

ADMINISTRATIVE AGENDA

October 8, 2009

Chief Justice Update

Approval of the Minutes

April 22, 2009 (Opinions/CRs)

June 17, 2009 (ADMs)

July 1, 2009 (Opinions/CRs)

Remaining Public Hearing Items

1. 2005-32 **Subject:** Pilot Project in D46 Regarding Clerk's Return of Pleadings.
Issue: *Whether the administrative order authorizing a pilot project in D46 should include a provision regarding a submission of a final report by D46 within three months after the end of the pilot project, and specific survey requirements.*
Status: Return to agenda from 9/02/09.

2. 2008-13 **Subject:** Proposed New Rule 1.15A of the Michigan Rules of Professional Conduct.
Issue: *Whether to adopt proposed new Rule 1.15A of the Michigan Rules of Professional Conduct to require attorneys to maintain client trust accounts in approved financial institutions, which would agree to notify the Attorney Grievance Commission and the lawyer if the lawyer's trust account is overdrawn.*
Status: Passed from 9/02/09.

3. 2009-04 **Subject:** Proposed New Rule 2.003-SC of the Michigan Court Rules.
Issue: *Whether to adopt revised new Rule 2.003-SC of the Michigan Court Rules to establish specific rules to be used for disqualification of a justice.*
Status: Passed from 9/02/09.

4. 2009-13 **Subject:** Proposed Amendment of Rules 2.112 and 2.118 of the Michigan Court Rules.
Issue: *Whether to adopt the proposed amendments of Rules 2.112 and 2.118 of the Michigan Court Rules to set a time*

limit on the period for raising challenges to affidavits of merit and meritorious defense and notices of intent in medical malpractice actions. The proposal would allow amendment when an affidavit is found to be insufficient unless such amendment would be unjustified, and would explicitly state that the amended affidavit of merit or meritorious defense relates back to the date of the affidavit's original filing.
Status: Passed unanimously from 9/02/09.

Other ADM Items

5. 2005-42 **Subject:** Proposed Amendment of Rule 3.932 of the Michigan Court Rules.
Issue: *Whether to adopt the amendment of Rule 3.932 of the Michigan Court Rules to require a court to report to the Secretary of State violations of the Michigan Vehicle Code that are handled on the court's consent calendar in juvenile proceedings and fulfill the reporting requirements imposed by MCL 712A.2b(d) when violations occur.*
Status: Passed from 9/02/09.

6. 2008-25 **Subject:** Proposed Amendment of Rule 6.433(C) of the Michigan Court Rules.
Issue: *Whether to amend MCR 6.433(C) to require a showing of good cause before a defendant may obtain a second copy of court records for purposes of seeking postconviction relief in state or federal court.*
Status: Awaiting conference consideration.

7. 2009-06 **Subject:** Proposed Amendments of Rules 5.5 and 8.5 of the Michigan Rules of Professional Conduct.
Issue: *Whether to publish for comment the proposed amendments of Rules 5.5 and 8.5 of the Michigan Rules of Professional Conduct.*
Status: Awaiting conference consideration.

8. 2009-15 **Subject:** Proposed Adoption of LCR 2.612.
Issue: *Whether to adopt LCR 2.612 to clarify the procedure established in Administrative Order No. 2006-2 for the redaction of social security numbers improperly filed with the Sixth Circuit Court.*
Status: Awaiting conference consideration.

9. 2009-16

Subject: Proposed Adoption of LCR 2.302

Issue: *Whether to adopt LCR 2.302 to eliminate the inclusion of private or confidential information and/or documents in the public court file in the Sixth Circuit Court.*

Status: Awaiting conference consideration.

Other Matters

10. 2009-12

Subject: Establishment of Rules Regarding Administrative Conferences.

Issue: *Whether to adopt a rule to require that statements be submitted within 14 days after the Court takes action on an item, with an additional 14 days for further comment.*

Status: Passed from 9/02/09.

Issue: *Whether to change the format of administrative conference.*

Issue: *Whether to retain existing Rule 6 that states "Members of the Court may call for a closed session by majority vote."*