



p 517-346-6300

January 31, 2018

p 800-968-1442

Larry Royster

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Clerk of the Court

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Michigan Supreme Court

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Lansing, MI 48909

306 Townsend Street

Michael Franck Building

Lansing, MI

48933-2012

**RE: ADM File No. 2016-13: Proposed Addition of Rule 3.810 of the Michigan Court Rules**

Dear Clerk Royster:

At its January 26, 2018 meeting, the State Bar of Michigan Board of Commissioners (the Board) considered the above-referenced proposed rule amendment published by the Court for comment. As part of its review, the Board considered recommendations from the Access to Justice Policy Committee and the Appellate Practice Section.

After this review, the Board voted unanimously to support the proposed addition of MCR 3.810 with the following clarifying amendment:

Transcripts for Purposes of Appeal. In an appeal following the involuntary termination of ~~the~~ parental rights ~~of a putative father~~, if the court finds that the respondent is financially unable to pay for the preparation of transcripts for appeal, the court must order transcripts prepared at public expense.

The Board supports providing transcripts at public expense to all indigent parties with standing to appeal orders involuntarily terminating parental rights under the adoption code. Standing to appeal, however, is not limited to the putative father in these types of proceedings. For example, a child may want to appeal an involuntary termination decision. In addition, cases could arise involving a surrogate, egg donor, or sperm donor. Therefore, the Board recommends that the rule be expanded to include all indigent parties with standing to appeal.

The Board also notes that the term "respondent" in the rule should be interpreted to encompass all persons with standing to appeal.

We thank the Court for the opportunity to convey the Board's position on this rule proposal.

Sincerely,

Janet K. Welch  
Executive Director

cc: Anne Boomer, Administrative Counsel, Michigan Supreme Court  
Donald G. Rockwell, President, State Bar of Michigan