

June 30, 2022

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

RE: ADM File No. 2021-11 – Proposed Amendment of Rule 9.116 of the Michigan Court Rules

Dear Clerk Royster:

At its June 10, 2022 meeting, the Board of Commissioners of the State Bar of Michigan considered ADM File No. 2021-11. In its review, the Board considered recommendations from the Civil Procedure & Courts Committee and Judicial Ethics Committee. The Board voted unanimously to support the proposed amendment of Rule 9.116.

As written today, the Michigan Court Rules result in a gap between Michigan’s judicial and attorney discipline systems that may result in a judge engaging in serious misconduct and yet escaping any meaningful sanction as a member of either the bench or the bar. Closing this gap by amending Rule 9.116 would protect the public from unscrupulous individuals, promote the integrity of the legal profession, and help ensure the effectiveness of the discipline systems and their essential role in maintaining the highest standards of professional conduct.

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

Sincerely,



Peter Cunningham
Executive Director

cc: Sarah Roth, Administrative Counsel, Michigan Supreme Court
Dana M. Warnez, President