

2009-2010 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.

Committee Name: Standing Committee on the Unauthorized Practice of Law

Jurisdiction: Pursuant to SBR 16, the State Bar of Michigan is authorized and empowered to investigate matters pertaining to the unauthorized practice of law. The Standing Committee on the Unauthorized Practice of Law (UPL Committee) investigates and provides guidance on matters involving the alleged unauthorized practice of the law. The UPL Committee makes recommendations to the Board of Commissioners to file and prosecute actions seeking to enjoin those engaged in the unauthorized practice of law. The UPL Committee proposes and supports measures to educate the public and the legal profession about unauthorized practice of law issues. The UPL Committee may have more than 15 members.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Christopher G. Hastings (P40861)	Thomas M. Cooley Law School 111 Commerce Avenue SW Grand Rapids, MI 49205-4105	(616) 301-6800 ext. 6906	cghastings@sbcglobal.net
Staff Liaison	Danon D. Goodrum-Garland (P53603)	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933-2012	(517) 346-6333	dgarland@mail.michbar.org
Commissioner Liaison	Richard L. Cunningham (P29735)	Michigan Department of Attorney General 3030 W Grand Blvd. Ste 10-354 Detroit, MI 48202	(313) 456-0204	CunninghamR3@michigan.gov

Members	Members	Members
Howard Henry Brauckmuller (P69745)	David J. Klippert (P55701)	Ramon F. Rolf, Jr. (P28226)
Barbara BakerOmerod (P52724)	Barry C. Kane (P45851)	James Anthony Siver(P33597)
Michael E. Boersma (P52127)	Frederic I. Keywell (P15936)	Robert M. Taylor (P29396)
Michael A. Braem (P69395)	Kevin S. Macaddino (P31665)	Theresa Valentine (P38857)
Christopher M. Brown (P55263)	Melissa F. Miller Manela (P43833)	Victoria Vuletich (P48664)
Elizabeth Luckenbach Brown (P58540)	Matthew L. Meyer (P45192)	Advisors
Alfredo Casab (P53699)	Michael D. Murray (P62580)	Patsy L. Holmes (P72380)
Sara Lynn Doyle (P50990)	Thomas P. Murray, Jr. (P43773)	Clinton J. Hubbell (P72321)
Stephen J. Gobbo (P56521)	Meghan Kennedy Riordan (P44184)	Paul A. Saba (P69791)
Ellen Sugrue Hyman (P57347)		

Committee Meeting Schedule:

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

Meeting Type	Date	Location
Description		
Regularly scheduled Standing Committee meeting.	October 29, 2009	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
Reviewed complaints regarding the alleged unauthorized practice of law and directed staff counsel to informally respond to several UPL inquiries. Discussed and prepared distribution plan for four community awareness pamphlets regarding immigration law, real property law, estate planning, and the UPL finalized by the UPL Committee at the end of 2008/09 bar year. Designated two UPL Committee members to work on a professional ethics subcommittee preparing a draft opinion on lawyers' use of legal assistants in providing legal services to their clients. Discussed community outreach/awareness projects. Continued work on defining the "practice of law" for purposes of proposing a new rule-based definition. Discussed several bills that may implicate the UPL and agreed to work cooperatively with the State Bar's public policy committee in its efforts to challenge their passage by the legislature.		
Regularly scheduled Standing Committee meeting.	January 28, 2010	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
Reviewed and finalized proposed definition for the "practice of law." Passed motion recommending that the State Bar of Michigan review and approve proposed definition for submission to the Michigan Supreme Court. Reviewed and discussed UPL complaints and recommended two matters for litigation. Directed staff counsel to informally respond to several UPL inquiries. Discussed distribution plan for the four public awareness pamphlets regarding UPL, probate, real estate transactions, and immigration completed by the UPL Committee at the end of the 2008/09 bar year. Approved proposal to translate the immigration pamphlet into Spanish. Discussed community outreach/awareness projects.		

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

The State Bar provides staff support via the administrative assistance of a legal secretary and staff counsel who provides legal services and manages the State Bar's UPL Department. The State Bar also provides meeting facilities, meals for meetings, teleconferencing services, materials, and document production services. In addition, the State Bar staff provides informational pamphlets to SBM members, the general public, and to other institutions serving the public to educate the public and legal profession about the unauthorized practice of law.

Committee Activities: The UPL Committee continued its work in prevention and remediation of the unauthorized practice of law. The UPL Committee continues to monitor development of legal assistance centers for pro se litigants and has engaged in active dialogue with professionals assisting in this area to guard against the unauthorized practice of law and to offer meaningful support to assist the general public in finding low cost legal resources and services. The UPL Committee has

continued its investigation of pending legislation, statutes, and court rules that would facilitate the goal of protecting the public from the unauthorized practice of law.

Future Goals and Activities: Continue to expand educational activities, develop and use creative and proactive measures in addressing the unauthorized practice of law, continue to identify and take advantage of opportunities to work with the SBM Governmental Relations Department and Public Policy Committee to advance legislative measures and other legal remedies to reduce the potential for the unauthorized practice of law and reduce the impact of the associated harm to the general public, and continue to evaluate UPL complaints and make referrals to the Board of Commissioners for matters to be litigated.

The UPL Committee is scheduled to meet in May/June 2010 and in August/September 2010 to review matters pertaining to the unauthorized practice of law and educational measures and to conduct other business as needed.

Other Information: Not applicable.