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September 28, 2009

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

RE: ADM 2009-13

Dear Mr. Davis,:

I am writing as a 36 year veteran Michigan lawyer to support the ameliorative changes to MCR 2.112(L) and 2.118(D) proposed in ADM File No. 2009-13.

MAJ President-Elect Barry Gates, of Ann Arbor, expressed the benefits of these proposed changes better than I can in his letter of September 25, 2009, so I will not be as detailed as he.

However, having struggled with the problems of Notices of Intent and Affidavits of Merit for the thirteen years those have been required in their various incarnations, I am glad to see these proposals to simplify the treatment of these instruments within the rules and to make them consistent with treatment of other documents and pleadings governed by Michigan Court Rules. Allowing for amendment, rather than voiding, Notices of Intent and Affidavits of Merit treats these documents as other pleadings are treated and is much more cost effective in terms of judicial attention and time than the elaborate filing and refiling and appealing that has developed.

These proposed changes will objectify and balance what is essentially a part of pleading so that parties and courts can all be on the same page.

Thank you for your attention to this letter.

Sincerely,

Linda Miller Atkinson (P23345)