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October 7, 2005

The Honorable Shelley Goodman Taub  
State Representative  
State Capitol  
P.O. Box 30014  
Lansing, MI 48909-7514

**Re: HB 5024 Sliding Scale Attorney Fees**


Dear Representative Taub:

At its September 21, 2005 meeting, the State Bar of Michigan's Board of Commissioners unanimously voted to **actively oppose**<sup>1</sup> HB 5024. The position is based on a long-standing State Bar position that limiting contingency fees in turn limits the public's ability to retain counsel. This directly impacts the public's access to justice.


Consistent with its constitutional authority for supervision of the courts and regulation of the profession, the Michigan Supreme Court has addressed the issue of contingency fees in the Michigan Rules of Professional Conduct and Rules of Evidence. The State Bar believes that any changes concerning contingency fees are most appropriately addressed through changes to these rules.

If you would like to discuss this position in further detail or have questions, please contact Janet Welch directly at (517) 346-6375, [jwelch@mail.michbar.org](mailto:jwelch@mail.michbar.org); or Elizabeth Lyon directly at (517) 346-6325, [elyon@mail.michbar.org](mailto:elyon@mail.michbar.org).

Sincerely,



Janet Welch  
General Counsel



Elizabeth K. Lyon  
Public Policy Program Analyst

CC. Thomas W. Cranmer, President  
John T. Berry, Executive Director  
Nell Kuhnmuensch, Governmental Consultant Services, Inc.

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<sup>1</sup> Definition of active opposition: pending legislation which the State Bar opposed and which is the subject of active lobbying effort.