

**State Bar of Michigan
Representative Assembly
September 22, 2005**

SUMMARY OF PROCEEDINGS

The following is a summary of proceedings of the State Bar Representative Assembly session held Thursday, September 22, 2005, at the Kellogg Hotel & Conference Center, Big 10A Room, 555 S. Harrison Rd., East Lansing, Michigan

1. Call to order by Chairperson Elizabeth A. Jamieson.
2. Clerk Edward Haroutunian declared a quorum (50) was present.
3. Upon a motion made and seconded, the calendar was adopted, as proposed.
4. As provided in Rule 4.8, the Summary of Proceedings of the April 16, 2005, meeting was deemed approved.
5. Bob Gardella, Chair of the Nominating and Awards Committee, addressed the Assembly in regards to filling vacancies for the current meeting. Upon a motion made and seconded, Richard Colbeck of Coldwater (15th Judicial Circuit); Kathleen Allen of Grand Rapids (17th Circuit); Becky Bolles of Mt. Pleasant (21st Judicial Circuit); Elaine Sawyer of Sandusky (24th Circuit); John Jarema of Charlevoix (33rd Circuit); Dawn LaCasse of Prudenville (34th Circuit); Christine Everson Yancey of Mendon (45th Circuit); Amanda Haverdink of Allegan (48th Circuit); Michael Eagen of Charlotte (56th Circuit); and Daniel Harris of Petoskey (57th Circuit) were appointed to fill immediate vacancies within their respective Circuits.

Bob Gardella then addressed the Assembly in regards to filling vacancies for all the circuits for the remaining terms. Upon a motion made and seconded, Valerie White of Hillsdale (1st Judicial Circuit); Joan Vestrand of Rochester (6th Circuit); Krista Licata Haroutunian of Bingham Farms (6th Circuit); Paul Raine of Rochester Hills (6th Circuit); John Blakeslee of Traverse City (13th Circuit); Richard Colbeck of Coldwater (15th Judicial Circuit); Kathleen Allen of Grand Rapids (17th Circuit); Nelson Miller of Grand Haven (20th Circuit); Becky Bolles of Mt. Pleasant (21st Judicial Circuit); Duane Hadley of Standish (23rd Circuit); Elaine Sawyer of Sandusky (24th Circuit); Julie Benson Valice of Cadillac (28th Judicial Circuit); John Jarema of Charlevoix (33rd Circuit); Dawn LaCasse of Prudenville (34th Circuit); Linda Pioch of Paw Paw (36th Judicial Circuit); Anna Marie Anzalone of Adrian (39th Judicial Circuit), Adrienne Iddings of Adrian (39th Circuit); Christopher Ninomiya of Iron Mountain (41st Judicial Circuit); Wendy Davis Kanar or Midland (42nd Judicial Circuit); Tina VanDam of Midland (42nd Judicial Circuit); Christine Everson Yancey of Mendon (45th Circuit); Amanda Haverdink of Allegan (48th Circuit); Jeffrey Nellis of Ludington (51st Judicial Circuit); David Barton of Cheboygan (53rd Judicial Circuit); Michael Eagen of Charlotte (56th Circuit); and Daniel Harris of Petoskey (57th Circuit) were appointed to fill vacancies for the 2005-2006 Bar year.

6. Nancy J. Diehl, President of the State Bar of Michigan, addressed the Assembly.

7. Thomas W. Cranmer, President-Elect of the State Bar of Michigan, addressed the Assembly.
8. John T. Berry, Executive Director of the State Bar of Michigan, addressed the Assembly.
9. Elizabeth Moehle Johnson, Chair, Assembly Review Committee, addressed the Assembly to report on the results of the 2004 and 2005 survey that was taken at the Bar Leadership Forum in 2004 and 2005.
10. Joseph Firestone and Matthew Halpin of the E-Filing Task Force reported on a proposed amendment to the Michigan Court Rules, specifically 2.107(C), regarding E-service between lawyers. Upon a motion made and seconded the Assembly adopted the position that MCR 2.107(C) should be amended to allow attorneys to stipulate to serve documents upon each other via electronic mail.
11. Valerie Newman and Marty Krohner of the Criminal Jurisprudence Committee reported on proposed amendment to MCR 2.107(G) regarding docketing receipts by mail. Upon a motion made and seconded, the Assembly unanimously approved the additional language to MCR 2.107(G) requiring the date that pleadings are filed, which includes filing by mail, to be noted on the docketing statement if different than the date docketed.
12. Valerie Newman and Marty Krohner of the Criminal Jurisprudence Committee reported on proposed amendment to MCR 6.610(I), regarding notification of appellate rights in district court after misdemeanor convictions. Upon a motion made and seconded, the Assembly unanimously approved the amendment to MCR 6.610(I) removing the language “immediately after the judge imposes” and replacing that with “at the time of plea or.”
13. Valerie Newman and Marty Krohner of the Criminal Jurisprudence Committee reported on a revised resolution for the proposed legislation to require electronic recording of Custodial Interrogations. Upon a motion made and seconded, the Assembly unanimously favored supporting in principle the use of video and audio recording of custodial interrogations as the best method of securing a precise and accurate record of custodial interrogations and calling for the appointment of a State Bar custodial interrogation recording task force consisting of State Bar members in the criminal defense, prosecution, judicial, and law enforcement communities to develop and promote legislative Court Rule and funding changes that advance the use statewide of audio and video electronic recording of custodial interrogations.
14. Chris Hasting with the Unauthorized Practice of Law and Victoria Kremski with the State Bar of Michigan reported on the consideration of Multi-Jurisdictional Practice Report and Proposed Pro Hac Vice Rule (Rule 18). The Assembly adopted the

- proposed rule, which would designate the State Bar of Michigan as a central “clearinghouse” for Pro Hac Vice applications and would require an out of state attorney seeking Pro Hac Vice admission to pay a fee equivalent to the amount of dues and CPF assessment that active SBM members pay. Upon a motion made and seconded, the Assembly recommended Rule 18 to the Supreme Court for adoption.
15. Chris Hasting with the Unauthorized Practice of Law and Victoria Kremski with the State Bar of Michigan reported on the consideration of Practice Management Resource Center Report & Proposed Confidentiality Rule (Rule 20). The Rule grants certain SBM programs formal confidentiality protection. Upon a motion made and seconded, the Assembly recommended Rule 20 to the Supreme Court for adoption.
 16. Victoria Kremski with the State Bar of Michigan reported to the Assembly on the new Practice Management Resource Center.
 17. Upon a motion made and seconded, Robert Gardella was unanimously elected Clerk of the Representative Assembly.
 18. Lori A. Buiteweg was sworn in as 2005-2006 Chairperson of the Assembly by Hon. Archie Brown.
 19. Ms. Buiteweg presented a plaque to Ms. Jamieson for all her work over the past year as Assembly Chairperson.
 20. Ms. Jamieson presented certificates to the outgoing Assembly members whose terms of service expired at the end of the September 2005 Annual Meeting.
 21. Ms. Jamieson presented plaques to the 2004-2005 Committee Chairs for their work over the past year.