



Report on Public Policy Position

Name of Section:

Negligence Law Section

Contact Person:

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Bill Number:

HB 5024 (Taub) Civil procedure; costs and fees; attorney contingency fees based on a sliding scale; provide for. Amends sec. 919 of 1961 PA 236 (MCL 600.919).

Date position was adopted:

July 12, 2005

Process used to take the ideological position:

Council Vote.

Number of members in the decision-making body:

13

Number who voted in favor and opposed to the position:

13-0

FOR SECTIONS ONLY:

- ✓ This subject matter of this position is within the jurisdiction of the section.
- ✓ The position was adopted in accordance with the Section's bylaws.
- ✓ The requirements of SBM Bylaw Article VIII have been satisfied.

If the boxes above are checked, SBM will notify the Section when this notice is received, at which time the Section may advocate the position.

Position:

Opposed to the bill.

The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5024>

RECOMMEND STATE BAR ACTION ON THIS ISSUE:
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Arguments for the position:

This bill interferes with the public's ability to retain counsel.

Arguments against the position (if any):

Not provided.

If the State Bar currently has a position on this subject matter, state the position, and an analysis of whether the recommended position and the current State Bar position are in conflict.

At its September 21, 2005 meeting, the State Bar of Michigan's Board of Commissioners voted to adopt a position of active opposition.

Fiscal implications of the recommended policy to the State Bar of Michigan:

Not provided.

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:

Not provided.