

State Bar of Michigan | 2017-2018 COMMITTEE ANNUAL REPORT

Article VI § 6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and sub entity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or sub entity.

Civil Procedure and Courts

Jurisdiction: · Review proposed court rules and statutes related to civil practice in the courts and make recommendations concerning improvements in the administration, organization, and operation of Michigan state courts.

Chair

P51317 Karen H. Safran
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Member

Term Ending: 2018

P33366 Thomas H. Bannigan, Detroit
P72367 Tobijah B. Koenig, Grand Rapids
P66292 Sean P. McNally, Southfield
P55180 Marcileen C. Pruitt, Southfield
P51317 Karen H. Safran, Bloomfield Hills
P41613 Alan R. Sullivan, Bay City
P71282 Matthew Arthur Tarrant, Saginaw

Term Ending: 2019

P61545 Nicholas S. Ayoub, Grand Rapids
P74222 Elisa M. Gomez, Detroit
P34150 Ann Victoria Hopcroft, Oscoda
P55480 Joey Scott Niskar, Farmington Hills
P31139 Gary R. Peterson, Portage
P69751 Thomas Daniel Siver, Grand Rapids
P58546 Hon. Victoria A. Valentine, Pontiac
P48783 Peter H. Webster, Troy
P76022 Lyonel Evans Woolley, Lansing

Term Ending: 2020

P75744 Brooke Lauren Archie, Detroit
P34225 Daniel J. Bernard, Clinton Township
P30246 Richard D. Bisio, Troy
P71350 Nancy Katherine Chinonis, Flint
P41430 Elizabeth J. Fossel, Grand Rapids
P43509 Lori J. Frank, Southfield
P36759 Darleen Lynn Petrosky, Farmington Hills
P65638 Dawn M. Prokopec, Grosse Pointe Farms
P28837 Alan M. Valade, Brighton
P57556 Randy J. Wallace, Berkley

Advisor

P64680 Pamela C. Dausman, Lansing
P59649 George M. Strander, Lansing

P48109 Daniel D. Quick, Troy

State Bar Liaison

P79603 Peter Cunningham, Lansing
Kathryn Hennessey, Lansing

State Bar Liaison Assistant

Carrie Sharlow, Lansing

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

**Please keep meeting descriptions brief.*

Meeting Type Description	Date	Location
Meeting Type In-person committee meeting Description The committee met to discuss various public policy items.	06/03/17	Troy, MI
Meeting Type Description		
Meeting Type In-person committee meeting Description The committee met to discuss various public policy items.	11/11/17	Troy, MI
Meeting Type In-person committee meeting Description The committee met to discuss draft civil discovery proposal.	12/09/17	Troy, MI
Meeting Type Description		
Meeting Type Description		

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Resources provided by the State Bar of Michigan in support of committee work:

The committee receives the following support from State Bar of Michigan (SBM):

- Financial support is provided in the SBM budget under Governmental Relations.
- SBM staff provides support preparing for meetings, including polling for meeting dates and times, scheduling meetings, providing teleconference numbers, preparing and circulating materials for meetings (including a printed agenda book), and drafting agendas.
- SBM staff provides support during meetings, including taking notes, preparing minutes, ensuring quorum, tracking votes, and providing refreshments for in-person meetings.
- SBM staff refers relevant legislation and proposed court rule amendments to the committee for its review and consideration. The agenda book for meetings includes staff research on the items, along with background materials and information to assist in the committee's discuss.
- SBM staff also assists with taking e-votes when necessary, including emailing motions to committee members and tracking votes.
- SBM staff assists in drafting the Committee's public policy position statements for consideration by the SBM Board of Commissioners.

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Committee Activities and Strategic Goal Accomplishments:

Please list each accomplishment/activity, and indicate which strategic plan area it supports by checking the corresponding boxes.

<p>The committee continued to advocate for a number of court rule amendments that it had proposed and the RA approved. For ADM 2014-29, the committee created a compromise position between its original position and an alternative proposed by MDJA and MCBA. The Court adopted this compromise rule proposal, which will be effective on May 1, 2018. For ADM 2016-20, the committee continued to advocate for changes to MCR 8.119 concerning the sealing of documents. For ADM 2016-19/2016-28, the committee continued to advocate for changes to MCR 5.125(C)(23).</p>	<p><input type="checkbox"/>G1 <input type="checkbox"/>G2 <input type="checkbox"/>G3 <input type="checkbox"/>G4 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S5 <input checked="" type="checkbox"/>S5 <input type="checkbox"/>S6 <input type="checkbox"/>S6</p> <p style="text-align: center;">Reset Section</p>
<p>COURT RULE AMENDMENTS The committee reviewed a number of court rule proposals and made recommendations to the Board, including -- ADM 2002-37: electronic filing procedures; -- ADM 2016-25: appellate appendices; -- E.D. Mich Local Rule 5.3: civil materials filed under seal</p>	<p><input type="checkbox"/>G1 <input type="checkbox"/>G2 <input type="checkbox"/>G3 <input type="checkbox"/>G4 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S5 <input checked="" type="checkbox"/>S5 <input type="checkbox"/>S6 <input type="checkbox"/>S6</p> <p style="text-align: center;">Reset Section</p>
<p>LEGISLATION HB 4754: inter-circuit concurrent jurisdiction plans; HB 4797: municipality-wide jury pools; HB 5073: mandatory mediation; and SB 872, 875, and 876: extending SoL in civil cases involving CSC with a minor.</p>	<p><input type="checkbox"/>G1 <input type="checkbox"/>G2 <input type="checkbox"/>G3 <input type="checkbox"/>G4 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S5 <input checked="" type="checkbox"/>S5 <input type="checkbox"/>S6 <input type="checkbox"/>S6</p> <p style="text-align: center;">Reset Section</p>
<p>OTHER PUBLIC POLICY PROJECTS The committee dedicated an entire in-person meeting to providing feedback on the Civil Discovery Court Rule Review Special Committee's proposed amendments to the civil discovery rules. The committee is currently considering a new proactive court rule amendment that would require responses to requests to admit and requests for production of documents to be signed by the client.</p>	<p><input type="checkbox"/>G1 <input type="checkbox"/>G2 <input type="checkbox"/>G3 <input type="checkbox"/>G4 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S5 <input checked="" type="checkbox"/>S5 <input type="checkbox"/>S6 <input type="checkbox"/>S6</p> <p style="text-align: center;">Reset Section</p>
<p>PUBLIC ADMINISTRATIVE HEARINGS Committee Chair Karen Safran represented SBM at two Michigan Supreme Court public administrative hearings concerning ADM 2014-29 and ADM 2016-20.</p>	<p><input type="checkbox"/>G1 <input type="checkbox"/>G2 <input type="checkbox"/>G3 <input type="checkbox"/>G4 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S1 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S2 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S3 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S4 <input type="checkbox"/>S5 <input checked="" type="checkbox"/>S5 <input checked="" type="checkbox"/>S6 <input type="checkbox"/>S6</p> <p style="text-align: center;">Reset Section</p>

REPORT Future Goals and Activities:

The committee will continue to review and take positions on relevant reactive public policy items. In addition, the committee will continue to advocate for proactive public policy as issues arise, including proposing court rule amendments to the Representative Assembly. The committee is currently exploring a rule proposal that would require a client to sign responses to discovery requests, including requests to admit and requests for production of documents, as is already required in interrogatory responses.

Other Information:

In addition to any other important information, please indicate the titles of any workgroups or subcommittees, and attach their annual report as an addendum.

Typically, the committee meets on Saturdays for two hours in Troy, Michigan to discuss proposed legislation and court rule amendments. The committee regularly offers recommendations on proposed court rule amendments published by the Michigan Supreme Court, and the committee's recommendations are frequently adopted by the SBM Board of Commissioners.

The committee is comprised of attorneys committed to improving the functioning of civil courts in Michigan. Members specialize in a broad range of civil practice, including negligence, labor and employment, business, appellate, consumer, creditor-debtor, elder and disability, real property, entertainment, intellectual property, and probate law. Members also have diverse practice settings, including solo practices, small law firms, large multi-state law firms, government, public interest, and legal aid.

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Approved by	Approved	Name
Chair	03/28/18	Karen Safran
Co-chair		
Staff Liaison	03/26/18	Kathryn Hennessey
Other		

[Email Form](#)