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>>> "Brian J. Bourbeau" <brian@bjb1234law.com> 9/29/2009 2:30 PM >>>

I am submitting this e-mail in support of the proposed changes to MCR 2.112(L) and MCR 2.118(D). Barry Gates explained the need for the changes in his letter of September 25, 2009. The elaborate pre-suit procedural requirements to pursuing a claim of medical malpractice has shifted the focus from the merits of the case in favor of a system of form over function. A review of the number and complexity of Appellate Court decisions regarding nuances of the Notice of Intent and Affidavit of Merit requirements reveals the extensive judicial resources and over all strain the procedural requirements have placed on the civil justice system. The proposed changes would provide some reasonable balance to the procedural requirements.

Respectfully submitted,

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