

MICHIGAN SUPREME COURT



Office of Public Information

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FOR IMMEDIATE RELEASE

PROPOSED RULE AIMED AT SAFEGUARDING CLIENT FUNDS ON AGENDA FOR MICHIGAN SUPREME COURT'S PUBLIC ADMINISTRATIVE CONFERENCE TOMORROW

LANSING, MI, December 9, 2009 – A proposed rule aimed at safeguarding clients' funds from unethical lawyers is on the agenda of the Michigan Supreme Court's public administrative conference tomorrow.

The proposed addition to the Michigan Rules of Professional Conduct, which set ethical requirements for attorneys, would apply to lawyers who hold funds in trust for clients. MRPC 1.15A ([ADM 2008-13](#)) would require lawyers to deposit client funds in financial institutions approved by the State Bar of Michigan. In addition to satisfying the requirements of current rule MRPC 1.15, approved financial institutions would be required to alert the client and the Attorney Grievance Commission when a lawyer's trust account is overdrawn.

Included on the Court's agenda are other possible court rule changes, approval of minutes from prior conferences, and additional administrative matters. The conference is open to the public.

The conference, which will begin at 9:30 a.m., will take place in the Court's courtroom on the 6th floor of the [Michigan Hall of Justice](#) in Lansing. The proceedings will be broadcast on Michigan Government Television; go to <http://www.mgtv.org> for program schedules. Video of the conference may also be viewed online at the State Bar of Michigan "Virtual Court" web site at <http://www.michbar.org/courts/virtualcourt.cfm>. Video is posted online within 24 to 48 hours of the conference.

The agenda for this and future conferences may be viewed online at <http://www.courts.michigan.gov/supremecourt/Resources/Administrative/AdminConf.htm>. Published administrative proposals, and related comments, are available online at <http://www.courts.michigan.gov/supremecourt/Resources/Administrative/index.htm#proposed>.

Other agenda items include:

- ADM 2009-01, Appointments to the Committee on Model Civil Jury Instructions. *Whether to appoint Judge Douglas B. Shapiro and Attorney Daniel J. McCarthy to replace members whose terms expire at the end of this year, including Judge Pat M. Donofrio and Attorney Susan H. Zitterman, and whether to reappoint remaining current members to the Committee on Model Civil Jury Instructions.*

- [ADM 2009-13](#), Proposed Amendment of Rules 2.112 and 2.118 of the Michigan Court Rules.

Reconsideration of the Court's decision to adopt proposed amendments; further discussion in light of Kirkaldy v Rim, 478 Mich 581 (2007).

- ADM 2006-38, Proposed Amendments of Subchapter 9.100 *et seq.* of the Michigan Court Rules.

Whether to approve for publication the first half of the proposed rule amendments as submitted by the State Bar of Michigan and the Attorney Grievance Commission, or, alternatively, to identify specific rules that the Court would like to discuss in more detail.

- [ADM 2005-32](#), Pilot Project in D46 Regarding Clerk's Return of Pleadings.

Whether to revise the terms of the pilot project to eliminate the survey component of the project, as requested by the 46th District Court; the court would continue to account for reviews conducted by the court.

- ADM 2009-26, Proposed Amendment of Rules 5.105, 5.125, 5.201, 5.501, 5.801, and 5.803 of the Michigan Court Rules and Proposed New Rule 5.208 of the Michigan Court Rules.

Whether to publish for comment amendments proposed by the Michigan Probate Judges Association and the Probate and Estates Planning Council of the State Bar of Michigan that would conform the probate rules to recent statutory changes (adoption of the Michigan Trust Code) and would make stylistic and technical changes in these rules.

- ADM 2009-25, Proposed Amendment of Rule 8.120(D)(1) of the Michigan Court Rules.

Whether to publish for comment a proposed amendment of Rule 8.120(D)(1) of the Michigan Court Rules that would allow a law student or recent law graduate to appear on behalf of an indigent person in the Court of Appeals and the Supreme Court.

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