

REAL PROPERTY LAW SECTION
Respectfully submits the following position on:

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SB 0743

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The Real Property 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 Real Property Law Section only and is not the position of the State Bar of Michigan.

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

The total membership of the Real Property Law Section is 4,177.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 17. The number who voted in favor to this position was 12. The number who voted opposed to this position was 1. The number who abstained was 0.

Report on Public Policy Position

Name of section:

Real Property Law Section

Contact person:

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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:

April 16, 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:

17

Number who voted in favor and opposed to the position:

12 Voted for position

1 Voted against position

0 Abstained from vote

4 Did not vote (absent)

Position:

Oppose

Explanation of the position, including any recommended amendments:

The Real Property Law Section of the State Bar of Michigan is in favor of a mandatory State Bar and, accordingly, is registering its opposition to SB 743. The quality and range of services offered to the public in mandatory bar states is exceptional, particularly in Michigan. Examples include

- Providing Continuing Legal Education programs which enhance the level of law practice in the State of Michigan, for the benefit of the public.
- Providing guidance and resources to local bar associations.
- Policing itself, for the protection of the public.
- Providing a Client Protection Fund to reimburse clients whose attorneys have misappropriated funds.
- Providing the Lawyers and Judges Assistance Program.

- Assisting in the review of character and fitness cases of bar applicants.
- Providing a self-help site for people legal aid offices cannot serve due to lack of funding and short staff.

The State Bar is an important guardian of Michigan's legal system, and works to make sure that system continues to serve the public well. There will still be a need for an entity to perform necessary functions such as the admission and discipline of attorneys. Dismantling the State Bar, only to replace it with a new bureaucracy that is currently unknown and unproven, is undesirable and risky.

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>