

**STATE BAR OF MICHIGAN
2007-2008 ANNUAL REPORT
STANDING COMMITTEE
May 2008**

Committee Name: Standing Committee on Professional Ethics

Jurisdictional Statement:

- ✓ Prepare written opinions concerning the propriety of professional conduct of lawyers at the request of the State Bar President, Board of Commissioners, Representative Assembly, Attorney Discipline Board, Attorney Grievance Commission, Executive Director, or individual members of the State Bar inquiring about their own contemplated conduct.
- ✓ Recommend amendments to the Michigan Rules of Professional Conduct and other standards of professional conduct, and review proposed amendments.
- ✓ The Michigan Judges Association, Michigan Probate Judges Association, Michigan District Judges Association, and the Referees Association of Michigan shall each nominate one member for appointment to this committee.
- ✓ This committee may have more than 15 members.

Officers and Membership:

William B. Dunn, Chair

Members:

Patrick W. Bennett

Janet M. Brandon

Hon. Elwood L. Brown

Donald C. Campbell

Elaine Fieldman

Peter L. Gustafson

Joseph L. Hardig, III

Howard B. Hill

Daniel R. Hurley

Gregory M. Janks

Kevin Kalczynski

Hon. M. Richard Knoblock

Daniel J. Loomis

Hon. Susan M. Moiseev

Paul J. Raine

Steven M. Ribiat

Hon. Kenneth L. Tacoma

Commissioner Liaison:

Kurt Schnelz

Staff Liaisons:

Dawn Evans

Victoria Kremski

2007-2008 Meeting Schedule:

October 27, 2008, Lansing, Michigan

January 25, 2008, Lansing, Michigan

April 25, 2008, Lansing, Michigan

June 27, 2008, Lansing, Michigan

Resources Provided by the State Bar of Michigan in Support of Committee Work:

The committee has been assisted in its work by staff liaisons Dawn Evans, Victoria Kremiski, and Catherine O'Connell as well as staff member Karen Spohn.

Committee Activities:

During each committee meeting, the members discuss proposed topics for ethics opinions; receive updates about pending matters; discuss and debate opinions in progress; and receive information about and discuss inquiries received on the Bar's ethics helpline. The members work in subcommittees to research and draft opinions for discussion and approval by the committee as a whole. The committee voted to make some revisions to the Rules of the Committee during the October 26, 2007, meeting. As a result of the revisions, the rules now reflect the present jurisdictional parameters for the committee and a 2/3 majority of the committee membership is necessary to the formation of a quorum for the conducting of business. At the January 25, 2008, meeting the committee voted to adopt a reconsideration of RI-337, which is found at RI-343. At the April 25, 2008, meeting the committee voted to adopt RI-344, an opinion discussing a lawyer's acceptance of credit cards for the payment of advance fees and costs. Over the course of the three meetings, the committee reviewed and informally resolved issues posed by eight letters without identifying a need for a new opinion. Additionally, the staff reported on correspondence received and responded to on an informal basis between meetings. At the conclusion of the April 25, 2008, meeting the committee continues work on four subjects.

Future Goals and Activities:

The committee continues to identify issues of interest to Michigan lawyers as evidenced by questions posed by letter or ethics helpline inquiry that might be appropriate as the subject of an opinion either because the topic has not previously been addressed or because changes in the area have rendered previous opinions no longer appropriate. To the extent that the Committee's input is sought by the Board of Commissioners, the Representative Assembly, or the Supreme Court on discreet issues or projects, the committee stands ready to respond with appropriate research and commentary.

Chair/Co-Chair Contact Information:

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