

# ADMINISTRATIVE AGENDA

September 2, 2009

## Chief Justice Update

### Approval of the Minutes

April 8, 2009 (Opinions/CRs)  
June 24, 2009 (Opinions/CRs)  
July 15, 2009 (Opinions)  
July 17, 2009 (Opinions)  
July 22, 2009 (Opinions)  
July 24, 2009 (Opinions)  
July 29, 2009 (Opinions)

### Public Hearing Items

1. 2005-32 **Subject:** Proposed Amendment of Rules 2.112, 2.113, 3.101, and 8.119 of the Michigan Court Rules.  
**Issue:** *Whether to adopt the proposed amendments that would require more detailed pleadings in debt collection cases, and would allow a chief judge to authorize court clerks to screen pleadings in all cases and reject them if they don't comply with the Michigan Court Rules, the statutes, or the Michigan Supreme Court records standards.*  
**Status:** Awaiting conference consideration following public hearing.
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:** Awaiting conference consideration following public hearing.
3. 2009-04 **Subject:** Proposed New Rule 2.003-SC of the Michigan Court Rules.

**Issue:** *Whether to adopt one of the three alternative options of proposed new Rule 2.003-SC that would establish specific rules to be used for disqualification of a Supreme Court justice.*

**Status:** Awaiting conference consideration following public hearing.

4. 2009-08

**Subject:** Proposed Amendment of Rule 3.936 of the Michigan Court Rules.

**Issue:** *Whether to adopt the proposed amendment of Rule 3.936 of the Michigan Court Rules to more closely follow the statutory authority found in MCL 28.243, which would require the destruction of fingerprints and would eliminate the procedure in which a juvenile could ask for the return of fingerprints.*

**Status:** Awaiting conference consideration following public hearing.

5. 2009-09

**Subject:** Proposed Administrative Order No. 2009-XX.

**Issue:** *Whether to adopt proposed Administrative Order No. 2009-XX that would require a court to submit local administrative orders to the State Court Administrative Office to identify individuals appointed as magistrates or referees in that court and to describe the scope of their authority.*

**Status:** Awaiting conference consideration following public hearing.

6. 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:** Awaiting conference consideration following public hearing.

## Appointments

7. 2009-01 **Subject:** Appointments to the State Bar Board of Commissioners  
**Issue:** *Whether to appoint Laurin' C. Roberts Thomas, David A. Perkins, and Angelique Strong Marks to the State Bar Board of Commissioners.*  
**Status:** Awaiting conference consideration.
8. 2009-01 **Subject:** Appointment to the Attorney Grievance Commission.  
**Issue:** *Whether to appoint Rozanne F. Sedler as a nonlawyer member of the Attorney Grievance Commission.*  
**Status:** Awaiting conference consideration.

## Reports

9. 2009-21 **Subject:** 2009 Draft Judicial Resources Recommendations Report.  
**Issue:** *Consideration of recommendations.*  
**Status:** Awaiting conference consideration.

## Items Previously Discussed

10. 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:** Awaiting conference consideration.

## New Items

11. 2008-21 **Subject:** Transfer of Juvenile Case to Consent Calendar over a Prosecutor's Objection.

**Issue:** *Whether to publish for comment a proposal that would eliminate the consent calendar provisions of MCR 3.932 or publish for comment a proposal to require approval of a prosecutor for placement of a case that involves a juvenile on the consent calendar.*

**Status:** Awaiting conference consideration.

12. 2008-43

**Subject:** Proposed Rule Amendments to Incorporate Provisions from the Indian Child Welfare Act.

**Issue:** *Whether to publish for comment proposed rule amendments that would incorporate provisions of the Indian Child Welfare Act into specific provisions of the rules relating to proceedings involving juveniles (i.e., MCR 3.900 et seq).*

**Status:** Passed from July 15, 2009.

13. 2008-43

**Subject:** Proposed Amendment of Rule 3.800, 3.802, 5.125, 5.402, 5.404, and Proposed New Rules 3.807 and 5.109 of the Michigan Court Rules.

**Issue:** *Whether to publish for comment proposed rule amendments that would incorporate provisions of the Indian Child Welfare Act into specific provisions of the rule relating to proceedings involving adoption and guardianship cases.*

**Status:** Awaiting conference consideration.

14. 2009-06

**Subject:** Proposed Amendments of Rule 5.4 and Proposed Adoption of New Rules 2.4, 5.7, and 6.5 (redesignated as Rule 6.6) of the Michigan Rules of Professional Conduct.

**Issue:** *Whether to publish for comment the proposed amendments of Rule 5.4 and the proposed adoption of new Rules 2.4, 5.7, and 6.5 (redesignated as Rule 6.6) of the Michigan Rules of Professional Conduct.*

**Status:** Awaiting conference consideration.

### **Other Matters**

15. 2009-12

**Subject:** Establishment of Rules Regarding Administrative Conferences.

**Issue:** *Rules of procedure to be used with regard to open administrative conferences.*

**Subject:** Rules Regarding Statement Submissions (timeliness).