

**STATE BAR OF MICHIGAN
2013-2014 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: John G. Cameron, Jr., Grand Rapids

Members:

William J. Ard, Williamston
Patrick M. Barrett, Birmingham
Lori Grigg Bluhm, Troy
Charles W. Borgsdorf, Ann Arbor
Keefe A. Brooks, Birmingham
Andrew Carl Goetz, Detroit
Edward J. Hood, Detroit
Alissa Mae Hurley, Southfield
Kevin Kalczynski, Detroit
Stephanie LaRose, East Lansing
Larry W. Lewis, Hastings
Kenneth M. Mogill, Lake Orion
Stanley H. Pitts, Detroit
Joseph V. Walker, Bingham Farms

Liaisons:

Patrick McGlenn, Attorney Grievance Commission
Mark Armitage, Attorney Discipline Board

2013-2014 Meeting Schedule (date and location):

November 1, 2014, Lansing, Michigan
January 24, 2014, Lansing, Michigan
May 2, 2014, Lansing, Michigan
June 27, 2014, 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 review materials, form recommendations about whether to respond to opinion requests with a letter or an opinion, and research and draft opinions for discussion and approval by the committee as a whole. Since the last annual report, the committee voted to rescind RI-52 and to approve six opinions – RI-361 (discussing the duties of a lawyer who, as a candidate for judicial office, represents a client before the judge whose bench is sought); RI-362 (discussing whether a former judge can describe that status in communications subject to MRPC 7.1); RI-363 (discussing whether a personal injury can charge a client for basic administrative services on top of the legally allowed maximum contingent fee); RI-364 (discussing the charging of interest or late fees on out-of-pocket expenses paid by the lawyer on the client's behalf); RI-365 (discussing the payment of referral fees to nonlawyer-owned, for profit entities); and RI-366 (discussing whether a lawyer can participate in an arrangement where consumers purchase coupons for legal services from a for-profit third party). Since the last annual report, eleven written requests for opinion were sent to the committee. As of April 4, 2014, the committee continues work on four subjects.

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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