum and the staff recommendation as to *Keller*-permissibility, are focused on the creation of the Youth and Family Justice Bureau and Juvenile Justice & Child Welfare Training Institute.

Keller Quick Guide

THE TWO PERMISSIBLE SUBJECT-AREAS UNDER KELLER:

As interpreted by AO 2004-1

Regulation of Legal Profession	**Improvement in Quality of Legal Services**
Regulation and discipline of attorneys	✓ Improvement in functioning of the courts
Ethics	Availability of legal services to society
Lawyer competency	
Integrity of the Legal Profession	
Regulation of attorney trust accounts	

Staff Recommendation

House Bill 6296 is necessarily related to the functioning of the courts and therefore *Keller*-permissible. The bill may be considered on its merits.

HOUSE BILL NO. 6296

August 27, 2026, Introduced by Reps. Meerman and Conlin and referred to Committee on Judiciary.

A bill to amend 1939 PA 288, entitled

"Probate code of 1939,"

by amending sections 13a, 18f, 18q, 19, and 19a of chapter XIIA (MCL 712A.13a, 712A.18f, 712A.18q, 712A.19, and 712A.19a), section 13a as amended by 2022 PA 200, section 18f as amended by 2016 PA 191, section 18q as added by 2012 PA 541, and sections 19 and 19a as amended by 2020 PA 9, and by adding sections 16b, 18u, and 18v to chapter XIIA.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XIIA

JURISDICTION, PROCEDURE, AND DISPOSITION INVOLVING MINORS

Sec. 13a. (1) As used in this section and sections 2, 6b, 13b, 17c, 17d, 18f, 19, 19a, 19b, and 19c of this chapter:

(a) "Agency" means a public or private organization, institution, or facility that is performing the functions under part D of title IV of the social security act, 42 USC 651 to 669b, or that is responsible under court order or contractual arrangement for a juvenile's care and supervision.

(b) "Agency case file" means the current file from the agency providing direct services to the child, that may include the child protective services file if the child has not been removed from the home or the department or contract agency foster care file as provided under 1973 PA 116, MCL 722.111 to 722.128.

(c) "Attorney" means, if appointed to represent a child in a proceeding under section 2(b) or (c) of this chapter, an attorney serving as the child's legal advocate in a traditional attorney-client relationship with the child, as governed by the Michigan Rules of Professional Conduct. An attorney defined under this subdivision owes the same duties of undivided loyalty, confidentiality, and zealous representation of the child's expressed wishes as the attorney would to an adult client. For the purpose of a notice required under these sections, attorney includes a child's lawyer-guardian ad litem.

(d) "Case service plan" means the plan developed by an agency and prepared under section 18f of this chapter that includes services to be provided by and responsibilities and obligations of the agency and activities, responsibilities, and obligations of the parent. The case service plan may be referred to using different

names than case service plan including, but not limited to, a parent/agency agreement or a parent/agency treatment plan and service agreement.

(e) "Foster care" means care provided to a juvenile in a foster family home, foster family group home, or child caring institution licensed or approved under 1973 PA 116, MCL 722.111 to 722.128, or care provided to a juvenile in a relative's home under a court order.

(f) "Guardian ad litem" means an individual whom the court appoints to assist the court in determining the child's best interests. A guardian ad litem does not need to be an attorney.

(g) "Lawyer-guardian ad litem" means an attorney appointed under section 17c of this chapter. A lawyer-guardian ad litem represents the child, and has the powers and duties, as set forth in section 17d of this chapter. The provisions of section 17d of this chapter also apply to a lawyer-guardian ad litem appointed under each of the following:

(*i*) Section 5213 or 5219 of the estates and protected individuals code, 1998 PA 386, MCL 700.5213 and 700.5219.

(*ii*) Section 4 of the child custody act of 1970, 1970 PA 91, MCL 722.24.

(*iii*) Section 10 of the child protection law, 1975 PA 238, MCL 722.630.

(h) "Nonparent adult" means ~~a person~~ **an individual** who is 18 years of age or older and who, regardless of the ~~person's~~ **individual's** domicile, meets all of the following criteria in relation to a child over whom the court takes jurisdiction under this chapter:

(*i*) Has substantial and regular contact with the child.

(*ii*) Has a close personal relationship with the child's parent or with ~~a person~~ **an individual** responsible for the child's health or welfare.

(*iii*) Is not the child's parent or ~~a person~~ **an individual** otherwise related to the child by blood or affinity to the third degree.

(i) "Permanent foster family agreement" means an agreement for a child 14 years ~~old~~ **of age** or older to remain with a particular foster family until the child is 18 years ~~old~~ **of age** under standards and requirements established by the department, which agreement is among all of the following:

(*i*) The child.

(*ii*) If the child is a temporary ward, the child's family.

(*iii*) The foster family.

(*iv*) The child placing agency responsible for the child's care in foster care.

(j) "Reasonable efforts" means that the department must in good faith and with due diligence, consistent with the circumstances and while ensuring the child's health and safety as the paramount concern, do all of the following:

(*i*) Identify and accommodate a child's or parent's specific physical, medical, educational, financial, cultural, and psychological needs.

(*ii*) Identify barriers that do any of the following:

(A) Prevent the child from remaining in the home.

(B) Prevent reunification of the family after removal.

(C) Prevent finalization of an alternative permanency plan after termination of parental rights.

(*iii*) Identify specific services the department is facilitating

to overcome the barriers identified.

(*iv*) Document the barriers and services provided at each hearing and in each case service plan required under section 18f of this chapter.

(k) Reasonable efforts to reunify the family include, but are not limited to, all of the following:

(*i*) Conducting a comprehensive assessment of the circumstances of the family, with a focus on safe reunification as the most desirable goal. The assessment conducted under this subparagraph must be provided to the child's parents or guardian, and counsel for the parents.

(*ii*) Identifying appropriate services and helping the child's parents overcome barriers, including actively assisting the child's parents in obtaining appropriate services.

(*iii*) With parental consent, identifying and inviting the extended family to participate in providing support and services to the family and to participate in family team meetings, permanency planning, and resolution of placement issues.

(*iv*) Conducting or cause to be conducted a diligent search for the child's extended family members and contact and consult with extended family members to provide family structure and support for the child and the parents.

(*v*) Offering and employing all available and culturally appropriate family preservation strategies and facilitating the use of remedial and rehabilitative services.

(*vi*) Taking steps to keep siblings together whenever possible.

(*vii*) Supporting regular visits with parents in the most natural setting possible, as well as trial home visits with the child during any period of removal, consistent with the need to

ensure the health, safety, and welfare of the child.

(*viii*) Identifying community resources, including housing, financial, transportation, mental health, substance abuse, and peer support services, and actively assisting the child's parents or, when appropriate, the child's extended family in utilizing and accessing the resources.

(*ix*) Monitoring progress and participation in services.

(*x*) Meeting face-to-face with the child a minimum of once per week in a home setting.

(*xi*) Meeting face-to-face with the parents a minimum of once per week.

(*xii*) Considering alternative ways to address the needs of the parents and, when appropriate, the child's extended family if the optimum services do not exist or are not available.

(*l*) ~~(j)~~ "Relative" means an individual who is at least 18 years of age and is either of the following:

(*i*) Related to the child within the fifth degree by blood, marriage, or adoption, including the spouse of an individual related to the child within the fifth degree, even after the marriage has ended by death or divorce, the parent who shares custody of a half-sibling, and the parent of a man whom the court has found probable cause to believe is the putative father if there is no man with legally established rights to the child.

(*ii*) Not related to a child within the fifth degree by blood, marriage, or adoption but who has a strong positive emotional tie or role in the child's life or the child's parent's life if the child is an infant, as determined by the department or, if the child is an Indian child, as determined solely by the Indian child's tribe. As used in this section, "Indian child" and "Indian

child's tribe" mean those terms as defined in section 3 of chapter XIIB.

(m) ~~(k)~~ "Sex offenders registration act" means the sex offenders registration act, 1994 PA 295, MCL 28.721 to 28.730.

(n) ~~(l)~~ "Sibling" means a child who is related through birth or adoption by at least 1 common parent. Sibling includes that term as defined by an American Indian or Alaskan native child's tribal code or custom.

(2) If a juvenile is alleged to be within the provisions of section 2(b) of this chapter, the court may authorize a petition to be filed at the conclusion of the preliminary hearing or inquiry. The court may authorize the petition ~~upon~~ **on** a showing of probable cause that 1 or more of the allegations in the petition are true and fall within the provisions of section 2(b) of this chapter. If a petition is before the court because the department is required to submit the petition under section 17 of the child protection law, 1975 PA 238, MCL 722.637, the court shall hold a hearing on the petition within 24 hours or on the next business day after the petition is submitted, at which hearing the court shall consider at least the matters governed by subsections (4) and (5).

(3) Except as provided in subsections (5) and (6), if a petition under subsection (2) is authorized, the court may release the juvenile in the custody of either of the juvenile's parents or the juvenile's guardian or custodian under reasonable terms and conditions necessary for either the juvenile's physical health or mental well-being.

(4) The court may order a parent, guardian, custodian, nonparent adult, or other ~~person~~ **individual** residing in a child's home to leave the home and, except as the court orders, not to

subsequently return to the home if all of the following take place:

(a) A petition alleging abuse of the child by the parent, guardian, custodian, nonparent adult, or other ~~person~~ **individual** is authorized under subsection (2).

(b) The court after a hearing finds probable cause to believe the parent, guardian, custodian, nonparent adult, or other ~~person~~ **individual** committed the abuse.

(c) The court finds on the record that the presence in the home of the ~~person~~ **individual** alleged to have committed the abuse presents a substantial risk of harm to the child's life, physical health, or mental well-being.

(5) If a petition alleges abuse by ~~a person~~ **an individual** described in subsection (4), regardless of whether the court orders the alleged abuser to leave the child's home under subsection (4), the court shall not leave the child in or return the child to the child's home or place the child with a person not licensed under 1973 PA 116, MCL 722.111 to 722.128, unless the court finds that the conditions of custody at the placement and with the individual with whom the child is placed are adequate to safeguard the child from the risk of harm to the child's life, physical health, or mental well-being.

(6) If a court finds a parent is required by court order to register under the sex offenders registration act, the department may, but is not required to, make reasonable efforts to reunify the child with the parent. The court may order reasonable efforts to be made by the department.

(7) In determining whether to enter an order under subsection (4), the court may consider whether the parent who is to remain in the juvenile's home is married to the ~~person~~ **individual** to be

removed or has a legal right to retain possession of the home.

(8) An order entered under subsection (4) may also contain 1 or more of the following terms or conditions:

(a) The court may require the alleged abusive parent to pay appropriate support to maintain a suitable home environment for the juvenile during the duration of the order.

(b) The court may order the alleged abusive ~~person,~~ **individual**, according to terms the court may set, to surrender to a local law enforcement agency any firearms or other potentially dangerous weapons the alleged abusive ~~person~~ **individual** owns, possesses, or uses.

(c) The court may include any reasonable term or condition necessary for the juvenile's physical or mental well-being or necessary to protect the juvenile.

(9) The court may order placement of the child in foster care if the court finds all of the following conditions:

(a) Custody of the child with the parent presents a substantial risk of harm to the child's life, physical health, or mental well-being.

(b) No provision of service or other arrangement except removal of the child is reasonably available to adequately safeguard the child from risk as described in subdivision (a).

(c) Continuing the child's residence in the home is contrary to the child's welfare.

(d) Consistent with the circumstances, reasonable efforts were made to prevent or eliminate the need for removal of the child.

(e) Conditions of child custody away from the parent are adequate to safeguard the child's health and welfare.

(10) If the court orders placement of the juvenile outside the

juvenile's home, the court shall inform the parties of the following:

(a) That the agency has the responsibility to prepare an initial services plan within 30 days of the juvenile's placement.

(b) The general elements of an initial services plan as required by the rules promulgated under 1973 PA 116, MCL 722.111 to 722.128.

(c) That participation in the initial services plan is voluntary without a court order.

(11) Before or within 7 days after a child is placed in a relative's home, the department shall perform a criminal record check and central registry clearance. If the child is placed in the home of a relative, the court shall order a home study to be performed and a copy of the home study to be submitted to the court not more than 30 days after the placement.

(12) In determining placement of a juvenile pending trial, the court shall order the juvenile placed in the most family-like setting available consistent with the juvenile's needs.

(13) If a juvenile is removed from the parent's custody at any time, the court shall permit the juvenile's parent to have regular and frequent parenting time with the juvenile. Parenting time between the juvenile and ~~his or her~~ **the juvenile's** parent must not be less than 1 time every 7 days unless the court determines either that exigent circumstances require less frequent parenting time or that parenting time, even if supervised, may be harmful to the juvenile's life, physical health, or mental well-being. If the court determines that parenting time, even if supervised, may be harmful to the juvenile's life, physical health, or mental well-being, the court may suspend parenting time until the risk of harm

no longer exists. The court may order the juvenile to have a psychological evaluation or counseling, or both, to determine the appropriateness and the conditions of parenting time.

(14) Reasonable efforts must be made to do the following:

(a) Place siblings removed from their home in the same foster care, kinship guardianship, or adoptive placement, unless the supervising agency documents that a joint placement would be contrary to the safety or well-being of any of the siblings.

(b) In the case of siblings removed from their home who are not jointly placed, provide for visitation, at least monthly, or other ongoing interaction between the siblings, unless the supervising agency documents that visitation, at least monthly, or other ongoing interaction would be contrary to the safety or well-being of any of the siblings.

(15) If the supervising agency documents that visitation or other contact is contrary to the safety or well-being of any of the siblings and temporarily suspends visitation or contact, the supervising agency shall report its determination to the court for consideration at the next review hearing.

(16) If the supervising agency temporarily suspends visitation or contact, the court shall review the decision and determine whether sibling visitation or contact will be beneficial to the siblings. If so, the court shall order sibling visitation or contact to the extent reasonable.

(17) ~~Upon~~ **On** the motion of any party, the court shall review custody and placement orders and initial services plans pending trial and may modify those orders and plans as the court considers under this section is in the juvenile's best interests.

(18) The court shall include in an order placing a child in

foster care an order directing the release of information concerning the child in accordance with this subsection. If a child is placed in foster care, within 10 days after receipt of a written request, the agency shall provide the ~~person~~ **individual** who is providing the foster care with copies of all initial, updated, and revised case service plans and court orders relating to the child and all of the child's medical, mental health, and education reports, including reports compiled before the child was placed with that ~~person.~~**individual**.

(19) In an order placing a child in foster care, the court shall include both of the following:

(a) An order that the child's parent, guardian, or custodian provide the supervising agency with the name and address of each of the child's medical providers.

(b) An order that each of the child's medical providers release the child's medical records. The order may specify providers by profession or type of institution.

(20) ~~Nothing in this~~ **This** section is **not** intended to supersede the placement preferences for an Indian child under chapter XIIB.

(21) As used in this section, "abuse" means 1 or more of the following:

(a) Harm or threatened harm by ~~a person~~ **an individual** to a juvenile's health or welfare that occurs through nonaccidental physical or mental injury.

(b) Engaging in sexual contact or sexual penetration as those terms are defined in section 520a of the Michigan penal code, 1931 PA 328, MCL 750.520a, with a juvenile.

(c) Sexual exploitation of a juvenile, which includes, but is not limited to, allowing, permitting, or encouraging a juvenile to

engage in prostitution or allowing, permitting, encouraging, or engaging in photographing, filming, or depicting a juvenile engaged in a listed sexual act as that term is defined in section 145c of the Michigan penal code, 1931 PA 328, MCL 750.145c.

(d) Maltreatment of a juvenile.

Sec. 16b. (1) The youth and family justice bureau, in collaboration with the state court administration and a public university in this state, shall establish the juvenile justice and child welfare training institute for purposes of creating a uniform, research-based and legally grounded training program for individuals who work in the juvenile justice system.

(2) The juvenile justice and child welfare training institute shall do all of the following:

(a) Maintain a secure and centralized monitoring system that stores individual staff training history from date of hire, tracks initial certification and annual training hour requirements, logs in-person and virtual training completions, and retains supporting documentation including, but not limited to, attendance sheets, assessment results, certifications, and trainer credentials.

(b) Enforce standardized documentation protocols across all courts and facilities ensuring that all training programs follow an approved curriculum framework, and attendance and completion are validated using uniform tools such as sign-in sheets, digital attendance tracking, and quizzes.

(c) Submit monthly reports to courts and out-of-home placement providers, including detention centers.

(d) Support internal and external audits by providing comprehensive and organized training records and retaining archived training data in compliance with state and federal record retention

laws.

(e) Manage the following records:

(*i*) Initial certification records, including all required topics covered at the juvenile justice and child welfare training institute and the home facility, signed off by certified trainers.

(*ii*) Annual training logs segmented by content areas, delivery method, and completion date.

(*iii*) Specialized or refresher certifications, including certifications with expiration dates, renewal reminders, and recertification tracking.

(*iv*) Records for internal trainers, including their qualifications, certifications, and session history.

(f) Collect training, performance, and outcome data across all juvenile justice systems by analyzing data to identify trends.

(g) Review national best practices in juvenile justice systems, translate research into updated training content and protocols, pilot innovative intervention models and assess their effectiveness, and evaluate the outcomes of court diversion programs, behavior management systems, and trauma-informed approaches.

(h) Collaborate with court associations, the judiciary, the department, and the state court administrative office to review the effectiveness of current laws, court rules, and facility regulations, use data collected to inform state-level juvenile justice reform efforts, and recommend changes to state policy based on the findings.

(i) Produce annual reports for stakeholders and the legislature, host research roundtables, symposiums, and other professional development meetings, and develop research briefs and

policy recommendations.

(j) Support the youth and family justice bureau and the department in developing, implementing, and enforcing a comprehensive quality assurance framework for juvenile justice services across this state.

(3) In addition to the powers and duties described under subsection (2), the juvenile justice and child welfare training institute shall serve as this state's official clearinghouse for evidence-based, promising, and emerging practices in the juvenile justice system by doing all of the following:

(a) Maintaining a searchable digital repository of evidence-based practices, cultural and promising practices, and innovative, data-supported local models.

(b) Vetting local and statewide initiatives and developing criteria with the state court administrative office, department, and court associations for identifying and validating promising practices in use by courts, facilities, and providers.

(c) Hosting webinars, workshops, and learning collaboratives to showcase practices listed in the clearinghouse.

(d) Assisting with fidelity monitoring and outcome tracking to ensure successful implementation and offer guidance on sustainability, scaling, and integration into local systems.

Sec. 18f. (1) If, in a proceeding under section 2(b) of this chapter, an agency advises the court against placing a child in the custody of the child's parent, guardian, or custodian, the agency shall report in writing to the court what efforts were made to prevent the child's removal from ~~his or her~~ **the child's** home or the efforts made to ~~rectify the conditions that caused the child's removal from his or her home.~~ **reunify the family.** The report ~~shall~~

must include all of the following:

(a) If services were provided to the child and ~~his or her~~ **the child's** parent, guardian, or custodian, the services, including in-home services, that were provided **and identifying reasonable efforts that were made to reunify the family.**

(b) If services were not provided to the child and ~~his or her~~ **the child's** parent, guardian, or custodian, the reasons why services were not provided.

(c) Likely harm to the child if the child were to be separated from ~~his or her~~ **the child's** parent, guardian, or custodian.

(d) Likely harm to the child if the child were to be returned to ~~his or her~~ **the child's** parent, guardian, or custodian.

(2) Before the court enters an order of disposition in a proceeding under section 2(b) of this chapter, the agency shall prepare a case service plan that ~~shall~~ **must** be available to the court and all the parties to the proceeding.

(3) The case service plan ~~shall~~ **must** provide for placing the child in the most family-like setting available and in as close proximity to the child's parents' home as is consistent with the child's best interests and special needs. The case service plan ~~shall~~ **must** include, but is not limited to, the following:

(a) The type of home or institution in which the child is to be placed and the reasons for the selected placement.

(b) Efforts to be made by the child's parent to enable the child to return to ~~his or her~~ **the child's** home.

(c) Efforts to be made by the agency to return the child to ~~his or her~~ **the child's** home.

(d) Schedule of services to be provided to the parent, child, and if the child is to be placed in foster care, the foster parent,

to facilitate the child's return to ~~his or her~~ **the child's** home or to facilitate the child's permanent placement.

(e) Except as otherwise provided in this subdivision, unless parenting time, even if supervised, would be harmful to the child as determined by the court under section 13a of this chapter or otherwise, a schedule for regular and frequent parenting time between the child and ~~his or her~~ **the child's** parent ~~, which shall~~ **that must** not be less than once every 7 days.

(f) Efforts to be made by the supervising agency to provide frequent in-person visitation or other ongoing interaction between siblings unless the court determines under section 13a of this chapter that sibling visitation or contact will not be beneficial to 1 or more of the siblings.

(g) Conditions that would limit or preclude placement or parenting time with a parent who is required by court order to register under the sex offenders registration act.

(4) Before the court enters an order of disposition, the court shall consider the case service plan; any written or oral information offered concerning the child from the child's parent, guardian, custodian, foster parent, child caring institution, relative with whom the child is placed, lawyer-guardian ad litem, attorney, or guardian ad litem; and any other evidence offered, including the appropriateness of parenting time, which information or evidence bears on the disposition. The order of disposition ~~shall~~ **must** state whether reasonable efforts have been made to prevent the child's removal from ~~his or her~~ **the child's** home or to rectify the conditions that caused the child's removal from ~~his or her~~ **the child's** home. The court may order compliance with all or any part of the case service plan as the court considers necessary.

(5) If a child continues in placement outside of the child's home, the case service plan ~~shall~~ **must** be updated and revised at 90-day intervals as required by the rules promulgated under 1973 PA 116, MCL 722.111 to 722.128. The agency shall consult with the foster parents when ~~it~~ **the agency** updates and revises the case service plan ~~,~~ and ~~shall~~ attach a statement summarizing the information received from the foster parents to the updated and revised case service plan. Updated and revised case service plans ~~shall~~ **must** be available to the court and all the parties to the ~~proceeding.~~ **proceedings**. Within 10 days after receipt of a written request, the agency shall provide the ~~person~~ **individual** who is providing the foster care with the information itemized in section 13a(17) of this chapter.

(6) To ensure that the case service plan addresses the child's medical needs in relation to abuse and neglect, the department shall review a child's case with the child's attending physician of record during a hospitalization or with the child's primary care physician, but only if a physician has diagnosed the child's abuse or neglect as involving 1 or more of the following:

(a) Failure to thrive.

(b) Munchausen syndrome by proxy.

(c) Shaken baby syndrome.

(d) A bone fracture that is diagnosed as being the result of abuse or neglect.

(e) Drug exposure.

(7) If a child is placed outside of ~~his or her~~ **the child's** home and the department is required to review the child's case with a physician under subsection (6), then in a judicial proceeding to determine if the child is to be returned to ~~his or her~~ **the child's**

home, the court must allow the child's attending physician of record during a hospitalization or the child's primary care physician to testify regarding the case service plan. The court shall notify each physician of the hearing's time and place.

Sec. 18q. (1) Not later than 30 days after a report is filed under section 18p of this chapter, the court shall hold a hearing to determine if a juvenile is competent to proceed. At the hearing, the parties may introduce other evidence regarding the juvenile's mental condition or may submit the matter by written stipulation based on the filed report.

(2) ~~Upon~~ **On** a finding by the court that a juvenile is incompetent to proceed and a finding that there is a substantial probability that the juvenile will remain incompetent to proceed for the foreseeable future or within the period of the restoration order, the court shall dismiss with prejudice the charges against the juvenile and may determine custody of the juvenile.

(3) The qualified juvenile forensic mental health examiner appointed by the court to determine the juvenile's mental condition shall be allowed reasonable fees for services rendered.

(4) The court shall report to the ~~state court administrator~~ **youth and family justice bureau** the number of juveniles found to be incompetent to proceed.

Sec. 18u. (1) The youth and family justice bureau is established in the department of licensing and regulatory affairs. The bureau shall exercise its powers, duties, functions and responsibilities independently of the department of licensing and regulatory affairs.

(2) Board members of the bureau must consist of 6 family division judges who regularly preside over juvenile matters and 6

individuals appointed from the Michigan Association for Family Court Administration from a list submitted by the supreme court and the Michigan Association for Family Court Administration. The governor, the speaker of the house of representatives, and the senate majority leader shall each choose 2 family division judges and 2 members from the Michigan Association for Family Court Administration to be on the board.

(3) Of the first 12 board member appointees, 2 judges and 2 administrators shall serve for a term of 3 years, 3 judges and 2 administrators shall serve for a term of 2 years, and 2 judges and 1 administrator shall serve for a term of 1 year. After serving the initial term as described under this subsection, the term for all board members is 3 years. Board members may be reappointed to subsequent full terms but may not be reappointed if the subsequent term would cause them to serve more than 11 in total years.

(4) The board shall annually appoint 1 of its members as the chairperson and 1 member as the secretary. The chairperson of the board, with the approval of the majority of the board members, may appoint and fix the compensation of the assistants, clerks, and other staff of the bureau as the chairperson considers necessary to enable the bureau to perform its powers and duties.

(5) The compensation of assistants, clerks, and other staff of the bureau must be fixed within limitations. The assistants, clerks, and other staff of the bureau may be eligible to apply for a retirement plan under the state employees' retirement act, 1943 PA 240, MCL 38.1 to 38.69.

(6) The board members shall meet at least quarterly or more frequently at the call of the chairperson. Seven members of the board constitute a quorum at a meeting of the board.

(7) The business that the board may perform must be conducted at a public meeting of the commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(8) A writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(9) Members of the board shall serve without compensation. However, members of the board may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the board.

Sec. 18v. (1) The powers and duties of the youth and family justice bureau include, but are not limited to, all of the following:

(a) Advising the family division of the circuit court on all matters pertaining to the proper care and maintenance of juveniles under the jurisdiction of the family division of the circuit court.

(b) Examining the administrative methods and judicial procedure used in the family division of the circuit court in this state and establishing standards and making recommendations on the administrative methods and judicial procedures to the family division of the circuit court.

(c) Examining the personnel practices and employment standards used in juvenile probation offices in this state and establishing standards and making recommendations on the personnel practices and employment standards used in juvenile probation offices to the family division of the circuit court.

(d) Collecting and analyzing data to identify trends and to determine the effectiveness of programs and practices to ensure the

reasonable and efficient administration of the family division of the circuit court, making recommendations concerning evidence-based programs and practices to judges, the state court administrative office, and other appropriate entities, and posting related information on the bureau's publicly accessible website.

(e) Monitoring detention and residential facilities throughout this state to ensure compliance with statutory and regulatory requirements.

(f) Providing training and continuing legal education certification for attorneys, juvenile probation officers, detention staff, service providers, and child welfare professionals related to all topics covered under this act.

(g) Advising the state court administrative office regarding approval of forms for use in juvenile matters.

(2) The bureau has the power and duty to make annual grants to political subdivisions for the development and improvement of probation and child welfare services for juveniles.

(3) The legislature shall annually appropriate funds necessary for the operation and expenses of the bureau.

Sec. 19. (1) Subject to section 20 of this chapter, if a child remains under the court's jurisdiction, a cause may be terminated or an order may be amended or supplemented, within the authority granted to the court in section 18 of this chapter, at any time as the court considers necessary and proper. An amended or supplemented order must be referred to as a "supplemental order of disposition". If the agency becomes aware of additional abuse or neglect of a child who is under the court's jurisdiction and if that abuse or neglect is substantiated as provided in the child protection law, 1975 PA 238, MCL 722.621 to 722.638, the agency

shall file a supplemental petition with the court.

(2) Except as provided in subsections (3) and (4), if a child subject to the court's jurisdiction remains in ~~his or her~~ **the child's** home, a review hearing must be held not more than 182 days from the date a petition is filed to give the court jurisdiction over the child and ~~no~~ **not** later than every 91 days after that for the first year that the child is subject to the court's jurisdiction. After the first year that the child is subject to the court's jurisdiction, a review hearing ~~shall~~ **must** be held ~~no~~ **not** later than 182 days from the immediately preceding review hearing before the end of that first year and ~~no~~ **not** later than every 182 days from each preceding review hearing after that until the case is dismissed. A review hearing under this subsection must not be canceled or delayed beyond the number of days required in this subsection, regardless of whether a petition to terminate parental rights or another matter is pending. ~~Upon~~ **On** motion by any party or in the court's discretion, a review hearing may be accelerated to review any element of the case service plan prepared according to section 18f of this chapter.

(3) Except as otherwise provided in subsection (4), if, in a proceeding under section 2(b) of this chapter, a child is subject to the court's jurisdiction and removed from ~~his or her~~ **the child's** home, a review hearing must be held not more than 182 days after the child's removal from ~~his or her~~ **the child's** home and ~~no~~ **not** later than every 91 days after that for the first year that the child is subject to the court's jurisdiction. After the first year that the child has been removed from ~~his or her~~ **the child's** home and is subject to the court's jurisdiction, a review hearing must be held not more than 182 days from the immediately preceding

review hearing before the end of that first year and ~~no~~ **not** later than every 182 days from each preceding review hearing after that until the case is dismissed. A review hearing under this subsection must not be canceled or delayed beyond the number of days required in this subsection, regardless of whether a petition to terminate parental rights or another matter is pending. ~~Upon~~ **On** motion by any party or in the court's discretion, a review hearing may be accelerated to review any element of the case service plan prepared according to section 18f of this chapter.

(4) If a child is under the care and supervision of the agency and is either placed with a relative and the placement is intended to be permanent or is in a permanent foster family agreement, the court shall hold a review hearing not more than 182 days after the child has been removed from ~~his or her~~ **the child's** home and ~~no~~ **not** later than every 182 days after that so long as the child is subject to the jurisdiction of the court, the Michigan children's institute, or other agency. A review hearing under this subsection must not be canceled or delayed beyond the number of days required in this subsection, regardless of whether a petition to terminate parental rights or another matter is pending. ~~Upon~~ **On** the motion of any party or at the court's discretion, a review hearing may be accelerated to review any element of the case service plan.

(5) Written notice of a review hearing under subsection (2), (3), or (4) must be served on all of the following:

(a) The agency. The agency shall advise the child of the hearing if the child is 11 years of age or older.

(b) The child's foster parent or custodian.

(c) If the parental rights to the child have not been terminated, the child's parents.

(d) If the child has a guardian, the guardian for the child.

(e) If the child has a guardian ad litem, the guardian ad litem for the child.

(f) A nonparent adult if the nonparent adult is required to comply with the case service plan.

(g) If tribal affiliation has been determined, the elected leader of the Indian tribe.

(h) The attorney for the child, the attorney for each party, and the prosecuting attorney if the prosecuting attorney has appeared in the case.

(i) If the child is 11 years of age or older, the child.

(j) Other persons as the court may direct.

(6) At a review hearing under subsection (2), (3), or (4), the court shall review on the record all of the following:

(a) Compliance with the case service plan with respect to services provided or offered to the child and the child's parent, guardian, custodian, or nonparent adult if the nonparent adult is required to comply with the case service plan and whether the parent, guardian, custodian, or nonparent adult if the nonparent adult is required to comply with the case service plan has complied with and benefited from those services.

(b) Compliance with the case service plan with respect to parenting time with the child. If parenting time did not occur or was infrequent, the court shall determine why parenting time did not occur or was infrequent.

(c) The extent to which the parent complied with each provision of the case service plan, prior court orders, and an agreement between the parent and the agency.

(d) Likely harm to the child if the child continues to be

separated from the child's parent, guardian, or custodian.

(e) Likely harm to the child if the child is returned to the child's parent, guardian, or custodian.

(7) After review of the case service plan, the court shall determine the extent of progress made toward alleviating or mitigating the conditions that caused the child to be placed in foster care or that caused the child to remain in foster care. The court may modify any part of the case service plan including, but not limited to, the following:

(a) Prescribing additional services that are necessary to rectify the conditions that caused the child to be placed in foster care or to remain in foster care.

(b) Prescribing additional actions to be taken by the parent, guardian, nonparent adult, or custodian, to rectify the conditions that caused the child to be placed in foster care or to remain in foster care.

(8) At a review hearing under subsection (2), (3), or (4), the court shall determine the continuing necessity and appropriateness of the child's placement and shall order the return of the child to the custody of the parent as provided in this subsection, continue the dispositional order, modify the dispositional order, or enter a new dispositional order. The court shall order the child returned to the custody of ~~his or her~~ **the child's** parent if returning the child to ~~his or her~~ **the child's** parent would not cause a substantial risk of harm to the child.

(9) If in a proceeding under section 2(b) of this chapter a child is placed in foster care, the court shall determine at the dispositional hearing and each review hearing whether the cause should be reviewed before the next review hearing required by

subsection (2), (3), or (4). In making this determination, the court shall consider at least all of the following:

(a) The parent's ability and motivation to make necessary changes to provide a suitable environment for the child.

(b) Whether there is a reasonable likelihood that the child may be returned to ~~his or her~~ **the child's** home before the next review hearing required by subsection (2), (3), or (4).

(10) At a review hearing under this section, the court shall approve or disapprove a qualified residential treatment program placement as provided in section 13a of 1973 PA 116, MCL 722.123a.

(11) Unless waived, if not less than 7 days' notice is given to all parties before returning a child to the child's home, and no party requests a hearing within the 7 days, the court may issue an order without a hearing permitting the agency to return the child to the child's home.

(12) An agency report filed with the court must be accessible to all parties to the action and must be offered into evidence. The court shall consider any written or oral information concerning the child from the child's parent, guardian, custodian, foster parent, child caring institution, relative with whom a child is placed, attorney, lawyer-guardian ad litem, or guardian ad litem, in addition to any other evidence, including the appropriateness of parenting time, offered at the hearing.

(13) Reasonable efforts to finalize an alternate permanency plan may be made concurrently with reasonable efforts to reunify the ~~child with the~~ family.

(14) Reasonable efforts to place a child for adoption or with a legal guardian, including identifying appropriate in-state or out-of-state options, may be made concurrently with reasonable

efforts to reunify the ~~child and~~ family.

Sec. 19a. (1) Subject to subsection (2), if a child remains in foster care and parental rights to the child have not been terminated, the court shall conduct a permanency planning hearing within 12 months after the child ~~was~~ **is** removed from ~~his or her~~ **the child's** home. Subsequent permanency planning hearings must be held ~~no~~ **not** later than every 12 months after each preceding permanency planning hearing during the continuation of foster care. If proper notice for a permanency planning hearing is provided, a permanency planning hearing may be combined with a review hearing held under section 19(2) to (4) of this chapter, but ~~no~~ **not** later than 12 months from the removal of the child from ~~his or her~~ **the child's** home, from the preceding permanency planning hearing, or from the number of days required under subsection (2). A permanency planning hearing ~~shall~~ **must** not be canceled or delayed beyond the number of months required by this subsection or days as required under subsection (2), regardless of whether there is a petition to terminate parental rights pending.

(2) The court shall conduct a permanency planning hearing within 30 days after there is a judicial determination that reasonable efforts to ~~reunite~~ **reunify** the ~~child and~~ family are not required. Reasonable efforts to reunify the ~~child and~~ family must be made in all cases except if any of the following apply:

(a) There is a judicial determination that the parent has subjected the child to aggravated circumstances as provided in section 18(1) and (2) of the child protection law, 1975 PA 238, MCL 722.638.

(b) The parent has been convicted of 1 or more of the following:

(*i*) Murder of another child of the parent.

(*ii*) Voluntary manslaughter of another child of the parent.

(*iii*) Aiding or abetting in the murder of another child of the parent or voluntary manslaughter of another child of the parent, the attempted murder of the child or another child of the parent, or the conspiracy or solicitation to commit the murder of the child or another child of the parent.

(*iv*) A felony assault that results in serious bodily injury to the child or another child of the parent.

(c) The parent has had rights to the child's siblings involuntarily terminated and the parent has failed to rectify the conditions that led to that termination of parental rights.

(d) The parent is required by court order to register under the sex offenders registration act.

(3) A permanency planning hearing must be conducted to review the child's status and the progress being made toward the child's return home or to show why the child should not be placed in the permanent custody of the court. The court shall obtain the child's views regarding the permanency plan in a manner that is appropriate to the child's age. In the case of a child who will not be returned home, the court shall consider in-state and out-of-state placement options. In the case of a child placed out-of-state, the court shall determine whether the out-of-state placement continues to be appropriate and in the child's best interests. The court shall ensure that the agency is providing appropriate services to assist a child who will transition from foster care to independent living.

(4) At or before each permanency planning hearing, the court shall determine whether the agency has made reasonable efforts to finalize the permanency plan. At the hearing, the court shall

determine whether and, if applicable, when the following must occur:

(a) The child may be returned to the parent, guardian, or legal custodian.

(b) A petition to terminate parental rights should be filed.

(c) The child may be placed in a legal guardianship.

(d) The child may be permanently placed with a fit and willing relative.

(e) The child may be placed in another planned permanent living arrangement, but only in those cases where the agency has documented to the court a compelling reason for determining that it would not be in the best interest of the child to follow 1 of the options listed in subdivisions (a) to (d).

(5) The court shall determine whether ~~or not~~ the agency, foster home, or institutional placement has followed the reasonable and prudent parenting standard that the child has had regular opportunities to engage in age or developmentally appropriate activities.

(6) Not less than 14 days before a permanency planning hearing, written notice of the hearing and a statement of the purposes of the hearing, including a notice that the hearing may result in further proceedings to terminate parental rights, must be served on all of the following:

(a) The agency. The agency shall advise the child of the hearing if the child is 11 years of age or older.

(b) The child's foster parent or custodian.

(c) If the parental rights to the child have not been terminated, the child's parents.

(d) If the child has a guardian, the guardian for the child.

(e) If the child has a guardian ad litem, the guardian ad litem for the child.

(f) If tribal affiliation has been determined, the elected leader of the Indian tribe.

(g) The attorney for the child, the attorneys for each party, and the prosecuting attorney if the prosecuting attorney has appeared in the case.

(h) If the child is 11 years of age or older, the child.

(i) Other persons as the court may direct.

(7) If parental rights to the child have not been terminated and the court determines at a permanency planning hearing that the return of the child to ~~his or her~~ **the child's** parent would not cause a substantial risk of harm to the child's life, physical health, or mental well-being, the court shall order the child returned to ~~his or her~~ **the child's** parent. In determining whether returning the child would cause a substantial risk of harm to the child, the court shall view the failure of the parent to substantially comply with the terms and conditions of the case service plan prepared under section 18f of this chapter as evidence that returning the child to ~~his or her~~ **the child's** parent would cause a substantial risk of harm to the child's life, physical health, or mental well-being. In addition to considering conduct of the parent as evidence of substantial risk of harm, the court shall consider any condition or circumstance of the child that may be evidence that returning the child to the parent would cause a substantial risk of harm to the child's life, physical health, or mental well-being.

(8) If the court determines at a permanency planning hearing that a child should not be returned to ~~his or her~~ **the child's**

parent, the court may order the agency to initiate proceedings to terminate parental rights. Except as otherwise provided in this subsection, if the child has been in foster care under the responsibility of ~~the~~ **this** state for 15 of the most recent 22 months, the court shall order the agency to initiate proceedings to terminate parental rights. The court is not required to order the agency to initiate proceedings to terminate parental rights if 1 or more of the following apply:

(a) The child is being cared for by relatives.

(b) The case service plan documents a compelling reason for determining that filing a petition to terminate parental rights would not be in the best interest of the child. Compelling reasons for not filing a petition to terminate parental rights include, but are not limited to, all of the following:

(*i*) Adoption is not the appropriate permanency goal for the child.

(*ii*) No grounds to file a petition to terminate parental rights exist.

(*iii*) The child is an unaccompanied refugee minor as defined in 45 CFR 400.111.

(*iv*) There are international legal obligations or compelling foreign policy reasons that preclude terminating parental rights.

(c) ~~The~~ **This** state has not provided the child's family, consistent with the time period in the case service plan, with the services ~~the~~ **this** state considers necessary for the child's safe return to ~~his or her~~ **the child's** home, if reasonable efforts are required.

(9) If the agency demonstrates under subsection (8) that initiating termination of parental rights to the child is clearly

not in the child's best interests, or the court does not order the agency to initiate termination of parental rights to the child under subsection (8), the court shall order 1 or more of the following alternative placement plans:

(a) If the court determines that other permanent placement is not possible, the child's placement in foster care must continue for a limited period to be stated by the court.

(b) If the court determines that it is in the child's best interests based on compelling reasons, the child's placement in foster care may continue on a long-term basis.

(c) Subject to subsection (11), if the court determines that it is in the child's best interests, appoint a guardian for the child, which guardianship may continue until the child is emancipated.

(10) A guardian appointed under subsection (9)(c) has all of the powers and duties set forth under section 5215 of the estates and protected individuals code, 1998 PA 386, MCL 700.5215.

(11) If a child is placed in a guardian's or a proposed guardian's home under subsection (9)(c), the court shall order the department to perform an investigation and file a written report of the investigation for a review under subsection (12) and the court shall order the department to do all of the following:

(a) Perform a criminal record check within 7 days.

(b) Perform a central registry clearance within 7 days.

(c) Perform a home study and file a copy of the home study with the court within 30 days unless a home study has been performed within the immediately preceding 365 days, under section 13a(11) of this chapter. If a home study has been performed within the immediately preceding 365 days, a copy of that home study must

be submitted to the court.

(12) The court's jurisdiction over a juvenile under section 2(b) of this chapter must be terminated after the court appoints a guardian under this section and conducts a review hearing under section 19 of this chapter, unless the juvenile is released sooner by the court.

(13) The court's jurisdiction over a guardianship created under this section must continue until released by court order. The court shall review a guardianship created under this section annually and may conduct additional reviews as the court considers necessary. The court may order the department or a court employee to conduct an investigation and file a written report of the investigation.

(14) In making the determinations under this section, the court shall consider any written or oral information concerning the child from the child's parent, guardian, custodian, foster parent, child caring institution, relative with whom the child is placed, or guardian ad litem in addition to any other evidence, including the appropriateness of parenting time, offered at the hearing. If a qualified residential treatment program placement as provided in section 13a of 1973 PA 116, MCL 722.123a, is presented, the court shall approve or disapprove that qualified residential treatment program placement.

(15) The court may, on its own motion or ~~upon~~ **on** petition from the department or the child's lawyer guardian ad litem, hold a hearing to determine whether a guardianship appointed under this section must be revoked.

(16) A guardian may petition the court for permission to terminate the guardianship. A petition may include a request for

appointment of a successor guardian.

(17) After notice and hearing on a petition to revoke or permission to terminate the guardianship, if the court finds by a preponderance of evidence that continuing the guardianship is not in the child's best interests, the court shall revoke or terminate the guardianship and appoint a successor guardian or restore temporary legal custody to the department.

Public Policy Position
HB 6296

Oppose

Explanation
The Committee voted unanimously to oppose House Bill 6296.

The legislation gives rise to several concerns. Some of these concerns are shared by SCAO, the Michigan Probate Judges Association, the Michigan Center for Youth Justice, and the Michigan Federation for Children and Families, who all oppose HB 6296:

1. Separation of Powers. The framework envisioned by HB 6296 seems, for lack of a better word, somewhat incestuous and may violate the separation of powers. First, creating an executive branch agency charged with overseeing the work of the judiciary arguably violates Article III, Section 2 of the Michigan Constitution, which prohibits any person exercising powers of one branch of government from exercising powers properly belonging to another branch. Second, the judges being appointed to an executive branch agency would then be the same judges, through the executive branch, who would "establish standards" for the judiciary.

2. Continuing Legal Education. Somewhat similar to the topic of separation of powers or checks and balances, the Committee is concerned about the Youth and Family Justice Bureau's responsibilities over providing CLE to attorneys. In Michigan, CLE is generally regulated by organizations that do not fall directly under the judiciary, such as the Michigan Indigent Defense Commission. There are benefits to this independence from the judiciary, as too much involvement from the judiciary can, for example, negatively impact the ability of attorneys operating in public defense systems to advocate zealously for their clients out of a desire to be deferential to the courts.

3. Possible Duplication of Efforts. HB 6296 seems to work in conjunction with HB 6298 to defund the Michigan Department of Health and Human Services (MDHHS). Some of the duties and responsibilities for the Youth and Family Justice Bureau outlined by HB 6296 may already be managed by other executive branch agencies, such as MDHHS and the Office of the Child Advocate. But the bill does not seem to explicitly remove those functions from those existing agencies. A more collaborative approach that includes a broader range of existing stakeholders is likely necessary.

All in all, there are likely less drastic ways to address any issues MAFCA or the Legislature have beyond a complete overhaul of the existing system. A complete overhaul not only dismantles a system with many arms and legs that has been carefully pieced together over years, but will also likely have unintended and unpredictable effects.

Position Vote:
Voted For position: 12
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 7

***Keller*-Permissibility Explanation**
The Committee determined that House Bill 6296 was necessarily related to the functioning of the courts and therefore *Keller*-permissible.

Contact Persons:
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Public Policy Position
HB 6296

Oppose

Explanation
The Committee voted unanimously to oppose House Bill 6296. The Committee shared the concerns expressed by the Access to Justice Policy Committee and, additionally, is concerned that such a sweeping overhaul of the juvenile justice and child protective system is especially inappropriate prior to the full implementation of the reforms included in the Justice for Kids and Communities legislative package.

Position Vote:
Voted For position: 15
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 11

***Keller*-Permissibility Explanation**
The Committee determined that House Bill 6296 was necessarily related to the functioning of the courts and therefore *Keller*-permissible.

Contact Persons:
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SBM STATE BAR OF MICHIGAN

To: Members of the Public Policy Committee
Board of Commissioners

From: Nathan A. Triplett, Director of Governmental Relations

Date: October 26, 2026

Re: SB 1178 – Trial Court Funding / Centralized Collections Pilot

Background

Senate Bill 1178 is the second[1] substantive bill introduced to effectuate the 2019 recommendations of the Trial Court Funding Commission ("Commission") — as well as the supporting recommendations made by the Michigan Judicial Council's Alternative Funding for Trial Courts Workgroup ("Workgroup") in 2023 and 2025. Specifically: Recommendation Three: Establish Uniform Assessments and Centralized Collections.

The bill would create a collections pilot program beginning on July 1, 2027 and running for one year. Under the pilot program, a minimum of three courts (and their funding units) would enter into an agreement with the Department of Treasury ("Department"). The pilot courts "must be as representative as possible of different jurisdictions, including size and location in [the] state." The agreement would assign all defaulted[2] and delinquent[3] debts owed to the participating courts to the Department for collection (including those that amounts that enter defaulted status during the period of the pilot). The pilot courts would not conduct any collection activity during the pilot, while the Department would attempt collection of the defaulted and delinquent amounts using the current methods and processes used for other debts to the state. Within 90 days after the end of the pilot program, the Department is required to submit a report to the Legislature and State Court Administrative Office ("SCAO") detailing the outcome of the pilot. If the results of the pilot are favorable, the assumption is that the Legislature would then develop and consider bills to establish a uniform statewide collection system for court debt by the Department of Treasury.

When the Trial Court Funding Commission recommended that Michigan move toward centralized collections, it noted that such a system would "help ensure that the administration of justice is separate from the business function of the court" and that "[e]fficiency in overall court operations will be enhanced with centralized core court business functions." The Alternative Funding for Trial Courts Workgroup elaborated further in 2023 in its Report and Recommendations:

> Court collections across the country have been largely ineffective in most jurisdictions and detrimental to the public good in other jurisdictions. Studies have confirmed that police departments who rely on fines and costs solve violent crimes at a lower rate. Also, studies show that fees are collected in an inefficient way in most jurisdictions

[1] The first was actually a three-bill package (Senate Bills 1089, 1090, and 1091) to establish a uniform indigency determination process. The Board of Commissioners has voted to support SB 1089-1091.
[2] "Defaulted" means due and owing to the court for at least 60 days but not more than 179 days and not in an active payment plan.
[3] "Delinquent" means due and owing to the court for 180 days or more and not in an active payment plan.

> and Michigan has similar experiences. Localities spend an average of 41 cents of every dollar collected which is 121 times the amount IRS spends to collect taxes. Currently, most court collections done in the state of Michigan are done at the individual court level and are done in-house. The Michigan Department of Treasury currently services a total of six district courts with their collections process. The workgroup has engaged with the department of treasury to determine that statewide expansion of collections for trial courts is possible. The Department of Treasury currently receives cases for collections from the courts they service once the debt has reached a certain age, to allow time for filing of appeals and due process to take place.
>
> It is recommended that the SCAO and Department of Treasury partner to implement a uniform statewide collection system for court debt. The SCAO and Department of Treasury will build upon an already existing system and court collection process to service all trial courts in streamlining their processes while creating an equitable system that is for all court users. Recommendations on the process should include when the courts refer to Treasury, method of transmittal to Treasury, disposition of funds received by the state, and priority of payments for money collected from individuals with financial obligations owed to other governmental agencies. Pilot programs should be established to assist in determining the costs of increasing capacity of Treasury to manage all trial court collections. The pilot programs also will assist in developing any amendments necessary to the existing MOU between Treasury and the courts.

As noted above, Senate Bill 1178 would create just such a pilot program. In its 2025 Implementation Recommendations, the Alternative Funding for Trial Courts Workgroup explained further both the benefits of centralized collections and how this recommendation relates, and is essential to, the overall approach to trial court funding reform envisioned by both the Commission and Workgroup:

> The benefits of centralizing the collection of court assessments include reduced costs and burden at the local level; increased efficiency of debt collection; more uniform debt collection practices across the state, increasing equality; and less punitive enforcement mechanisms (e.g., income garnishment versus arrest and jail time) and thus reduced burden on local law enforcement and jails. Court personnel, law enforcement officers, jail staff, and probation officers have more pressing public safety matters to manage and do not need the added burden of serving as debt collectors. Many court staff currently involved in financial matters at the court will still be needed to perform cashier functions, help court users understand the new payment system, and assist with restitution distribution to victims. The statewide collections system is integral to trial court funding reform as envisioned by the Alternative Funding for Trial Courts Workgroup, because centralizing court funding and distributing money to and from the Trial Court Fund hinge on the successful implementation of a statewide collections system.

Senate Bill 1178 was introduced by State Senator Sue Shink and referred to the Senate Committee on Civil Rights, Judiciary & Public Safety. The bill is supported by the State Court Administrative Office.

In order to ensure that tangible progress is made toward implementing Commission/Workgroup recommendations, stakeholders are advocating that passage of legislation (HB 5452[4]) extending the MCL 769.1k(1)(b)(iii) sunset on statutory authorization for courts to impose general operating costs on criminal defendants, which is presently set to expire on December 31, 2026, be tie-barred to substantive reform bills, including SB 1178 and SB 1089-1091 (establishing a uniform system of indigency determination).

Keller Considerations

The structure of trial court funding and the imposition of court costs have repeatedly been determined to be *Keller*-permissible by the Board of Commissioners. The Board has been called upon to take public policy positions on several pieces of legislation in this issue space over the course of the last decade. The Board supported legislation authorizing the imposition of costs as a stop gap measure in 2014, each of the bills extending the Sec. 1k sunset since that time, and the legislation creating the Trial Court Funding Commission. The Board also supported the recommendations of the Commission, as well as the first substantive bills introduced to effectuate the recommendations (SB 1089-1091)

Adequate, sustainable funding for the operation of trial courts is essential to the functioning of our courts. Such funding is also necessarily related to access to legal services, as underfunded courts are unable to meet a community's numerous legal needs. Collecting debts owed to courts is an important component of a sustainable trial court funding system. Additionally, as explained by the Workgroup above, moving toward centralized collections will allow courts to direct limited resources to judicial functions and separate the business functions of a court/funding unit from the administration of justice. Therefore, like similar trial court funding reform legislation that came before this bill, Senate Bill 1178 is necessarily related to the functioning of the courts and therefore *Keller*-permissible.

Keller Quick Guide

THE TWO PERMISSIBLE SUBJECT-AREAS UNDER KELLER:

As interpreted by AO 2004-1

Regulation of Legal Profession	**Improvement in Quality of Legal Services**
Regulation and discipline of attorneys	✓ Improvement in functioning of the courts
Ethics	Availability of legal services to society
Lawyer competency	
Integrity of the Legal Profession	
Regulation of attorney trust accounts	

Staff Recommendation

Senate Bill 1178 is necessarily related to the functioning of the courts and therefore *Keller*-permissible. The bill may be considered on its merits.

[4] The SBM Board of Commissioners voted earlier this year to oppose HB 5452 and any legislation that would extend the Sec. 1k sunset for a period of longer than one year). As introduced, HB 5452 would have eliminated the sunset entirely. It has since been amended to extend the sunset through December 31, 2028.

SENATE BILL NO. 1178

September 10, 2026, Introduced by Senators SHINK, CHANG and BAYER and referred to Committee on Civil Rights, Judiciary, and Public Safety.

A bill to amend 1993 PA 316, entitled

"An act to provide for the collection of certain past due monetary amounts owed to courts of this state; and to prescribe the powers and duties of certain state and local officers and agencies,"

by amending the title and sections 1, 3, and 4 (MCL 12.131, 12.133, and 12.134), and by adding section 7a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to provide for the collection of certain ~~past due~~ monetary amounts owed to courts of this state; ~~and~~ to prescribe the powers and duties of certain state and local officers and agencies;

and to implement a collections pilot program.

Sec. 1. As used in this act:

(a) "Delinquent" means, except as provided in section 7a, due and owing to the court for 180 days or more.

(b) ~~(a)~~ "Department" means the department of treasury.

(c) ~~(b)~~ "Funding unit" means 1 of the following, as applicable:

(*i*) For a circuit other than the third circuit of the circuit court, each county in the circuit.

(*ii*) For the third circuit of the circuit court, ~~and for the recorder's court, the~~ **this** state.

(*iii*) For a district other than the thirty-sixth district of the district court, the district control unit of the district, as **that term is** defined in section 8104 of the revised judicature act of 1961, ~~Act No. 236 of the Public Acts of 1961, being section 600.8104 of the Michigan Compiled Laws.~~**1961 PA 236, MCL 600.8104.**

(*iv*) For the thirty-sixth district of the district court, ~~the~~ **this** state.

(*v*) For a municipal court, the political unit where the municipal court is located.

Sec. 3. An agreement entered into under this act ~~shall~~ **between the department, a court, and the court's funding unit must** provide for at least all of the following:

(a) Assignment to ~~the~~ **this** state for collection by the department of **delinquent** amounts, ~~that have been due and owing the court for not less than 180 days,~~ including, but not limited to, any or all of the following:

(*i*) Fees, including reinstatement fees.

(*ii*) Fines.

(*iii*) Forfeitures.

(*iv*) Penalties and costs assessed for criminal offenses, including the costs of prosecution and providing court-ordered legal assistance to the defendant.

(*v*) Penalties and costs assessed for civil infractions, civil violations, and parking violations.

(*vi*) Penalties and costs assessed for ordinance violations.

(*vii*) Forfeited recognizances.

(*viii*) Late penalties assessed ~~pursuant to~~ **under** section 4803 of the revised judicature act of 1961, ~~Act No. 236 of the Public Acts of 1961, being section 600.4803 of the Michigan Compiled Laws.~~**1961 PA 236, MCL 600.4803.**

(b) Provision of the information necessary for the department to identify, locate, and collect delinquent accounts.

(c) Accounting for, settlement of, and transmission to the court of money collected ~~pursuant to~~ **under** the agreement.

(d) Collection of a fee by the state treasurer to recoup costs associated with the collection services.

Sec. 4. A fee imposed by the department to recoup costs associated with the collection services provided under ~~this act shall~~ **section 3 must** be calculated and collected on the same basis as fees charged by the department to other state agencies for the same collection services.

Sec. 7a. (1) A collections pilot program is created in this state in accordance with provisions of this section. The collections pilot program begins on July 1, 2027 and lasts for a period of 1 year.

(2) Under the pilot program, a minimum of 3 courts together with the courts' funding units shall enter into an agreement with

the department as described in section 3, except that the agreement must provide for assignment of defaulted amounts to this state for collection by the department, in addition to delinquent amounts.

(3) The pilot courts must be as representative as possible of different jurisdictions, including size and location in this state. The pilot courts may include courts that have an existing agreement with the department under section 3.

(4) As part of the pilot program, all of the following apply:

(a) At the start of the pilot program, the pilot sites shall transfer all existing defaulted and delinquent amounts to the department for collection. The pilot sites shall transfer amounts to the department throughout the pilot program as they enter defaulted status.

(b) The department shall attempt collection of defaulted and delinquent amounts using its current methods and processes.

(c) During the pilot program period, the pilot sites shall not conduct any collections activities, including, but not limited to, sending notices, issuing bench warrants, suspending driver licenses for nonpayment, or processing garnishments.

(d) The department and the pilot sites, along with the state court administrative office, shall work together to ensure data integration, troubleshoot any issues, obtain feedback from pilot sites, and implement process changes as needed.

(5) Not later than 90 days after the end of the pilot program, the department shall submit a report to the legislature and the state court administrative office that includes all of the following information:

(a) The total cost to the department of collecting defaulted and delinquent amounts for the pilot courts, and the cost per

dollar collected.

(b) Total amounts collected in each status, percentage of total outstanding debt collected, timeliness of payments, and number of debts transferred from defaulted to delinquent status.

(c) Lessons learned and recommendations for implementation of a statewide centralized collections system.

(6) As used in this section:

(a) "Current" means due and owing to the court for not more than 59 days or in an active payment plan.

(b) "Defaulted" means due and owing to the court for at least 60 days but not more than 179 days and not in an active payment plan.

(c) "Delinquent" means due and owing to the court for 180 days or more and not in an active payment plan.

(d) "In an active payment plan" means an individual has done both of the following:

(*i*) Entered into an agreement with the court that requires the individual to pay a specific amount toward the individual's court debt at a specific installment time period.

(*ii*) Made every payment no later than the date it is due as required by an agreement under subparagraph (*i*).

Public Policy Position
SB 1178

Support

Explanation
The Committee voted unanimously to support Senate Bill 1178, which is one of the few substantive bills that has been introduced to effectuate the 2019 recommendations of the Trial Court Funding Commission — as well as the supporting recommendations made by the Michigan Judicial Council's Alternative Funding for Trial Courts Workgroup in 2023 and 2025.

Position Vote:
Voted For position: 16
Voted against position: 0
Abstained from vote: 0
Did not vote (absence): 11

***Keller*-Permissibility Explanation**
The Committee determined that Senate Bill 1178 was necessarily related to the functioning of the courts and therefore *Keller*-permissible.

Contact Persons:
Edmund S. Aronowitz edmund@aronowitzlawfirm.com

9. Strategic Planning and Engagement

Presented by David C. Anderson

9.1. Inauguration and Awards Luncheon Event Summary*

State Bar of Michigan
Presidential Inauguration & Awards Luncheon 2026
Event Summary

Name of Event: Presidential Inauguration & Awards Luncheon

Date(s) of Event: Friday, September 18, 2026

Location of Event: Detroit Marriott Troy; Troy, Michigan

TOTAL NUMBER OF ATTENDEES			
	2026	**2025**	**2024**
Attendees/Guests	67	178	178
BOC Members	35	35	35
RA Members	88	60	56
Staff	20	21	24
Past Presidents	11	13	12
Justices	2	3	3
Award Winners	15	13	9
Total	**238**	**323**	**317**
Net Promotor Score (NPS)	46	51	57

Evaluation Summary

The 2026 Presidential Inauguration & Awards Luncheon combined the annual awards luncheon with the swearing-in ceremony of the President and officers of the State Bar of Michigan for the 2026–2027 Bar year. The event also included the presentation of the annual State Bar awards, a Board of Commissioners (BOC) meeting, and a Representative Assembly (RA) meeting.

The event received a promoter score of 46, based on 39 survey responses. Surveys were distributed to event attendees, BOC members, RA members, past presidents, justices, and award recipients. Of those who responded, 59% indicated they would recommend the Inauguration & Awards Luncheon to a friend or colleague, while 80% rated the Marriott Troy as an excellent or above-average venue.

Jerome Crawford served as emcee and received considerable praise from attendees. Overall feedback was positive, with respondents highlighting the networking opportunities and social connections, the professionalism of SBM staff, event timing and flow, recognition of award recipients, and the national anthem performance. Suggestions for improvement primarily focused on enhancing food quality, reducing both the number of award categories and the total number of awards presented, and refreshing the overall event format. Some respondents noted that the event could benefit from new elements, as its format and choice of emcee have remained consistent from year to year. Overall, the event was well received, with attendees expressing appreciation for the opportunity to recognize award recipients and connect with colleagues.

10. Audit and Finance

Presented by Suzanne C. Larsen

10.1. Finance Report

11. Professional Standards

Presented by Aaron V. Burrell

12. For the Good of the Public and the Profession

12.1. Public Comment

Any member of the public who wishes to address the commissioners during public comment must sign up before 8:30 a.m. on the date of the meeting using the "Public Comment Sign Up" sheet.

13. Adjournment