

CRIMINAL LAW SECTION  
Respectfully submits the following position on:

\*

SB 0743

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The Criminal Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Criminal Law Section only and is not the position of the State Bar of Michigan.

The State Bar's position on this matter is to oppose the bill.

The total membership of the Criminal Law Section is 2,186.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 27. The number who voted in favor to this position was 22. The number who voted opposed to this position was 0.

## Report on Public Policy Position

**Name of Section:**

Criminal Law Section

**Contact person:**

Stephen Gobbo

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**Bill Number:**

[SB 0743](#) (Meekhof) Occupations; attorneys; voluntary membership in state bar; establish. Amends sec. 901 of [1961 PA 236](#) (MCL [600.901](#)).

**Date position was adopted:**

March 18, 2014

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

27

**Number who voted in favor and opposed to the position:**

22 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

**Position:**

Oppose

**Explanation of the position, including any recommended amendments:**

The vote of the council reflected its support of continuation of a mandatory bar association. The council authorized the Section Chair to write an explanatory letter to the Task Force appointed by the Supreme Court, expressing its position.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2014-SB-0743>

**List any arguments against the position:**

While there are several possible arguments against the position, the apparent recent arguments for a non-mandatory bar have surrounded use of dues to support a State Bar that may on occasion take a position contrary to an individual member's viewpoint.

**FOR LEGISLATIVE ISSUES ONLY:**

**This position falls within the following Keller-permissible category:**

- ✓ The regulation and discipline of attorneys
- ✓ The improvement of the functioning of the courts
  - The availability of legal services to society
  - The regulation of attorney trust accounts
- ✓ The regulation of the legal profession, including the education, the ethics, the competency, and the integrity of the profession.

**Keller-permissible explanation:**

The subject matter pertains to the regulation of the legal profession and attorneys as well as the benefits of a mandatory bar to aid with the functioning of courts.