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August 31, 2011

Supreme Court Clerk
P.O. Box 30052
Lansing, Michigan 48909

To Whom It May Concern:

The purpose of this letter is to express opposition to the proposed changes to MRPC 1.5 having to do with the restriction of referral fees.

I have been a defense attorney for 37 years and am a former member of the State Bar Negligence Council which, as you know, is a committee that has an equal number of plaintiff attorneys and defense attorneys.

Although some segments in society seem upset with the idea of referral fees, and although referral fees are not an issue with regard to the defense bar, I truly believe they serve a vital purpose.

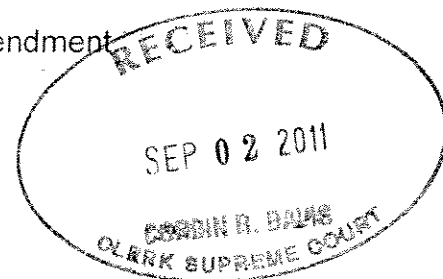
Like it or not, the contingency fee has been known as the "poor man's key to the courthouse." I have personally seen, and my clients have reaped the benefits, when an unqualified plaintiff attorney attempts to pursue a complicated medical malpractice action rather than refer it out.

For several years, the courts have allowed attorney advertising. I personally don't like it, but it is something that we all have to live with.

Restricting the right of attorneys to contract with each other is unprecedented. We are not talking about prohibiting referral fees, but somehow placing a court-imposed restriction on an agreement between two qualified attorneys. The proposed changes are simply an attempt to restrict the fundamental right of freedom of contract between counsel.

I don't quite understand the motivation for this proposed amendment.

I hope you will seriously consider my comments.



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Thank you.

Very truly yours,



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