

From: [Mark Hanisch](#)
To: [ADMcomment](#)
Subject: ADM File No. 2018-02
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I am writing this email to express my strong opposition to the proposal to amend Michigan Court Rule 3.501 to require not less than 50% of residual funds to be disbursed to the Michigan State Bar Foundation to support activities and programs that promote access to the civil justice system for low income residents of Michigan. While supporting activities and programs that promote access to the civil justice system for low income residents of Michigan (and others) is certainly a worthwhile goal, in my opinion requiring the disbursement to the Bar Foundation imposes a needless restriction on the use of the money. There are very worthwhile entities which would put that money to good use (and perhaps better use than programs selected by the Bar Foundation) which aren't eligible to receive funds (or are unlikely to receive funds) from the Bar Foundation. The attorneys and the judge familiar with a lawsuit are in the best position to match the cy pres recipient(s) with the available funds. The judge and the attorneys handling the case will know the facts of the case and the at fault conduct alleged, so their judgment should be trusted rather than have decisions regarding the funds made by people, however well-intentioned, who have had nothing to do with the litigation.

Thanks for your consideration.

Mark

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