

Order

Michigan Supreme Court
Lansing, Michigan

March 24, 2022

Bridget M. McCormack,
Chief Justice

ADM File No. 2020-16

Amendment of Rule
9.261 of the Michigan
Court Rules

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 9.261 of the Michigan Court Rules is adopted, effective May 1, 2022.

[Additions to the text are indicated in underlining and
deleted text is shown by strikeover.]

Rule 9.261 Confidentiality; Disclosure

(A)-(I) [Unchanged.]

(J) Notwithstanding the prohibition against disclosure in this rule, upon request the commission may disclose some or all of the information in its possession concerning a judge's misconduct in office, mental or physical disability, or some other ground that warrants commission action under Const 1963, art 6, § 30, to the State Bar Judicial Qualifications Committee, or to any other officially authorized state or federal judicial qualifications committee that meets or exceeds the confidentiality requirements established by the State Bar of Michigan in Rule 19, sec. 2 of the Rules Concerning the State Bar.

(K) Notwithstanding the prohibition against disclosure in this rule, either upon request or on its own motion, the commission may disclose some or all of the information concerning a judge's misconduct in office, mental or physical disability, or some other ground that warrants commission action under Const 1963, art 6, § 30, to the State Bar Lawyers & Judges Assistance Program.

Staff comment: The amendment of MCR 9.261 allows the JTC to share information with the State Bar of Michigan's Judicial Qualifications Committee and the Lawyers & Judges Assistance Program, as well as other judicial qualification committees in certain circumstances.

The staff comment is not an authoritative construction by the Court. In addition, adoption of an amendment in no way reflects a substantive determination by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 24, 2022

A handwritten signature in black ink, appearing to read "Larry S. Royster", written over a horizontal line.

Clerk