

**STATE BAR OF MICHIGAN  
2010-2011 ANNUAL REPORT  
STANDING COMMITTEE**

Committee Name: Standing Committee on Professional Ethics

Jurisdictional Statement:

- Prepare written opinions on professional ethical conduct 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.

This committee may have more than 15 members.

**Officers and Membership:**

*Chair:* Stanley H. Pitts, Detroit

*Members:*

William J. Ard, Williamston  
Michael P. Ashcraft, Jr., Bloomfield Hills  
John G. Cameron, Jr., Grand Rapids  
Donald C. Campbell, Southfield  
Stephanie L. Crino, East Lansing  
Joseph L. Hardig, III, Bloomfield Hills  
Robert P. Hurlbert, Bloomfield Hills  
Daniel R. Hurley, Detroit  
Kevin Kalczynski, Detroit  
Larry W. Lewis, Hastings  
G. Michael Meihn, Ferndale  
Amy Neville, Detroit  
Steven M. Ribiat, Bloomfield Hills

**2009-2010 Meeting Schedule (date and location):**

October 29, 2010, Lansing, Michigan  
January 28, 2011, Lansing, Michigan  
April 29, 2011, Lansing, Michigan  
May 13, 2011, Lansing, Michigan  
June 24, 2010, Lansing, Michigan

### **Committee Activities:**

During each committee meeting, the members discuss proposed topics for ethics opinions; receive updates about pending matters; and discuss and debate opinions in progress. Additionally, members receive information about and discuss inquiries received on the Bar's ethics helpline and address other matters as they arise, such as proposed changes to the Michigan Rules of Professional Conduct. Between meetings, the members work in subcommittees to research and draft opinions for discussion and approval by the committee as a whole. Since the last annual report, the committee reviewed, discussed and expressed an opinion regarding proposed changes to Rule 7.3 of the Michigan Rules of Professional Conduct. The committee voted to approve six opinions – RI-347 (dealing with the unbundling of legal services), RI-348 (addressing limitation of scope issues in a bankruptcy setting), RI-349 (discussing the ethical use of legal assistants), RI-350 (discussing the ethical obligations of lawyers engaged by a fiduciary), RI-351 (discussing whether family law mediators can draft all paperwork incident to obtaining the divorce being mediated), and RI-352 (discussing whether a lawyer may represent an applicant in character and fitness proceedings when a member of the lawyer's firm serves on a district character and fitness committee). Since the last annual report, the committee received eleven written requests for opinion, nine of which could be informally resolved or responded to by letters without need for a new opinion. At the conclusion of the April 29, 2011, meeting the committee continues work on six subjects as well as reviewing ADM File No. 2011-05 with the intention of providing commentary to the Board of Commissioners prior to the Michigan Supreme Court's comment deadline.

### **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, Danon Goodrum-Garland, and Nkrumah Johnson-Wynn, as well as staff member Karen Spohn.

### **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 discrete issues or projects, the committee stands ready to respond with appropriate research and commentary.

### **Chair/Co-Chair Contact Information:**

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