



Report on Public Policy Position

Name of Committee:

Civil Procedure and Courts Committee

Contact Person:

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Bill Number:

HB 4578 (Hansen) Civil procedure; other; representation by attorney in small claims; allow in proceedings to enforce judgment. Amends sec. 8409 of 1961 PA 236 (MCL 600.8409).

Date position was adopted:

May 19, 2007

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:

20

Number who voted in favor and opposed to the position:

15 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

Position:

Support with recommended amendments

Explanation of the position, including any recommended amendments:

The committee voted unanimously to support the proposal, but to recommend adding language to the last sentence of section 8409(1), to emphasize that attorney representation in small claims cases is limited to post judgment proceedings (suggested addition in CAPITALS):

AFTER ENTRY OF JUDGMENT, a party to an action under this chapter may be represented by an attorney at law in matters related to the issuance of execution or other enforcement of the judgment.

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?2007-HB-4578>