

Frequently Asked Questions about Mandatory versus Voluntary Bar Status

Do lawyers in voluntary bar states pay anything to practice law? YES

Lawyers in voluntary bar states pay licensing fees rather than mandatory bar dues. The annual licensing fees can be more than the annual dues in mandatory bar states. In fact the most expensive state in which to maintain a law license is a voluntary bar state, where licensing fees and special assessments are more than double State Bar of Michigan dues. The licensing fees finance the regulatory system only. Joining the voluntary state bar or a local bar for the benefits of association membership is an additional expense.

Does a mandatory bar deliver value to its members that a voluntary bar can't? YES

The larger mandatory bar has buying power for member benefits that a voluntary bar does not have. Because of our size, the State Bar of Michigan is able to offer a variety of [cost-saving and practice aid benefits](#) that would not be matched in a voluntary bar. For some State Bar of Michigan members, a single benefit like the [eJournal](#) or [Casemaker](#) alone delivers more in value than the cost of annual dues.

Beyond that, there is an intrinsic but unquantifiable value in the type of self-regulation that the mandatory bar represents. In mandatory bar states, lawyers have a unique institutional voice in determining the conditions and cost of their licensing and regulation. In exchange for this privilege, the mandatory bar assumes responsibility for programs designed to [protect the public](#) and promote [access to justice](#). In voluntary states, the practice of law essentially is treated the same as all other professions and trades. In contrast to a voluntary state bar, a mandatory state bar offers a forum for the exchange of all points of view within the profession. Some of the most notable achievements of the State Bar are unlikely to have been produced by a voluntary bar -- the drafting of the [Revised Judicature Act](#) itself, the [Estates and Protected Individuals Code](#), [indigent criminal defense reform](#), the [Judicial Crossroads Task Force Report](#).

Finally, as a mandatory bar, the State Bar provides a stable foundation for a well-established and dynamic network of [sections](#), each of which delivers specific, practice-focused value to its members and the public.

Are the State Bar of Michigan's public service and access to justice programs better than what voluntary bar states can provide? YES

Although voluntary state bars can and do offer admirable public service programs, the quality and range of the programs in mandatory bar states typically is more comprehensive and more stable. To replicate the State Bar of Michigan's programs on [access to justice](#), protection from [unlicensed or unethical legal service providers](#), [ethics](#), [lawyers and judges assistance](#), and [lawyer expertise in improvements on court rules and the laws affecting the system of justice](#) likely would require taxpayer expenditures or special assessments on lawyers imposed through legislation.