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Larry S. Royster  
Clerk of the Court  
Michigan Supreme Court  
P.O. Box 30052  
Lansing, MI 48909

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Michael Franck Building  
Lansing, MI  
48933-2012

**RE: ADM File No. 2014-13 – Proposed Amendment Rule 2.403 of the Michigan Court Rules**

Dear Clerk Royster:

At its January 22 meeting, the Board of Commissioners of the State Bar of Michigan considered the above rule amendment published for comment. In its review, the Board considered recommendations to oppose the amendment from the Committee on Justice Initiatives, the Civil Jurisprudence and Practice Committee, and the Public Corporation Law Section. The Board voted to oppose the amendment.

The Board does not believe shortening the period to accept or reject a case evaluation award would be beneficial. Fourteen days is too short a time frame for counsel to notify a client of the award, inform the client of the significant consequences of an acceptance or rejection and meet with the client to evaluate and respond to the award. This may be particularly true for clients who reside in rural areas, are out of state, suffer a disability or lack access to computer technology. Furthermore, many clients are primarily "limited English proficient" which can require an additional step of translating the terms of a settlement/award into the client's language, which can often take more than a week to identify a competent translator and obtain an accurate translation.

Finally, deciding to settle a case is a crucial stage in a civil case. An unsophisticated or emotionally driven litigant's default response is to reject. The full understanding of the effect of rejection is difficult to convey and takes time to accept. Giving a person 28 days to make an extremely important decision when they have waited over 18 months to present the case and often 2 years from an injury that is the subject of suit seems reasonable compassionate and correct.

We thank the Court for the opportunity to comment on the proposed amendment.

Sincerely,

Janet K. Welch  
Executive Director

cc: Anne Boomer, Administrative Counsel, Michigan Supreme Court  
Lori A. Buiteweg, President