



Board of Commissioners

Agenda and Materials

July 24, 2020

**STATE BAR OF MICHIGAN
BOARD OF COMMISSIONERS
FRIDAY, July 24, 2020
VIA ZOOM
9:30 A.M.
AGENDA**

State Bar of Michigan Statement of Purpose

“...The State Bar of Michigan shall aid in promoting improvements in the administration of justice and advancements in jurisprudence, in improving relations between the legal profession and the public, and in promoting the interests of the legal profession in this state.”

Rule 1 of the Supreme Court Rules Concerning the State Bar of Michigan

- I. Call to Order..... Dennis M. Barnes President

CONSENT AGENDA

- II. **Minutes**
A. June 12, 2020 Board of Commissioners meeting
B. June 2, 2020 Executive Committee meeting
- III. **President’s Activities**..... Dennis M. Barnes, President
A. Recent Activities*
- IV. **Executive Director’s Activities**.....Janet K. Welch, Executive Director
A. Recent Activities*
- V. **Finance**.....Daniel D. Quick, Chairperson
A. FY 2020 Financial Reports through May 2020*
- VI. **Public Policy**..... Robert J. Buchanan, Chairperson
A. Model Criminal Jury Instructions*

- VII. **Board Officer Elections**..... Dennis M. Barnes, President
A. Thomas Howlett**
B. Joseph P. McGill**

LEADERSHIP REPORTS

- VIII. **President’s and Executive Director’s Report** Dennis M. Barnes, President
Janet K. Welch, Executive Director
- A. Strategic Planning Committee*
a. Bylaw Amendment to Change Due Date for Committee Annual Reports
b. Renew Strategic Plan through FY 2023
c. Strategic Plan Priorities: Technological Competency
d. 2021 Committee Resolution
B. FY 2021 Preliminary Budget - Key Budget Assumptions**
C. Reapportionment Work Group Report*
a. Reapportionment Seats Among Election Districts
b. Reapportionment Judicial Circuits Within Election Districts
c. Recommended Rule Change to Allow for Ordered Succession
D. COVID -19 Member Survey
E. Introduction of New Employees

- IX. **Representative Assembly Report** Aaron V. Burrell, Chairperson
A. September 17 RA Meeting
- X. **Young Lawyers Section Report** Ryan Zemke, Chairperson

COMMISSIONER COMMITTEES

- XI. **Finance** Daniel D. Quick, Chairperson
A. FY 2020 Financial Results
- XII. **Audit** Daniel D. Quick Chairperson
- XIII. **Professional Standards** James W. Heath, Chairperson
A. ICLE Executive Committee Appointment**
B. Michigan Indian Legal Services Board of Trustees Appointments**
- XIV. **Communications and Member Services** Dana M. Warnez, Chairperson
A. 2020 Annual Meeting
- XV. **Public Policy** Robert J. Buchanan, Chairperson
A. Court Rules**
B. Legislation**

FOR THE GOOD OF THE PUBLIC AND THE PROFESSION

- XVI. **Comments or questions from Commissioners**
- XVII. **Comments of questions from the Public**
- XVIII. **Adjournment**

*Materials included with agenda

** Materials delivered or to be delivered under separate cover or handed out

**STATE BAR OF MICHIGAN
BOARD OF COMMISSIONERS MEETING MINUTES**

President Barnes called the meeting to order at 9:30 a.m. on Friday, June 12, 2020 via videoconference.

Commissioners present:

Danielle Mason Anderson
David C. Anderson
Dennis M. Barnes, President
Joseph J. Baumann
Robert J. Buchanan, President-Elect
Aaron V. Burrell
Erika L. Butler
Hon. Clinton Canady III
B.D. "Chris" Christenson
Josephine A. DeLorenzo
Hon. Shauna L. Dunning
Thomas H. Howlett
Lisa J. Hamameh
Kara R. Hart-Negrich
James W. Heath, Secretary
Suzanne C. Larsen

James W. Low
E. Thomas McCarthy Jr.
Joseph P. McGill
Valerie R. Newman
Nicholas M. Ohanesian
Samantha J. Orvis
Barry R. Powers
Daniel D. Quick, Treasurer
Chelsea M. Rebeck
Thomas G. Sinas
Gregory L. Ulrich
Dana M. Warnez, Vice President
Erane C. Washington
Mark A. Wisniewski
Ryan Zemke

Commissioners Absent:

Sarah E. Kuchon

Hon. David A. Perkins

State Bar staff present:

Janet Welch, Executive Director
Margaret Bossenbery, Executive Coordinator
Nancy Brown, Assistant Executive Director
Peter Cunningham, Assistant Executive Director and Director, Governmental Relations
Michelle Erskine, Research Assistant & Event Specialist
Kathryn Hennessey, General Counsel
Carrie Sharlow, Administrative Assistant
Janna Sheppard, Administrative Assistant

State Bar staff in waiting room:

Gregory Conyers, Diversity Development Program Director
Elizabeth Couch, Director of Communications
Katherine Gardner, UPL Counsel
Elizabeth Goebel, Public Policy Counsel
Kari Thrush, Lawyer Services Program Director
Becky Weaver, Financial Services Manager

Consent Agenda

The Board received the minutes from the April 24, 2020 Board meetings.
The Board received the minutes from the April 14 and May 8, 2020 Executive Committee meetings.
The Board received the recent activities of the president.
The Board received the recent activities of the executive director.
The Board received the FY 2020 Financial Reports through April 2020.
The Board received the Client Protection Fund Claims.
The Board received the Unauthorized Practice of Law Complaints.
The Board received the 50 Year Golden Celebration certificate.

Mr. Barnes asked the Board if any items needed to be removed from the consent agenda. There were none.

A motion was offered to approve the consent agenda. The motion was seconded and approved.

LEADERSHIP REPORTS

President's and Executive Director's Report: Dennis M. Barnes, President and Janet K. Welch, Executive Director

Mr. Barnes and Ms. Welch reported:

- there was very positive feedback on the first responder's rapid response initiatives and the timeliness and impact of the regular messages being sent out to members.
- the governor's office had provided helpful guidance concerning the emergency order addressing lawyers' performing their duties other than remotely. This came after considerable effort by the State Bar, in coordination with other affinity and local bars.
- all SBM bathrooms have been converted to hands-free fixtures, in preparation for the building's return to use.
- in person meetings in the building are on hold as long as the six foot requirement is in place.
- we are figuring out the path back into the office and how to comply with social distancing in preparing to reopen the building. We are determining which functions can best be accomplished from within the building.
- elections end on Monday, June 15 and the Board of Tellers meets on June 22 to certify the elections. The candidates will be contacted with the results shortly afterwards.
- the Apportionment/Redistricting work group meeting is scheduled for June 23.
- Tom Howlett and Joe McGill submitted their names for officer position.
- the litigation report and the role of the state bar agenda items will be discussed in a closed session at the end of the meeting.

Representative Assembly (RA) Report: Aaron V. Burrell, Chairperson

Mr. Burrell reported:

- the April RA meeting went well. Mr. Burrell expressed his appreciation to the SBM staff in preparing the officers.
- the Assembly approved the proceedings relative to MCR 6.1110 and MI Code of Judicial Canon 2F. As to Code of Judicial conduct he stated that after the meeting Ms. Welch solicited feedback from the minority viewpoint to prepare a Minority Report. Once the report is received it will be published.
- he contacted William Buhl, Michael Franck Award winner, and Clark Andrews, Unsung Hero Award winner, and that they were very appreciative.
- the Special Issues Committee will examine COVID-19 related issues and diversity issues.
- he is finalizing a roster for a Standing Diversity Committee for the RA.

Young Lawyers Section (YLS) Report: Ryan Zemke, Chairperson

Mr. Zemke reported:

- the YLS cancelled the annual summit in September
- the 2020 YLS v Board challenge will be a Zoom Trivia event. A survey will be sent to determine the date and time.

COMMISSIONER COMMITTEES

Finance: Daniel M. Quick, Chairperson

Mr. Quick reviewed the FY 2020 financial results through April 2020.

Mr. Quick stated that consideration of a fee increase has been postponed until at least the April 2021 RA meeting.

Mr. Quick stated that FY 2021 key budget assumptions will be presented at the July 24 meeting for approval and the budget presented at the August meeting.

Mr. Quick reported that the cross-committee work group continues to review non-fee revenue sources for the State Bar.

Mr. Quick stated that the Finance Committee identified expense reductions measures within the SBM, implemented some measures already, and continues its work reviewing a few more items.

Mr. Quick summarized a memo about the annual bar cards. A motion was offered to change the bar card process to opt in on the annual renewal process. The motion was seconded and approved.

Audit: Daniel M. Quick, Chairperson

Mr. Quick stated that by August the finance staff will meet with the auditing firm to establish testing dates and then again in late October or early November to discuss 2020 audit.

Professional Standards: James W. Heath, Chairperson

Mr. Heath stated there was no action to come before the Board.

Communications and Member Services (CAMS): Dana M. Warnez, Chairperson

Liberty Bell Award

Ms. Warnez stated that the State Bar of Michigan Awards Committee recommends that Tim Skubick receive the 2020 State Bar of Michigan Liberty Bell Award. A motion was offered to support that recommendation. The motion was seconded and approved.

Public Policy: Robert J. Buchanan, Chairperson

Court Rule Amendments

ADM File No. 2015-21: Proposed Amendments of MCR 3.971, 3.972, 3.973, 3.977, 3.993, 7.202, and 7.204

The proposed amendments of MCR 3.971, 3.972, 3.973, 3.977, 3.993, 7.202 and 7.204 would make the appeal process for child protective cases uniform (instead of having a separate process for cases involving termination of parental rights). The amendments also would make the appeal period uniform (21 days) for all child protections cases.

A motion was offered to **support** ADM File No. 2015-21 with the **amendment** that would retain the language in the current MCR 7.204 (A)(1) that allows trial courts to extend the 21-day period of appeal if during those 21 days, the trial court finds “good cause” for doing so.

The motion was seconded and approved.

ADM File No. 2020-06: Proposed Amendments of MCR 2.403, 2.404, and 2.405

The proposed amendments were in large part produced by a workgroup convened by the State Court Administrative Office to review and offer recommendations about case evaluation.

A motion was offered to support the proposed amendment. The motion was seconded and approved.

ADM File No. 2019-33: Proposed Administrative Order No. 2020-X

This proposed administrative order would establish a mandatory continuing judicial education program for the state’s justices, judges, and quasi-judicial officers.

The Board agreed to take no position.

ADM File Nos. 2018-33/2019-20/2019-38: Proposed Amendments of MCR 6.310, 6.425, 6.428, 6.429, 6.431, 7.204, 7.205, 7.208, 7.211, 7.305, and Proposed Addition of MCR 1.112

The proposed amendments were submitted by the State Appellate Defender Office and would address several issues. First, it would expand the prisoner mailbox rule to all legal filings (not just claims of appeal and postjudgment motions) made by a person incarcerated in prison or jail (not just prison, as under the current rule). This part of the proposal includes a new MCR 1.112, and elimination of specific prison mailbox provisions in MCR 6.310(C)(5), MCR 6.429(B)(5), MCR 6.431(A)(5), MCR 7.204(A)(2)(e), MCR 7.205(A)(3), and MCR 7.305(C)(5). One difficulty with this expansion is the fact that most jails do not have a mail log system like that in place in prisons. Second, the proposal would expand certain time frames for filing and deciding postjudgment motions in criminal cases, as reflected in the amendments of MCR 7.208 and MCR 7.211. Third, the proposal would reconfigure and expand the “Reissuance of Judgment” rule, as shown in the proposed amendments of MCR 6.428. Finally, the proposal (as shown in proposed amendments of MCR 6.425) would require a probation officer to give defendant’s attorney notice and a reasonable opportunity to attend the presentence interview, require a probation agent to not only correct

a report but certify that the correction has been made, and “ensure that no prior version of the report is used for classification, programming, or parole purposes.” This portion of the proposal also would require the Michigan Department of Corrections to provide the prosecutor, defendant, or defense lawyer with a copy of the presentence investigation report, and further require the court to provide to the parties any documents presented for consideration at sentencing, including any PSIR considered before corrections were made.

A motion was offered to

- adopt the Access to Justice Policy Committee’s position to support MCR 1.112, MCR 6.310(C)(5), MCR 6.429(B)(5), MCR 6.431(A)(5), MCR 7.204(A)(2)(e), MCR 7.205(A)(3), and MCR 7.305(C)(5).
- adopt the Access to Justice Policy Committee’s position to support with amendments new rule 1.112. The Access to Justice Committee’s proposed amendments to new rule 1.112 would limit the rule so that it would apply only upon the “trigger” of an untimely pleading having been submitted by an unrepresented individual who is incarcerated at the time of submitting the pleading, when the pleading deemed untimely would result in the individual submitting the pleading losing a right..
- support the proposed amendments to MCR 6.425, MCR 6.428, MCR 7.208, and 7.211.

The motion was seconded and approved.

ADM File No. 2019-27: Proposed Amendments of MCR 6.310, 6.429, 6.431, 6.509, and 7.205 and Proposed Addition of MCR 6.126

The proposed amendments of MCR 6.310, 6.429, 6.431, 6.509, and 7.205 and proposed addition of MCR 6.126 would clarify and simplify the rules regarding procedure in criminal appellate matters.

A motion was offered to

- support new rule 6.126 and proposed amendments to MCR 6.310, 6.429, 6.431, 6.509.
- support MCR 7.205 (A)(4)(b) with the amendment proposed by the Michigan Coalition of Family Law Appellate Attorneys that “a delayed application for leave to appeal may be filed within the later of 6 months from entry of the order appealed, 21 days after entry of the dismissal order, or 21 days after entry of an order denying reconsideration of the dismissal order”

The motion was seconded and approved.

ADM File No. 2019-29: Proposed Amendments of MCR 7.212 and 7.312

The proposed amendments of MCR 7.212 and 7.312 would allow practitioners to efficiently produce an appendix for all appellate purposes by making the appendix rule consistent within the Court of Appeals and Supreme Court.

A motion was offered to this rule change in so far as it would make the appendix rule consistent within the Court of Appeals and the Supreme Court. The Board also authorizes the Civil Procedure & Courts Committee and Appellate Practice Section to submit their comments.

The motion was seconded and approved.

ADM File No. 2019-31: Proposed Amendment of MCR 7.216

The proposed amendment of MCR 7.216 would enable the Court of Appeals to impose filing restrictions on a vexatious litigator, similar to the Supreme Court's rule (MCR 7.316).

A motion was offered to adopt with amendments the position of the Civil Procedure & Courts Committee to ensure symmetry between the vexatious litigator rules and definitions in the Court of Appeals and in the Supreme Court:

Rule 7.216(C)(1)(a) the appeal was taken for purposes of hindrance or delay ~~or without any reasonable basis or is not reasonably well-grounded in fact or warranted by existing law or a good-faith argument for the extension, modification, or reversal of existing law; or belief that there was a meritorious issue to be determined on appeal;~~

The motion was seconded and approved

ADM File No. 2019-26: Proposed Amendment of MCR 7.314

The proposed amendment of MCR 7.314 would eliminate the oral argument time period and instead provide for an amount of time established by the Court in the order granting leave to appeal.

A motion was offered to support the proposed amendment. The motion was seconded and approved.

ADM File No. 2020-03: Proposed Administrative Order Regarding Election-Related Litigation

This administrative order would provide requirements and procedural rules to promote the efficient and timely disposition of election-related litigation.

A motion was offered to support the proposed administrative order. The motion was seconded and approved

Other

Request for Funding from the Coronavirus Relief Fund to provide Disaster Relief Legal Help for Michiganders

A motion was offered to support the Michigan State Bar Foundation's request for CARES Act funding to support Civil Legal Aid issues created by the COVID-19 pandemic. The motion was seconded and approved

Other

Comments or questions from Commissioners

There were none.

Comments or questions from the public

There were none.

A motion was offered to go into a closed session to discuss litigation and the Role of the State Bar. The motion was seconded and approved

The Board went into closed session at 11:24 a.m.

The Board return to open session at 12:39 p.m.

The meeting was adjourned at 12:40 p.m.

State Bar of Michigan
Executive Committee Conference Call
Tuesday, June 2, 2020
4:00 p.m.

Call to Order: President Barnes called the meeting to order at 4:02 p.m.

Members Present: President Dennis M. Barnes, President-Elect Robert J. Buchanan, Vice President Dana M. Warnez, Secretary James W. Heath, Treasurer Daniel D. Quick, Representative Assembly Chair Aaron V. Burrell, Representative Assembly Vice Chair Chelsea M. Rebeck, and Commissioners Joseph P. McGill and Erane C. Washington

Members Absent: Commissioner Thomas H. Howlett

State Bar Staff Present: Executive Director Janet Welch, Executive Coordinator Margaret Bossenbery, Assistant Executive Director Nancy Brown, Assistant Executive Director Peter Cunningham, General Counsel Kathryn Hennessey, and Lawyer Service Program Director Kari Thrush.

Minutes

Mr. Barnes introduced the minutes from the April 14 and May 8, 2020 EC meetings. A motion was made to approve the minutes. The motion was seconded and approved.

President's and Executive Director's Report

Mr. Barnes described the governor's recent orders as they relate to the practice of law.

Ms. Welch described feedback from members on how the emergency orders have affected the practice of law.

The committee discussed the difficulty of making members aware of SBM's behind the scenes efforts concerning the orders and other SBM initiatives in response to the pandemic. Ms. Welch noted that there are two new variables at play: on a positive note, the State Bar has a new communications director and a much livelier social media presence; on a negative note, one of our most effective channels for engaging members has been president's visits to bar associations and affinity bars to get the messages out, and these are suspended during the emergency.

Mr. Barnes invited the members to share their thoughts on what the State Bar should be doing in response to the national protests on race and justice issues. The committee discussed focusing efforts on outreach to affinity and local bars.

Ms. Hennessey provided the committee with a litigation update.

Ms. Welch reported that in response to the flooding in Midland, the SBM has organized efforts to assist lawyers, law practices, and legal aid services.

Representative Assembly Chair's Report

Mr. Burrell stated that the April RA meeting went well and reported that the Assembly approved the proceedings relative to MCR 6.110 and MI Code Judicial Canon 2F. He reported that a minority report is being prepared, as provided in the RA rules.

Mr. Burrell reported that he contacted William Buhl, Michael Franck Award winner, and Clark Andrews, Unsung Hero Award winner, and they were very appreciative; that he asked the Special Issues Committee to look at COVID-19 related issues and how the RA can help; and that he is appointing a Standing Diversity Committee for the RA.

Agenda for June 12, 2020 Board Meeting

Ms. Bossenbery presented the June 12, 2020 agenda with proposed amendments. A motion was offered to approve the agenda as amended. The motion was seconded and approved.

Ms. Welch reported that the bios submitted by SBM election candidates will be published as they were submitted.

The meeting was adjourned at 4:38 p.m.

**President Dennis M. Barnes
President's Activities
April 26 through June 12, 2020**

Date	Event	Location
June 13 – July 24	Ongoing SBM internal leadership meetings, not separately noted	Virtual
June 18	Race and Justice Bar collaboration discussion	Virtual
June 22	Race and Justice Bar collaboration discussion	Virtual
June 23	Apportionment/Redistricting work group meeting	Virtual
June 24	Strategic Planning Committee meeting	Virtual
July 13	ABA House of Delegates meeting	Virtual
July 14	Executive Committee meeting	Virtual
July 24	Board of Commissioners meeting	Virtual

**Executive Director Janet K. Welch
Executive Director Activities
June 13 through July 24, 2020**

Date	Event	Location
June 13 – July 24	Ongoing SBM internal leadership meetings, not separately noted	Virtual
June 15	Executive Team meeting	Virtual
June 17	International Working Group - Transition after Pandemic Restrictions meeting	Virtual
June 17	Representative Assembly discussion meeting	Virtual
June 17	Integrated Tech meeting	Virtual
June 17	Strategic Management Team meeting	Virtual
June 18	Race and Justice Bar collaboration discussion	Virtual
June 18	Illinois State Bar Association Zoom demonstration	Virtual
June 22	Race and Justice Bar collaboration discussion	Virtual
June 22	Executive Team meeting	Virtual
June 23	Apportionment/Redistricting work group meeting	Virtual
June 23	Great Rivers Bar Executives meeting	Virtual
June 24	Strategic Management Team meeting	Virtual
June 24	Strategic Planning Committee meeting	Virtual
June 24	Virtual Courtroom Task Force meeting	Virtual
June 29	Executive Team meeting	Virtual
June 29	Michigan Supreme Court Historical Society Board of Directors meeting	Virtual
June 30	ABA Working Group on House Operations	Virtual
July 1	Weekly Attorney Discipline System meeting	Virtual
July 2	NCBP Presentation Prep Meeting	Telephone
July 6	Executive Team meeting	Virtual
July 7	Justice for All Planning Team meeting	Virtual
July 8	International Working Group - Transition after Pandemic Restrictions meeting	Virtual

Date	Event	Location
July 8	Strategic Management Team meeting	Virtual
July 10	FY 2021 Budget Assumption review meeting	Virtual
July 13	ABA House of Delegates meeting	Virtual
July 13	Executive Team meeting	Virtual
July 13	Strategic Management Team meeting	Virtual
July 14	COVID-19's Impact on Law Firms webinar	Virtual
July 14	Executive Committee meeting	Virtual
July 15	Integrated Tech meeting	Virtual
July 15	Justice for All work group meeting	Virtual
July 15	Attorney Discipline System weekly meeting	Virtual
July 16	Justice for All Lawyer workgroup	Virtual
July 17	NCBP 21 st Century Lawyer Recording – The Status of Official Regulated State Bars	Virtual
July 20	Justice for All Task Force meeting	Virtual
July 20	Executive Team meeting	Virtual
July 22	International Working Group - Transition after Pandemic Restrictions meeting	Virtual
July 22	Public Policy Committee meeting	Virtual
July 22	International Institute of Law Association Chief Executives Conference (IILACE)	Virtual
July 23	Finance Committee meeting	Virtual
July 24	Professional Standards meeting	Virtual
June 24	Board of Commissioners meeting	Virtual

State Bar of Michigan Financial Results Summary

For the Eight Months Ended May 31, 2020

Fiscal Year 2020

Administrative Fund

Summary of YTD May 31, 2020 Actual Results

For the eight months ended May 31, 2020, the State Bar had an Operating Loss of \$534,428 and Non-Operating Revenue of \$140,337, for a decrease in Net Position of \$394,087 so far in FY 2020. Net Position as of May 31, 2020 totaled \$11,823,130. Net Position excluding the impacts of the Retiree Health Care Trust net of the GASB 75 liability totaled \$9,841,123.

YTD Variance from Budget Summary:

YTD Operating Revenue - \$59,741 unfavorable to YTD budget, or (.9%)

YTD Operating Expense - \$547,310 favorable to YTD budget, or 7.4%

YTD Non-Operating Income - \$26,330 unfavorable to YTD budget, or (15.8%)

YTD Change in Net Position - \$461,242 favorable to YTD budget

YTD Key Budget Variances:

YTD Operating Revenue variance - \$59,741 unfavorable to budget:

- Operating revenue was unfavorable to budget primarily due to higher BJ Directory revenue, and license fee revenue (late fees), net lower LRS, Bar Journal 11, Print Center BLF, UMLI and Member Services revenue.

YTD Operating Expense variance - \$547,310 favorable to budget:

- Salaries and Employee Benefits/ Payroll Taxes - \$219,107 favorable - (4.5%)
 - Underage in salaries and benefits due to vacancies and health care.
- Non-Labor Operating Expenses - \$328,203, favorable - (12.5%)
 - Exec Offices - \$94,224 favorable - (17.9%) - Primarily Executive Office, HR, R&D, RA, BOC and other.
 - Finance & Admin - \$24,893 favorable - (2.6%) – Under in Administration and in Facilities Services due to timing.
 - Member & Communication Services - \$177,032 favorable - (16.9%) - Primarily Member & Endorsed Services, Website, Bar Journal, Print Center and Media Relations.
 - Professional Standards - \$32,054 favorable - (38.8%) - Primarily C&F, Ethics, UPL and Other.

YTD Non-Operating Revenue Budget Variance - \$26,330 unfavorable to budget

- Operating investment income is unfavorable to budget by \$12,705 or (7.6%).
- Retiree Health Care Trust investment income is unfavorable by \$13,625 due to investment loss; however, no investment income or loss was budgeted.

Cash and Investment Balance – Admin Fund

As of May 31, the cash and investment balance in the State Bar Admin Fund (net of “*due to Sections, Client Protection Fund, and Retiree Health Care Trust*”) was \$8,983,890, an increase of \$720,705 so far this fiscal year due to the collection of license fees.

SBM Retiree Health Care Trust

As of May 31, 2020, the SBM Retiree Health Care Trust had a fund balance of \$3,496,597, which is an increase of \$28,553 or 1%, so far in FY 2020 due to investment gain.

Capital Budget – Admin Fund

Through May 31, 2020, YTD capital expenditures totaled \$252,051 which is over the YTD capital budget by \$79,651 due to the elevator upgrade and two unbudgeted IT projects that will be offset by underspending on other IT projects.

Administrative Fund FY 2020 Year-End Financial Forecast

We are projecting to do better than the FY 2020 budget and continue to monitor the forecast. Our current projection shows us favorable to budget by \$630,614, not including the investment impacts of the retiree health care trust. This projection is based on lower operational expenses primarily in salary, benefits, travel, meetings and programs net lower revenue for canceled programs and loss of investment income.

Client Protection Fund

The Net Position of the Client Protection Fund as of May 31, 2020 totaled \$2,097,682, an increase of \$100,892 so far in FY 2020. Claims payments so far this year totaled \$244,290. In addition, there is a total of \$32,372.17 approved claims awaiting subrogation agreements.

SBM Membership

As of **May 31, 2020**, the total active, inactive and emeritus membership in good standing totaled 46,207 attorney members, a net increase of 115 members so far in FY 2020. A total of 658 new members have joined the SBM so far during FY 2020.

**STATE BAR OF MICHIGAN
ADMINISTRATIVE FUND**

Unaudited and For Internal Use Only

**FINANCIAL REPORTS
May 31, 2020**

FY 2020

Note: License Fee revenue is recognized and budgeted as earned each month throughout the year.

State Bar of Michigan
Statement of Net Position
Administrative Fund
For the Eight Months Ending May 31, 2020

	April 30, 2020	May 31, 2020	Increase (Decrease)	%	Beginning of FY 2020 10/1/19
ASSETS AND DEFERRED OUTFLOWS					
Cash	\$3,527,157	\$2,868,752	(\$658,405)	(18.7%)	\$1,767,913
Investments	9,078,528	9,078,528	0	0.0%	8,753,528
Accounts Receivable	184,618	192,439	7,821	4.2%	299,325
Due from (to) CPF	(128)	(364)	(236)	185.3%	(7,740)
Due to Sections	(3,030,938)	(2,963,026)	67,912	(2.2%)	(2,250,516)
Prepaid Expenses	267,112	249,460	(17,652)	(6.6%)	434,486
Inventory	6,823	6,823	0	0.0%	23,538
Capital Assets	3,712,159	3,680,634	(31,525)	(0.8%)	3,800,582
SBM Retiree Health Care Trust	3,352,705	3,496,597	143,893	4.3%	3,468,044
Total Assets	\$17,098,035	\$16,609,843	(\$488,192)	(2.9%)	\$16,289,160
Deferred outflows of resources related to pensions	34,117	34,117	0	0.0%	34,117
Deferred outflows of resources related to OPEB	313,165	313,165	0	0.0%	313,165
Total Deferred outflows of resources	347,282	347,282	0	0.0%	347,282
Total Assets and Deferred Outflows of Resources	17,445,317	16,957,125	(488,192)	(2.8%)	16,636,442
LIABILITIES, DERERRED INFLOWS AND NET POSITION					
Liabilities					
Accounts Payable	\$972	\$52	(\$920)	(94.7%)	\$390,272
Accrued Expenses	474,750	472,233	(2,518)	(0.5%)	516,644
Deferred Revenue	3,083,222	2,474,895	(608,326)	(19.7%)	1,325,491
Net Pension Liability	330,798	330,798	0	0.0%	330,798
Net OPEB Liability	1,603,186	1,603,186	0	0.0%	1,603,186
Total Liabilities	5,492,928	4,881,164	(611,764)	(11.1%)	4,166,391
Deferred Inflows of resources related to pensions	28,262	28,262	0	0.0%	28,262
Deferred Inflows of resources related to OPEB	224,569	224,569	0	0.0%	224,569
Total Deferred inflows of resources	252,831	252,831	0	0.0%	252,831
Total Liabilities and Deferred Inflows	5,745,759	5,133,995	(611,764)	(10.6%)	4,419,222
Net Assets					
Invested in Capital Assets, Net of Related Debt	3,712,159	3,680,634	(31,525)	(0.8%)	3,800,582
Restricted for Retiree Health Care Trust	1,838,115	1,982,007	143,893	7.8%	1,953,454
Unrestricted	6,149,285	6,160,489	11,204	0.2%	6,463,184
Total Net Position	11,699,559	11,823,130	123,572	1.1%	12,217,220
Total Liabilities, Deferred Inflows and Net Position	\$17,445,317	\$16,957,125	(\$488,192)	(2.8%)	\$16,636,442
Net Position <u>excluding</u> the impacts of retiree health care	\$ 9,861,444	\$ 9,841,123			

Note: Cash and investments actually available to the State Bar Administrative Fund, after deduction of the "Due to Sections" and "Due to CPF" and not including the "Retiree Health Care Trust" is \$8,983,980 (see below)

CASH AND INVESTMENT BALANCES

	April 30, 2020	May 31, 2020			
Cash (including CD's and Money Market)	\$3,527,157	\$2,868,752	(\$658,405)	(18.7%)	\$1,767,913
Investments	9,078,528	9,078,528		0.0%	8,753,528
Total Available Cash and Investments	12,605,684	11,947,280	(658,405)	(5.2%)	10,521,441
Less:					
Due to Sections	3,030,938	2,963,026	(67,912)	(2.2%)	2,250,516
Due to CPF	128	364	236	185.3%	7,740
Due to Sections and CPF	3,031,065	2,963,389	(67,676)	(2.2%)	2,258,256
Net Administrative Fund Cash and Investment Balance	\$ 9,574,619	\$ 8,983,890	\$ (590,729)	(6.2%)	\$ 8,263,185

State Bar of Michigan
Statement of Revenue, Expense and Net Assets
Administrative Fund
For the Eight Months Ending May 31, 2020
YTD FY 2020 Expenses

Expense	Actual YTD	Budget YTD	Variance	Percentage
Executive Offices				
Executive Office	\$53,663	\$64,800	(\$11,137)	(17.19%)
Representative Assembly	(475)	21,500	(21,975)	(102.21%)
Board of Commissioners	26,184	36,033	(9,849)	(27.33%)
General Counsel	31,144	29,700	1,444	4.86%
Governmental Relations	39,094	50,368	(11,274)	(22.38%)
Human Resources	1,264,412	1,351,900	(87,488)	(6.47%)
Outreach	104,895	108,867	(3,972)	(3.65%)
Research and Development	8,270	17,067	(8,797)	(51.54%)
Justice Initiatives Department	129,767	138,017	(8,250)	(5.98%)
Diversity	5,918	14,500	(8,582)	(59.19%)
Salaries	1,010,341	1,030,426	(20,085)	(1.95%)
Executive Offices Total	2,673,213	2,863,178	(189,965)	(6.63%)
Administration				
Administration	19,415	25,425	(6,010)	(23.64%)
Facilities Services	234,672	255,875	(21,203)	(8.29%)
Financial Services	682,620	680,300	2,320	0.34%
Salaries	300,054	315,443	(15,389)	(4.88%)
Administration Total	1,236,761	1,277,043	(40,282)	(3.15%)
Member Services & Communications				
Bar Journal Directory	51,689	57,000	(5,311)	(9.32%)
Bar Journal 11 Issues	259,138	337,127	(77,989)	(23.13%)
Print Center	30,627	43,933	(13,306)	(30.29%)
Website	67,454	94,358	(26,904)	(28.51%)
e-Journal	24,032	23,683	349	1.47%
Media Relations	22,513	32,600	(10,087)	(30.94%)
Member & Endorsed Services	68,638	92,883	(24,245)	(26.10%)
50 Yr. Golden Celebration	1,643	18,875	(17,232)	(91.30%)
Annual Meeting	18,778	17,188	1,590	9.25%
Lawyer Referral Service	1,270	1,267	3	0.24%
Bar Leadership Forum	847	1,100	(253)	(23.00%)
Center	3,778	4,900	(1,122)	(22.90%)
UMLI	3,393	4,900	(1,507)	(30.76%)
IT	317,282	318,300	(1,018)	(0.32%)

Salaries	1,364,768	1,429,530	(64,762)	(4.53%)
Total	2,235,850	2,477,644	(241,794)	(9.76%)
Professional Standards				
Character & Fitness	18,606	27,931	(9,325)	(33.39%)
Client Protection Fund Dept	2,163	7,075	(4,912)	(69.43%)
LJAP	12,863	18,617	(5,754)	(30.91%)
Ethics	6,734	12,950	(6,216)	(48.00%)
UPL	10,116	15,963	(5,847)	(36.63%)
Salaries	696,873	740,087	(43,214)	(5.84%)
Professional Standards Total	747,355	822,623	(75,268)	(9.15%)
Total Expense	6,893,179	7,440,488	(547,309)	(7.36%)
Human Resources Detail				
Payroll Taxes	247,519	268,483	(20,964)	(7.81%)
Benefits	983,476	1,038,169	(54,693)	(5.27%)
Other Expenses	33,417	45,249	(11,832)	(26.15%)
Total Human Resources	1,264,412	1,351,901	(87,489)	(6.47%)
Financial Services Detail				
Depreciation	372,000	372,000	0	0.00%
Other Expenses	310,620	308,300	2,320	0.75%
Total Financial Services	682,620	680,300	2,320	0.34%
Salaries				
Executive Offices	1,010,341	1,030,426	(20,085)	(1.95%)
Finance and Administration	300,054	315,443	(15,389)	(4.88%)
Communications	1,364,768	1,429,530	(64,762)	(4.53%)
Professional Standards	696,873	740,087	(43,214)	(5.84%)
Total Salaries Expense	3,372,036	3,515,486	(143,450)	(4.08%)
Non-Labor Expense Summary				
Executive Offices	431,877	526,101	(94,224)	(17.91%)
Finance and Administration	936,707	961,600	(24,893)	(2.59%)
Communications	871,082	1,048,114	(177,032)	(16.89%)
Professional Standards	50,482	82,536	(32,054)	(38.84%)
Total Non-Labor Expense	2,290,148	2,618,351	(328,203)	(12.53%)

State Bar of Michigan
Statement of Revenue, Expense, and Net Assets
Administrative Fund
For the Eight Months Ending May 31, 2020
YTD FY 2020 Revenue

	Actual YTD	Budget YTD	Variance	Percentage
Revenue				
Finance & Administration				
Dues	\$5,255,625	\$5,247,375	\$8,250	0.16%
Investment Income - SBM Operations	153,962	166,667	(12,705)	(7.62%)
Investment Income - Ret HC Trust	(13,625)	0	(13,625)	0.00%
Other Revenue	279,093	277,867	1,226	0.44%
Finance & Administration Total	5,675,055	5,691,909	(16,854)	(0.30%)
Member Services & Communications				
Bar Journal Directory	39,045	35,850	3,195	8.91%
Bar Journal 11 issues	110,316	124,550	(14,234)	(11.43%)
Print on Demand Dept	35,410	45,717	(10,307)	(22.55%)
e-Journal and Website	55,522	57,366	(1,844)	(3.21%)
BCBS Insurance	66,667	66,667	0	0.00%
Annual Meeting	0	500	(500)	(100.00%)
Labels	1,491	2,667	(1,176)	(44.09%)
Practice Management Resource Center	520	667	(147)	(22.04%)
Upper Michigan Legal Institute	975	10,900	(9,925)	(91.06%)
Other Member & Endorsed Revenue	59,200	71,168	(11,968)	(16.82%)
Lawyer Referral Service	108,877	118,643	(9,766)	(8.23%)
Bar Leadership Forum	986	6,856	(5,870)	(85.62%)
Member Services & Communications Total	479,009	541,551	(62,542)	(11.55%)
Professional Regulation				
Ethics	4,990	6,400	(1,410)	(22.03%)
Character & Fitness	312,960	317,300	(4,340)	(1.37%)
Other Revenue	27,075	28,000	(925)	(3.30%)
Professional Regulation Total	345,025	351,700	(6,675)	(1.90%)
Total Revenue	6,499,089	6,585,160	(86,071)	(1.31%)

State Bar of Michigan
Statement of Revenue, Expense and Net Assets
For the Eight Months Ending May 31, 2020

YTD FY 2020 Increase (Decrease) in Net Position Summary

	Actual YTD	Budget YTD	Variance	Percentage	Last Year Actual YTD
Operating Revenue					
- License Fees, Dues & Related	5,255,625	5,247,375	8,250	0.2%	5,227,241
- All Other Op Revenue	1,103,127	1,171,118	(67,991)	(5.8%)	1,145,302
Total Operating Revenue	<u>6,358,752</u>	<u>6,418,493</u>	<u>(59,741)</u>	<u>(0.9%)</u>	<u>6,372,543</u>
Operating Expenses					
- Labor-related Operating Expenses					
Salaries	3,372,036	3,515,486	(143,450)	(4.1%)	3,277,834
Benefits and PR Taxes	1,230,995	1,306,652	(75,657)	(5.8%)	1,207,732
Total Labor-related Operating Expenses	<u>4,603,031</u>	<u>4,822,138</u>	<u>(219,107)</u>	<u>(4.5%)</u>	<u>4,485,566</u>
- Non-labor Operating Expenses					
Executive Offices	431,877	526,101	(94,224)	(17.9%)	489,326
Finance & Administration	936,707	961,600	(24,893)	(2.6%)	942,232
Member & Communication Services	871,082	1,048,114	(177,032)	(16.9%)	977,167
Professional Standards	50,482	82,536	(32,054)	(38.8%)	67,537
Total Non-labor Operating Expenses	<u>2,290,148</u>	<u>2,618,351</u>	<u>(328,203)</u>	<u>(12.5%)</u>	<u>2,476,262</u>
Total Operating Expenses	<u>6,893,179</u>	<u>7,440,489</u>	<u>(547,310)</u>	<u>(7.4%)</u>	<u>6,961,828</u>
Operating Income (Loss)	(534,428)	(1,021,996)	487,569	N/A	(589,285)
Nonoperating Revenue (Expenses)					
Investment Income	153,962	166,667	(12,705)	(7.6%)	186,477
Investment Income - Ret HC Trust	(13,625)	0	(13,625)	N/A	171,108
Net Nonoperating revenue (expenses)	<u>140,337</u>	<u>166,667</u>	<u>(26,330)</u>	<u>(15.8%)</u>	<u>357,585</u>
Increase (Decrease) in Net Position	<u>(394,087)</u>	<u>(855,329)</u>	<u>461,242</u>	<u>N/A</u>	<u>(231,700)</u>
Net Position - Beginning the Year	<u>12,217,220</u>	<u>12,217,220</u>	<u>0</u>	<u>0.0%</u>	<u>12,800,771</u>
Net Position - Year-to-Date	<u>\$11,823,133</u>	<u>\$11,361,891</u>	<u>\$461,242</u>	<u>4.1%</u>	<u>12,569,071</u>
Increase (Decrease) in Net Position Excluding Ret HC Trust Inv. Income	<u>(380,462)</u>	<u>(855,329)</u>	<u>474,867</u>	<u>(55.5%)</u>	<u>(357,585)</u>

State Bar of Michigan Administrative Fund
Revenues, Expenses and Net Assets
FY 2020 - Year-End Forecast
Updated June 24, 2020

	FY 2020 Year-End Forecast	FY 2020 Budget	Variance	Percentage	FY 2019 Actual
Operating Revenue					
- License Fees, Dues & Related	7,763,000	7,757,000	6,000	0.1%	7,750,310
- All Other Op Revenue	1,465,962	1,581,450	<u>(115,488)</u>	<u>(7.3%)</u>	1,601,165
Total Operating Revenue	<u>9,228,962</u>	<u>9,338,450</u>	<u>(109,488)</u>	<u>(1.2%)</u>	9,351,475
Operating Expenses					
- Labor-related Operating Expenses					
Salaries	5,166,814	5,441,927	<u>(275,113)</u>	<u>(5.1%)</u>	5,051,419
Benefits, PR Taxes, and Ret HC Exp	1,791,237	1,910,512	<u>(119,275)</u>	<u>(6.2%)</u>	1,833,191
Total Labor-related Operating Expenses	<u>6,958,051</u>	<u>7,352,439</u>	<u>(394,388)</u>	<u>(5.4%)</u>	6,884,610
- Non-labor Operating Expenses					
Executive Offices	689,188	842,169	<u>(152,981)</u>	<u>(11.3%)</u>	781,548
Finance & Administration	1,364,147	1,357,175	6,972	0.8%	1,246,714
Member & Communication Services	1,429,560	1,666,913	<u>(237,353)</u>	<u>(14.2%)</u>	1,529,513
Professional Standards	126,083	163,435	<u>(37,352)</u>	<u>(22.9%)</u>	123,002
Total Non-labor Operating Expenses	<u>3,608,978</u>	<u>4,029,692</u>	<u>(420,714)</u>	<u>(10.4%)</u>	3,680,777
Total Operating Expenses	<u>10,567,029</u>	<u>11,382,131</u>	<u>(815,102)</u>	<u>(7.2%)</u>	10,565,387
Operating Income (Loss)	<u>(1,338,067)</u>	<u>(2,043,681)</u>	705,614	N/A	<u>(1,213,912)</u>
Nonoperating Revenue (Expenses)					
Investment Income	175,000	250,000	<u>(75,000)</u>	<u>(30.0%)</u>	249,731
Investment Income - Ret HC Trust*	0	0	0	N/A	384,630
Loss on Disposal of Capital Assets	0	0	0	N/A	<u>(4,000)</u>
Net Nonoperating Revenue (Expenses)	<u>175,000</u>	<u>250,000</u>	<u>(75,000)</u>	<u>(30.0%)</u>	<u>630,361</u>
Increase (Decrease) in Net Position	<u>(1,163,067)</u>	<u>(1,793,681)</u>	<u>630,614</u>	N/A	<u>(583,551)</u>

Operating Revenue forecast

- Expect to be over in license fee revenues (primarily late fees) by \$6k, over in LJAP by \$1K, over in Website by \$5k for advertising.
- Expect to be under in UMLI, BLF, 50 year, LRS, advertising and other revenue.

Labor forecast:

- Salaries - Expect to be under due to vacancies
- Benefits - Expect to be under due to vacancies and health care plan assumptions

Nonlabor forecast:

- Executive Offices - Expect to be under primarily in meetings, travel and other expenses
- Finance & Administration - Expect to be over in Finance by \$7K primarily due to credit card fees.
- Member Services & Communications - Expect to be under primarily in meetings, travel and other expenses.
- Professional Standards - Expect to be under primarily in meetings, travel and other expenses.

Non-Operating Income forecast:

- Investment Income - Expect to be under due to lower interest rates.
- Retiree Health Care Trust Investment income was not budgeted nor forecast

State Bar of Michigan
Administrative Fund
FY 2020 Capital Expenditures vs Budget
For the Eight Months Ending May 31, 2020

	YTD Actual	YTD Budget	YTD Variance	Variance Explanations	Total Approved FY 2020 Budget	FY 2020 Year-End Forecast	Projected Year-end Variance
Building and Equipment							
Elevator Modernization	132,251	120,000	12,251	Will be over on cab interior offset by Facilities operating expense	120,000	132,251	12,251
Replacement of floor copiers	0	0	0		35,000	35,000	0
Information Technology							
Network Firewalls (2)	0	0	0		25,000	25,000	0
Receivership /Interim Administrator Program data portal (Phase I) Program Data Portal	0	0	0		30,000	30,000	0
E-commerce store (Phase 1)	12,425	12,425	0		20,000	20,000	0
e-service application for court e-filing (e-mail addresses)	0	0	0		10,000	10,000	0
Firm billing/invoices for dues	0	0	0		10,000	10,000	0
Firm administration application	4,975	4,975	0		10,000	10,000	0
Lawyer referral consumer portal (Ph 3)	30,000	25,000	5,000		40,000	40,000	0
UPL Portal (Phase 1)	0	0	0		20,000	20,000	0
Volunteer Application Portal	14,975	0	14,975				
CPF Fund Portal (Phase 1)	0	0	0		30,000	30,000	0
Website functionality enhancements	14,950	10,000	4,950		10,000	10,000	0
Unspecified underages		0	0	Budgeted projects will be under but not specified at this time	0	(32,500)	(32,500)
Illinois State Bar LRS Portal Build	2,500	0	2,500	Not budgeted, project continued from last year	0	2,500	2,500
Character & Fitness BLE Portal	39,975	0	39,975	Not budgeted, project continued from last year	0	30,000	30,000
Total	\$252,051	\$172,400	\$79,651		\$360,000	\$372,251	\$12,251

Note: Any overages on unbudgeted projects will be offset by other project underages.

**STATE BAR OF MICHIGAN
CLIENT PROTECTION FUND**

Unaudited and For Internal Use Only

**FINANCIAL REPORTS
May 31, 2020**

FY 2020

Note: License fee revenue is recognized and budgeted as earned each month throughout the year.

State Bar Of Michigan
Client Protection Fund
Comparative Statement of Net Assets
For the Eight Months May 31, 2020

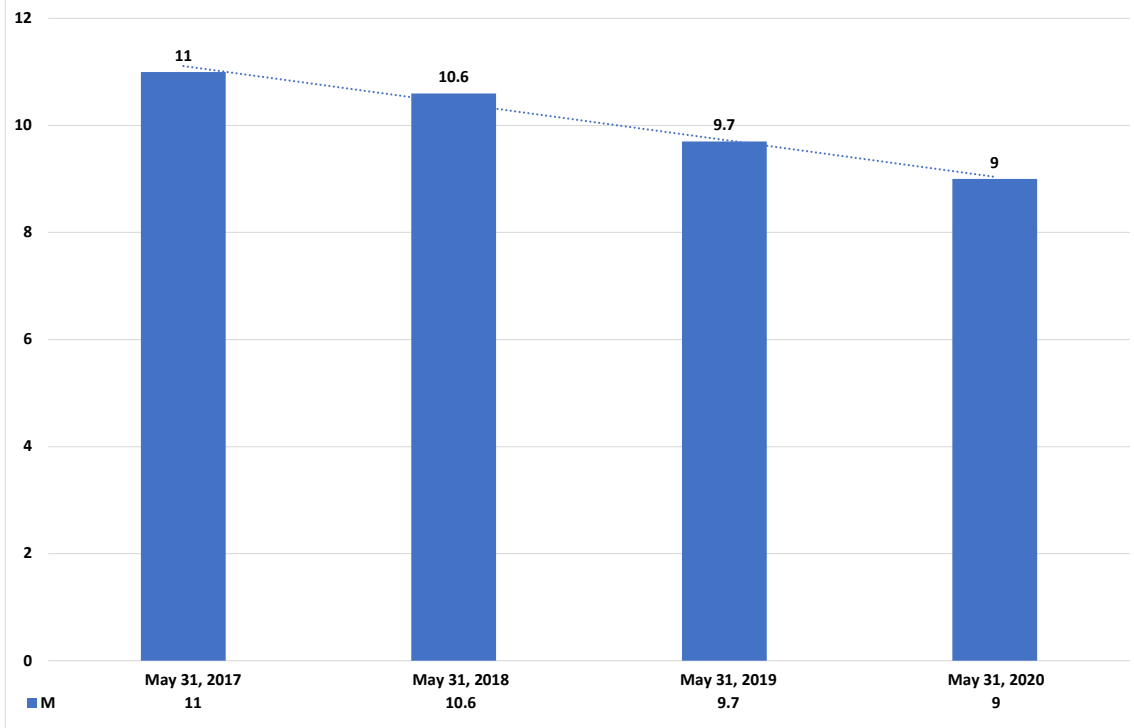
	April 30, 2020	May 31, 2020	Increase (Decrease)	%	Beginning of FY 2020 10/1/19
Assets					
Cash-Checking	\$12,976	\$7,044	(\$5,932)	(45.7%)	\$102,758
Savings	912,721	1,141,176	228,456	25.0%	752,362
Investment	1,250,000	1,000,000	(250,000)	(20.0%)	1,053,412
Account Receivable	160,899	158,344	(2,555)	(1.6%)	159,875
Due From SBM	128	364	236	185.3%	7,740
Accrued Interest Receivable	3,832	1,012	(2,821)	(73.6%)	7,314
Total Assets	\$2,340,555	\$2,307,940	(\$32,616)	(1.4%)	\$2,083,460
Liabilities					
Deferred Revenue	263,019	210,258	(52,761)	(20.1%)	86,670
Total Liabilities	263,019	210,258	(52,761)	(20.1%)	86,670
Fund Balance					
Fund Balance at Beginning of Year	1,996,790	1,996,790	0	0.0%	2,009,754
Net Income (Expense) Year to Date	80,747	100,892	20,145	24.9%	(12,964)
Total Fund Balance	2,077,537	2,097,682	20,145	1.0%	1,996,790
Total Liabilities and Fund Balance	\$2,340,555	\$2,307,940	(\$32,616)	(1.4%)	\$2,083,460

In addition there are \$32,372.17 authorized but unpaid claims awaiting signatures of subrogation.

Client Protection Fund
Statement of Revenue, Expenses, and Changes in Net Assets □
For The Eight Months Ending May 31, 2020

	2020 YTD	2019 YTD
Income:		
3-7-00-000-0005 Contributions Received	3,062	29,089
3-7-00-000-0050 Membership Fees Assessment	433,456	429,080
3-7-00-000-0051 Pro Hac Vice Fees	8,025	8,970
3-7-00-000-0890 Claims Recovery	31,732	3,550
Total Income	476,275	470,689
Expenses:		
3-9-00-000-0200 Claims Payment	244,290	516,515
3-9-00-000-0910 Administrative Fee	145,333	141,333
3-9-00-000-0994 Bank Service Charges	500	0
Total Expenses	390,123	657,849
Investment Income	14,740	16,610
Increase/Decrease in Net Position	100,892	(170,550)
Net Position, Beginning of Year	1,996,790	
Net Position, End of Period	\$ 2,097,682	

State Bar of Michigan Cash & Investments
Excluding Sections, Client Protection Fund and Retiree Health Care Trust
For the Eight Months Ending May 31, 2020
\$9M



Note: The State Bar of Michigan has no bank debt outstanding

Summary of Cash and Investment Balances by Financial Institution
5/31/2020

Assets	Bank Rating	Financial Institution Summary			Interest Rates	Fund Summary	
		SBM Chase Checking	\$ 108,417.40			Client Protection Fund	\$ 2,148,219.87
		SBM Chase Credit Card	\$ 4,105.50			State Bar Admin Fund (including Sections)	\$ 11,947,279.71
		SBM Chase E Checking	\$ 1,000.00			Attorney Discipline System	\$ 4,666,692.04
		SBM Chase Payroll	\$ -			SBM Retiree Health Care Trust	\$ 3,496,597.34
		SBM Chase Savings	\$ 284,365.31	0.18%		ADB Retiree Health Care Trust	\$ 984,211.92
		ADS Chase Checking	\$ 17,573.67			AGC Retiree Health Care Trust	\$ 3,577,338.55
		CPF Chase Checking	\$ 7,043.51			Total	\$ 26,820,339.43
		CPF Chase Savings	\$ 28,461.19	0.18%			
\$2.73 Trillion	5 stars	** Chase Totals	\$ 450,966.58				
		ADS Bank of America Petty Cash	\$ 1,598.99	0.00%			
\$2.38 Trillion	5 stars	Bank of America Totals	\$ 1,598.99				
		SBM Fifth Third Commercial Now	\$ 34,130.23	0.00% *			
\$171 Billion	5 stars	Fifth Third Totals	\$ 34,130.23				
		Grand River Bank Money Market	\$ 11,432.36	0.46%			
\$223 Million	5 stars	Grand River Bank Totals	\$ 11,432.36				
		Grand River Bank Total w/CD	\$ 491,432.36				
		Sterling Bank	\$ 2,332.70	0.40%			
\$2.96 Billion	4 stars	Sterling Bank Total	\$ 2,332.70				
		Sterling Bank Total w/CD	\$ 947,332.70				
		Citizens Bank Checking	\$ 10,000.00				
\$155 Billion	5 stars	Citizens Bank Money Market	\$ 2,035,513.47	0.55%			
		Citizens Bank Totals	\$ 2,045,513.47				
		MSUCU Savings	\$ 8.92	0.10%			
\$4.2 Billion	5 stars	MSUCU Checking	\$ 26,237.61	0.00%			
		MSU Credit Union Total	\$ 26,246.53				
		MSU Credit Union Total w/CD	\$ 2,166,246.53				
		SBM Flagstar ICS Checking	\$ 236,100.25	0.20%			
		SBM Flagstar CDARS - 12 Month	\$ 1,000,000.00	0.50%			
		SBM Flagstar CDARS - 12 Month	\$ 500,000.00	0.50%			
		SBM Flagstar CDARS - 12 Month	\$ 500,000.00	0.50%			
		SBM Flagstar CDARS - 13 Week	\$ 500,000.00	0.55%			
		SBM Flagstar CDARS - 13 Week	\$ 500,000.00	0.55%			
		ADS Flagstar ICS Checking Account	\$ 1,762,627.65	0.20%			
		ADS Flagstar CDARS - 12 Month	\$ 2,000,000.00	0.50%			
		ADS Flagstar CDARS - 13 Week	\$ 1,000,000.00	0.55%			
		CPF Flagstar ICS Checking	\$ 1,112,715.17	0.20%			
		CPF Flagstar CDARS - 12 Month	\$ 1,000,000.00	0.50%			
\$22 Billion	4 stars	Flagstar Bank Totals	\$ 10,111,443.07				
		SBM - CD Chemical Bank	\$ 250,000.00	1.75%			
\$21.5 Billion	4 stars	SBM - CD Chemical Bank	\$ 250,000.00	1.75%			
		SBM - CD Chemical Bank	\$ 250,000.00	1.75%			
	5 stars	SBM - Grand River Bank	\$ 253,527.69	2.50%			
		SBM - Grand River Bank	\$ 245,000.00	2.75%			
\$4 Billion	5 stars	SBM-CD Horizon Bank	\$ 245,000.00	0.97%			
		SBM-CD Horizon Bank	\$ 245,000.00	0.97%			
		SBM-CD Horizon Bank	\$ 250,000.00	2.66%			
		SBM-CD Horizon Bank	\$ 250,000.00	2.66%			
\$1.36 Billion	3.5 stars	SBM-CD First National Bank of America	\$ 240,000.00	2.35%			
		SBM-CD First National Bank of America	\$ 245,000.00	2.35%			
		SBM-CD First National Bank of America	\$ 240,000.00	1.85%			
		SBM-CD First National Bank of America	\$ 240,000.00	1.85%			
	4 stars	SBM-CD Sterling Bank	\$ 245,000.00	2.50%			
		SBM-CD Sterling Bank	\$ 245,000.00	2.50%			
		SBM-CD Sterling Bank	\$ 245,000.00	2.50%			
		SBM-CD Sterling Bank	\$ 240,000.00	2.50%			
	5 stars	SBM-CD MSU Credit Union	\$ 235,000.00	2.05%			
		SBM-CD MSU Credit Union	\$ 235,000.00	2.05%			
		SBM-CD MSU Credit Union	\$ 235,000.00	2.05%			
		SBM-CD MSU Credit Union	\$ 235,000.00	2.05%			
		SBM-CD MSU Credit Union	\$ 240,000.00	2.00%			
		SBM-CD MSU Credit Union	\$ 240,000.00	2.00%			
		SBM-CD MSU Credit Union	\$ 240,000.00	2.00%			
		SBM-CD MSU Credit Union	\$ 240,000.00	2.00%			
		Bank CD Totals	\$ 6,078,527.69				
		Total Cash & Investments (excluding Schwab)	\$ 18,762,191.62				
		SBM - Charles Schwab (Ret HC Trust)	\$ 3,496,597.34			Mutual Funds	
		ADB - Charles Schwab (Ret HC Trust)	\$ 984,211.92			Mutual Funds	
		AGC - Charles Schwab (Ret HC Trust)	\$ 3,577,338.55			Mutual Funds	
		Charles Schwab Totals	\$ 8,058,147.81				
		Grand Total (including Schwab)	\$ 26,820,339.43				
		Total amount of cash and investments (excluding Schwab) not FDIC insured	\$ 6,806,491.64	36.28%			

State Bar Admin Fund Summary

Cash and Investments	\$ 11,947,279.71
Less:	
Due (to)/from Sections	(2,963,026.00)
Due (to)/from CPF	(364.00)
Due to Sections and CPF	\$ (2,963,390.00)
Net Administrative Fund	\$ 8,983,889.71

SBM Average Weighted Yield: 1.30%
ADS Average Weighted Yield: 0.40%
CPF Average Weighted Yield: 0.34%

Maturity

Note: average weighted yields exclude retiree health care trusts

Notes:

- All amounts are based on reconciled book balance and interest rates as of 05/31/20
- CDARS are invested in multiple banks up to the FDIC limit for each bank
- Funds held in bank accounts are FDIC insured up to \$250,000 per bank
- The SBM funds held with Charles Schwab in the Retiree Health Care Trusts are invested in 80% equity and 20% fixed income mutual funds
- As of 05/31/20, the funds held by SBM attributable to ADS was (\$115,108.27)
- Bank Star rating from Bauer Financial.

*Lockbox fees are offset by 0.30% (annual rate) on average monthly balance.
**Actual unreconciled Chase balance per statements was \$486,813.18

Monthly SBM Member Report - May 31, 2020

FY 2020

	September 30 2014	September 30 2015	September 30 2016	September 30 2017	September 30 2018	September 30 2019	May 31 2020	FY Increase (Decrease)
<u>Attorney Members and Affiliates In Good Standing</u>								
Active	41,093	41,608	41,921	42,100	42,342	42,506	42,279	(227)
Less than 50 yrs serv	40,036	40,490	40,725	40,833	40,973	41,036	40,672	(364)
50 yrs or greater	1,057	1,118	1,196	1,267	1,369	1,470	1,607	137
Voluntary Inactive	1,211	1,218	1,250	1,243	1,169	1,139	1,215	76
Less than 50 yrs serv	1,184	1,195	1,230	1,217	1,142	1,105	1,178	73
50 yrs or greater	27	23	20	26	27	34	37	3
Emeritus	1,552	1,678	1,841	1,973	2,204	2,447	2,713	266
Total Attorneys in Good Standing	43,856	44,504	45,012	45,316	45,715	46,092	46,207	115
Dues Paying Members (Active & Inactive less than 50 yrs of Serv)	41,220	41,685	41,955	42,050	42,115	42,141	41,850	(291)
<u>Affiliates</u>								
Legal Administrators	14	13	13	13	10	10	10	0
Legal Assistants	413	425	405	400	401	393	414	21
Total Affiliates in Good Standing	427	438	418	413	411	403	424	21
<u>Total Attorney Members and Former Members in the Database</u>								
	September 30 2014	September 30 2015	September 30 2016	September 30 2017	September 30 2018	September 30 2019	May 31 2020	FY Increase (Decrease)
<u>State Bar of Michigan Member Type</u>								
<u>Attorney Members in Good Standing:</u>								
ATA (Active)	41,093	41,608	41,921	42,100	42,342	42,506	42,279	(227)
ATVI (Voluntary Inactive)	1,211	1,218	1,250	1,243	1,169	1,139	1,215	76
ATE (Emeritus)	1,552	1,678	1,841	1,973	2,204	2,447	2,713	266
Total Members in Good Standing	43,856	44,504	45,012	45,316	45,715	46,092	46,207	115
<u>Attorney Members Not in Good Standing:</u>								
ATN (Suspended for Non-Payment of Dues)	5,427	5,578	5,743	5,888	6,072	6,246	6,469	223
ATDS (Discipline Suspension - Active)	407	415	418	430	439	440	448	8
ATDI (Discipline Suspension - Inactive)	12	11	18	19	19	24	25	1
ATDC (Discipline Suspension - Non-Payment of Court Costs)	1	3	3	16	15	16	16	0
ATNS (Discipline Suspension - Non-Payment of Other Costs)	83	92	99	94	95	98	99	1
ATS (Attorney Suspension - Other)*	1	1	1	0	1	1	2	1
ATR (Revoked)	521	517	534	562	583	596	609	13
ATU (Status Unknown - Last known status was inactive)**	2,088	2,076	2,074	2,070	2,070	2,070	2,070	0
Total Members Not in Good Standing	8,540	8,693	8,890	9,079	9,294	9,491	9,738	247
<u>Other:</u>								
ATSC (Former special certificate)	136	140	145	152	155	157	158	1
ATW (Resigned)	1,429	1,483	1,539	1,612	1,689	1,798	1,899	101
ATX (Deceased)	8,127	8,445	8,720	9,042	9,287	9,524	9,712	188
Total Other	9,692	10,068	10,404	10,806	11,131	11,479	11,769	290
Total Attorney Members in Database	62,088	63,265	64,306	65,201	66,140	67,062	67,714	652

* ATS is a new status added effective August 2012 - suspended by a court, administrative agency, or similar authority

** ATU is a new status added in 2010 to account for approximately 2,600 members who were found not to be accounted for in the iMIS database. The last known status was inactive and many are likely deceased. We are researching these members to determine a final disposition.

N/R - not reported

Notes: Through May 31, 2020 a total of 658 new members joined the SBM in FY 2020



**FROM THE COMMITTEE
ON MODEL CRIMINAL
JURY INSTRUCTIONS**

=====

The Committee on Model Criminal Jury Instructions solicits comment on the following proposal by September 1, 2020. Comments may be sent in writing to Samuel R. Smith, Reporter, Committee on Model Criminal Jury Instructions, Michigan Hall of Justice, P.O. Box 30052, Lansing, MI 48909-7604, or electronically to MCrimJI@courts.mi.gov .

=====

PROPOSED

The Committee proposes instructions M Crim JI 37.8, 37.8a, 37.8b, 37.9, 37.9a, 37.10, 37.11 and 37.11a, where the prosecutor has charged an offense found in MCL 750. 483a, which addresses withholding evidence, preventing the report of a crime, retaliating for reporting a crime, influencing a crime report, defenses, or evidence tampering. The instructions are entirely new.

[NEW] M Crim JI 37.8 Withholding Evidence

(1) The defendant is charged with withholding or refusing to produce court-ordered testimony, information, documents, or things. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the [*identify court*] held a hearing on [*identify court date*].

(3) Second, that at that hearing or following that hearing, the court ordered the defendant either on the record or in writing to [testify / provide (*identify information, documents, or things ordered*)].

(4) Third, that the defendant refused to [testify / provide (*identify information, documents, or things ordered*)]. To “refuse” means that the defendant knew or was aware that the order was made, and intentionally failed to comply.

Statute

MCL 750.483a(1)(a)

[NEW] M Crim JI 37.8a Preventing Crime Report

(1) [The defendant is charged with / You may also consider the less serious offense of¹] preventing or attempting to prevent a person from reporting a crime committed by another person [not involving (the commission or attempted commission of another crime / a threat to kill or injure any person / a threat to cause property damage)]¹. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant prevented or attempted to prevent [*name complainant*] from reporting that [*defendant / identify other person*] [*describe conduct to be reported*].²

(4) Third, that the defendant used physical force against [*name complainant*] when preventing or attempting to prevent [him / her] from reporting that [*describe conduct to be reported*].

[(5) Fourth, that the defendant's use of force involved [committing or attempting to commit the crime of (*identify other crime that the defendant committed*) as I have previously described to you / a threat to kill or injure any person / a threat to cause property damage].]³

Use Note

1. Use this bracketed language when there is a dispute whether the charge involved the aggravating factor found in MCL 750.483a(2)(b) and the court is instructing the jury on the necessarily lesser included offense that does not require proof of the aggravating factor.

2. The committee believes that the question whether the conduct that was attempted to be reported amounted to a criminal act is a question of law for the court to determine, and that the elements of a crime attempted to be reported do not have to be proven. See *People v Holley*, 480 Mich 222; 747 NW2d 856 (2008).

3. Use this paragraph where the aggravating element has been charged. Where the complementary crime in this element has also been charged, the court should instruct on that other charge before instructing for this offense.

Statute

MCL 750.483a(1)(b)

[NEW] M Crim JI 37.8b Retaliating for Crime Report

(1) The defendant is charged with retaliating or attempting to retaliate against a person for reporting criminal conduct. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that [*name complainant*] reported or attempted to report that [*defendant / identify other person*] [*describe conduct to be reported*].¹

(4) Second, that the defendant [committed or attempted to commit the crime of (*identify other crime that the defendant is alleged to have committed*) as I have previously described to you² against (*name complainant*) / threatened to kill or injure any person / threatened to cause property damage].

(5) Fourth, that when the defendant [committed or attempted to commit the crime of (*identify other crime that the defendant committed*) against (*name complainant*) / threatened to kill or injure any person / threatened to cause property damage], [he / she] did so as retaliation for [*name complainant*]'s having reported or attempting to report the crime of [*identify crime*].

Use Note

1. The committee believes that the question whether the conduct that was attempted to be reported amounted to a criminal act is a question of law for the court to determine, and that the elements of a crime attempted to be reported do not have to be proven. See *People v Holley*, 480 Mich 222; 747 NW2d 856 (2008).

2. Where the complementary crime in this element has also been charged, the court should instruct on that other charge before instructing for this offense.

Statute

MCL 750.483a(1)(c)

[NEW] M Crim JI 37.9 Influencing Statements to Investigators by Gift

(1) [The defendant is charged with / You may also consider the less serious offense of¹] giving or promising something of value to influence another person's statement or presentation of evidence to a police investigator [not involving the commission or attempted commission of another crime¹]. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant gave or promised to give something of value [*identify thing given or promised*] to [*name witness / another person*].

(3) Second, that when the defendant gave or promised the [*identify thing given or promised*], [he / she] was attempting to influence what [*name witness / another person*] would tell [a police investigator / Officer (*name complainant*)] or whether [*name witness / another person*] would give some evidence to [a police investigator / Officer (*name complainant*)] who [may be / was] conducting a lawful investigation of the crime of [*identify crime*].

[(4) Third, that when giving or promising something to [*name witness / another person*], the defendant [committed or attempted to commit the crime of (*identify other crime that the defendant committed*) as I have previously described to you.]²

Use Note

1. Use this language when there is a dispute whether the charge involved the aggravating factor found in MCL 750.483a(4)(b) and the court is instructing the jury on the necessarily lesser included offense that does not require proof of the aggravating factor.

2. Use this paragraph where the aggravating element has been charged. Where the complementary crime in this element has also been charged, the court should instruct on that other charge before instructing for this offense.

Statute

MCL 750.483a(3)(a)

[NEW] M Crim JI 37.9a Influencing Statements to Investigators by Threat or Intimidation

(1) [The defendant is charged with / You may also consider the less serious offense of¹] threatening or intimidating a person in order to influence that person's statement or presentation of evidence to a police investigator [not involving the commission or attempted commission of another crime / a threat to kill or injure any person / a threat to cause property damage¹]. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant made a threat or said or did something to intimidate [*name witness*].

(3) Second, that when the defendant made the threat or used intimidating words or conduct, [he / she] was attempting to influence what [*name witness*] would tell [a police investigator / Officer (*name complainant*)] or whether [*name witness*] would give some evidence to [a police investigator / Officer (*name complainant*)] who [may be / was] conducting a lawful investigation of the crime of [*identify crime*].

[(4) Third, that when threatening or intimidating [*name witness*], the defendant [committed or attempted to commit the crime of (*identify other crime that the defendant committed*) as I have previously described to you / threatened to kill or injure any person / threatened to cause property damage.]²

Use Note

1. Use this language when there is a dispute whether the charge involved the aggravating factor found in MCL 750.483a(4)(b) and the court is instructing the jury on the necessarily lesser included offense that does not require proof of the aggravating factor.

2. Use this paragraph where the aggravating element has been charged. Where the complementary crime in this element has also been charged, the court should instruct on that other charge before instructing for this offense.

Statute

MCL 750.483a(3)(b)

[NEW] M Crim JI 37.10 Influencing Statements to Investigators by Gift or Intimidation – Defenses

(1) The defendant says that [he / she] is not guilty of this charge because [his / her] conduct was lawful, and [his / her] sole intent was to induce, encourage, or cause [name complainant] to provide truthful statements or evidence.

(2) In order to establish this defense, the defendant must prove the following two elements by a preponderance of the evidence. “A preponderance of the evidence” means that it is more likely than not that each of the elements is true.

(3) First, that the defendant’s conduct was otherwise lawful.

(4) Second, that the defendant’s sole intent was to induce, encourage, or cause [name complainant] to give truthful testimony or evidence.

(5) You should consider these elements separately. If you find that defendant has proved both of these elements by a preponderance of the evidence, then you must find [him / her] not guilty. If the defendant has failed to prove either or both elements, the defense fails and you may find the defendant guilty if the prosecutor has proved the elements of the charge beyond a reasonable doubt.

Statute

MCL 750.483a(7)

[NEW] M Crim JI 37.11 Removing, Destroying or Tampering with Evidence

(1) [The defendant is charged with / You may also consider the less serious offense of¹] intentionally removing, altering, concealing, destroying, or tampering with evidence to be offered at an official proceeding [not involving a criminal case where (*identify crime where the punishment was more than 10 years*) was charged¹]. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that there was some evidence to be offered in a present or future official proceeding.

An official proceeding is a hearing held before a legislative, judicial, administrative, or other governmental agency, or a hearing before an official authorized to hear evidence under oath, including a referee, a prosecuting attorney, a hearing examiner, a commissioner, a notary or another person taking testimony in a proceeding.

(3) Second, that the defendant removed, altered, concealed, destroyed, or otherwise tampered with that evidence.

(4) Third, that when the defendant removed, altered, concealed, destroyed, or otherwise tampered with that evidence, [he / she] did so on purpose and not by accident.

[(5) Fourth, that the evidence that the defendant removed, altered, concealed, destroyed, or otherwise tampered with was used or intended to be used in a criminal case where (*identify crime where the punishment was more than 10 years*) was charged.]²

Use Note

1. Use this language when there is a dispute whether the charge involved the aggravating factor found in MCL 750.483a(6)(b) and the court is instructing the jury on the necessarily lesser included offense that does not require proof of the aggravating factor.

2. Use this paragraph where the aggravating element has been charged.

Statute

MCL 750.483a(5)(a)

[NEW] M Crim JI 37.11a Offering False Evidence at an Official Proceeding

(1) [The defendant is charged with / You may also consider the less serious offense of¹] offering false evidence at an official proceeding with reckless disregard to its falsity [not involving a criminal case where (*identify crime where the punishment was more than 10 years*) was charged.¹]. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant offered [*describe evidence*] into evidence during an official proceeding.

An official proceeding is a hearing held before a legislative, judicial, administrative, or other governmental agency, or a hearing before an official authorized to hear evidence under oath, including a referee, a prosecuting attorney, a hearing examiner, a commissioner, a notary or another person taking testimony in a proceeding.

(3) Second, that the [*describe evidence*] that defendant offered into evidence was false.

(4) Third, that when the defendant offered the false evidence, [he / she] acted with reckless disregard whether or not it was false.

[(5) Fourth, that the false evidence that the defendant offered was used or would have been used in a criminal case where (*identify crime where the punishment was more than 10 years*) was charged.]²

Use Note

1. Use this language when there is a dispute whether the charge involved the aggravating factor found in MCL 750.483a(6)(b) and the court is instructing the jury on the necessarily lesser included offense that does not require proof of the aggravating factor.

2. Use this paragraph where the aggravating element has been charged.

Statute

MCL 750.483a(5)(b)

Public Policy Position
M Crim JI 37.8, 37.8a, 37.8b, 37.9, 37.9a, 37.10, 37.11 and 37.11a

Support

Explanation

The committee voted unanimously to support the proposed Model Criminal Jury Instructions as drafted.

Position Vote:

Voted For position: 14

Voted against position: 0

Abstained from vote: 0

Did not vote (absent): 7

Contact Persons:

Mark A. Holsomback mahols@kalcounty.com

Sofia V. Nelson snelson@sado.org

TO: Board of Commissioners
FROM: Strategic Planning Committee
DATE: July 8, 2020
RE: **Strategic Plan and Committee Recommendations**

As part of its jurisdiction, the Strategic Planning Committee is tasked with reviewing and making recommendations concerning the strategic plan and committees. As part of its review and recommendation, the Committee reviewed the Strategic Plan 2017-2020 (Attachment A) and the Strategic Plan Activity Report (Attachment B). This memorandum sets forth the committee's recommendations based on its review.

Bylaw Amendment to Change Due Date for Committee Annual Reports

To comply with bylaw amendment requirements, this item will be voted on at the August BOC meeting.¹

To assist with the committee with its review, committee members and staff have collaborated to create a strategic plan activity report that describes all the activities in which SBM is engaged to achieve the strategic plan goals. The activities are listed by fiscal year.

To align committee annual reports with the strategic plan activity report, the committee recommends that committee annual reports be due on November 1 following the end of the fiscal year, as follows:

Every Section and State Bar entity so directed by the Board of Commissioners or Representative Assembly shall annually make a written report containing a summary of its activities during the ~~association~~ **fiscal** year which shall be submitted to the Secretary on or before **November 1 of the next fiscal year** ~~May 31~~. Annual reports may not exceed five 8 1/2" x 11" pages unless a waiver of this limitation is approved by the Executive Director

This change will also allow committee leaders to complete the report at the end of their leadership year.

¹ SBM Bylaws, Art. XI provides in relevant part that “[t]hese Bylaws may be amended at any regular or special meeting of the Board of Commissioners by a two-thirds vote of all of the members present provided there is a quorum, and **notice of the proposed amendment has been given** by posting of the proposed amendment on the State Bar website and mailing or e-mailing of the amendment to the Board not later than 28 days prior to the vote, or **in writing no later than at the meeting immediately preceding the meeting at which it is to be considered.**” (Emphasis added.)

Renew Strategic Plan through FY2023

The strategic plan is currently effective from 2017-2020. Based on its review of the strategic plan and strategic plan activity report, the committee does not recommend any changes to the strategic plan at this time. The committee recommends that the strategic plan be renewed for an additional three years (FY2021-FY2023). The committee, however, will continue to review the strategic plan on an at least annual basis to see if any changes need to be made to the plan or its underlying strategies.

Priorities for Achieving Strategic Plan Goals

The committee recommends that SBM focus on technological competency as part of Goal 1, Strategy 2. This is based upon recommendations in the 21st Century Practice Task Force Report, recent SBM-proposed amendments to the comments of Michigan Rule of Professional Conduct 1.1, and the role Covid-19 has played in forcing attorneys and courts to rely on technology with the understanding that courts may permanently transition to virtual hearings for certain cases, including civil cases, after the virus is under control.

Committee Resolution

After a review of the committee annual reports, the committee recommends that the BOC approve the committee resolution included as Attachment C. The resolution includes two changes to committees for FY 2021.

First, the committee recommends that the jurisdiction of the Justice Initiatives Committee be amended to change the reference to “gender identify” to LGBTQA as follows:

Developing and recommending proposals for proactive programs to benefit underserved populations, ~~such as including~~ the poor, racial and ethnic minorities, **LGBTQA** ~~gender identity~~, juveniles, domestic violence survivors

The term “LGBTQA” is more appropriate for the jurisdiction, as it is widely used and more inclusive than “gender identity,” encompassing transgendered and other underserved individuals. Further, “gender identity” is defined as a personal conception of oneself as male or female (or rarely, both or neither). Since “gender identity” itself is not a population, it should not appear in the list of underserved populations in the jurisdiction statement that also includes the “poor, racial and ethnic minorities, juveniles, and domestic violence survivors.”

Second, the committee recommends extending the hiatus of the Social Media & Website Committee for an additional year to provide SBM’s new communications director, Elizabeth Couch, the time to formulate a communications plan and determine how best to use the committee. A workgroup may be formed if the need arises to review or provide feedback on SBM’s social media and/or website efforts.



State Bar of Michigan
STRATEGIC PLAN
2017-2020

Adopted by the Board of
Commissioners January 20, 2017

Adopted by the Representative Assembly
April 17, 2017

Statement of Purpose

A statement of purpose, or mission, is designed to define an organization's fundamental reason for being, and for whom. It also establishes the scope of its major activity areas, providing the framework for selecting the goals and strategies required to move the organization forward. The Supreme Court Rules Concerning the State Bar of Michigan provide:

"...The State Bar of Michigan shall aid in promoting improvements in the administration of justice and advancements in jurisprudence, in improving relations between the legal profession and the public, and in promoting the interests of the legal profession in this state."

This statement provides the foundation upon which the State Bar of Michigan Strategic Plan is built and positions the State Bar of Michigan to:

- Promote the professionalism of lawyers
- Advocate for an open, fair and accessible justice system
- Provide services to members that enable them to best serve their clients

Statement of Core Values

These core values direct fundamentally how the State Bar of Michigan will conduct itself as it works to achieve our goals and fulfill our mission.

Justice

In fulfilling our mission to promote improvements in the administration of justice and advancements in jurisprudence, the State Bar of Michigan finds it essential to our mission to advocate for an open, fair and accessible justice system for all.

Service

The State Bar of Michigan, as an organization, its staff, and volunteers, who carry out the work of the bar, shall undertake service to its members and the larger legal community, being especially attentive to the needs of the public, who is served by the justice system.

Professionalism

We respect the rule of law, and will promote ethical conduct, personal integrity, and civility in all our deliberations, decisions, and interactions within the organization and with all others participating within the justice system.

Diversity and Inclusion

The State Bar of Michigan recognizes that as an association we are more effective when we bring different perspectives, experiences, backgrounds, talents and interests to decision-making about how we carry out our mission. In addition to promoting greater diversity in the profession, the State Bar of Michigan embraces a culture within its leadership and governance processes that is open to and respects differing views and perspectives.

Innovation

We will continually strive to explore and advance new ways to provide excellent service to our members and to the public, and to promote ethical use of technology and high standards of performance in the practice of law.

<p>Goal 1: The State Bar of Michigan provides resources to help all of its members achieve professional excellence and success in the practice of law.</p>	<p style="text-align: center;">We will achieve this by:</p> <p>Strategy 1: Helping new lawyers to be practice ready</p> <p>Strategy 2: Supporting each active member’s professional competence and continuing professional development</p> <p>Strategy 3: Engaging members in learning about and implementing innovative delivery methods</p> <p>Strategy 4: Promoting greater member engagement to connect members with the bar, its resources and each other</p>
<p>Goal 2: The State Bar of Michigan champions access to justice, and builds public trust and confidence in the justice system in Michigan.</p>	<p>Strategy 1: Creating and maintaining an accessible, coordinated online foundation of legal resources for the public</p> <p>Strategy 2: Creating and maintaining greater public awareness and competence around legal issues that affect them</p> <p>Strategy 3: Expanding opportunities for SBM members to participate in access to justice initiatives through traditional means including pro bono and by partnering with public service organizations, local and affinity bars</p> <p>Strategy 4: Encouraging improved diversity and inclusion of the profession as a fundamental component of the public’s respect for the rule of law and confidence and trust in the justice system</p> <p>Strategy 5: Expanding collaboration with professional organizations and communities outside of the legal community</p> <p>Strategy 6: Providing timely, targeted messages to promote understanding of the rule of law and role of judiciary and the legal profession</p>
<p>Goal 3: The State Bar of Michigan maintains the highest conduct among its members, and initiates and advocates for improvements that facilitate accessible, timely justice.</p>	<p>Strategy 1: Working with our partners to effectively regulate the legal profession in Michigan</p> <p>Strategy 2: Educating members on ethical rules and regulations</p> <p>Strategy 3: Reviewing ethical rules and regulation, and adapting them to eliminate barriers to innovation</p> <p>Strategy 4: Conducting research and development that promotes innovation and forecasts change</p> <p>Strategy 5: Pursuing permissible and achievable public policy goals, while minimizing divisiveness and encouraging member input and diverse points of view on public policy issues</p> <p>Strategy 6: Promoting respect for diversity as an important element of professionalism</p>
<p>Goal 4: The State Bar of Michigan structures itself to achieve its strategic goals in a responsive and cost-efficient manner.</p>	<p>Strategy 1: Developing governance, member and administrative structures that provide for broad-based decision making and timely action</p> <p>Strategy 2: Employing practices that strengthen the State Bar of Michigan’s fiscal position and responsible use of resources</p> <p>Strategy 3: Ensuring the technology infrastructure follows best business practices and is poised to meet the future needs of members and the State Bar of Michigan</p> <p>Strategy 4: Targeting the State Bar of Michigan’s communications to build awareness of bar programs and initiatives among members and the recipient community</p>

Attachment B

In Progress

Will Be Sent Separately



FY 2020-21 COMMITTEE RESOLUTION

Foundational Principles

Committees Do Not Speak for the State Bar of Michigan.

Regardless of its jurisdiction, no committee, task force, commission or work group speaks for the State Bar. To the extent that any public activity or programming can be interpreted as a decision of the State Bar of Michigan or an expression of an ideological viewpoint, the activity or programming must be authorized in advance, in accordance with the bylaws of the State Bar of Michigan. Further, no standing or special committee has authority to bestow an award or significant honor. Any award or significant honor recommended by a standing or special committee to be bestowed must be approved by the Board of Commissioners or Representative Assembly, as appropriate.

Committees Are Advisory to the Board of Commissioners.

Unless explicitly noted otherwise in their jurisdictions, committees are advisory to the Board of Commissioners.

Committees Are Encouraged to Collaborate.

Committees with overlapping subject-matter jurisdictions are encouraged to communicate regularly about their committees' work and collaborate where appropriate.

Definitions

Commissioner Committees	Work supports the deliberations of the Board of Commissioners. Membership is primarily members of the Board of Commissioners, but committee membership may be supplemented to meet needs for particular expertise.
Standing Committee	Work expected to be ongoing, at least throughout the life cycle of the current Strategic Plan. In making standing committee recommendations and appointments, special attention should be paid to experience and continuity.
Special Committee	Work is intended to accomplish a complex but discrete mission, typically lasting at least one year but not exceeding any single Strategic Plan cycle. In making special committee recommendations and appointments, special attention should be paid to the expertise and representation of interested or affected communities. Recruitment from the leadership of sections and local and affinity bars is often essential.
Workgroups	Work is intended to be short-term and narrowly defined. It often reflects an unanticipated need or opportunity not evident during the annual planning of committee work. Workgroups may be formed at any time within a bar year, often on recommendation of a committee to the President, in whom the bylaws invest the authority of appointment. In making workgroup appointments, special attention should be paid to expertise and ability to commit to a fast-paced work schedule.

Resolution

RESOLVED: That, pursuant to Article VI of the Bylaws of the State Bar of Michigan, the Board of Commissioners adopt the committees of the State Bar of Michigan for FY 2020-21 as set forth in the FY 2019-2020 Committee Annual Reports with the following amendments:

- Change the jurisdiction of the [Justice Initiative Committee](#) as follows:
Developing and recommending proposals for proactive programs to benefit underserved populations, ~~including~~ **such as** the poor, racial and ethnic minorities, ~~gender identity~~ **LGBTQA**, juveniles, domestic violence survivors
- Grant a hiatus to the [Social Media & Website Committee](#) for FY 2020-2021.

SBM Committee Annual Reports

Fiscal Year 2019-2020

Standing Committees	
<ul style="list-style-type: none"> • Access to Justice Policy • Affordable Legal Services • American Indian Law • Awards • Character and Fitness • Civil Procedure & Courts • Client Protection Fund • Criminal Jurisprudence & Practice • Diversity and Inclusion Advisory • Judicial Ethics • Judicial Qualifications 	<ul style="list-style-type: none"> • Justice Initiatives • Law School Deans • Lawyers and Judges Assistance • Michigan Bar Journal • Online Legal Resources & Referral Center • Past Presidents' Advisory • Professional Ethics • Public Outreach & Education • Social Media and Website • Unauthorized Practice of Law • United States Courts

Access to Justice Policy Committee

Jurisdiction: Support the State Bar of Michigan’s public policy program by:

- Reviewing and making recommendations on proposed court rules and legislation concerning access to justice, particularly access policy issues that impact underserved populations
- Making recommendations for administrative, court rule, and statutory changes concerning access to justice, particularly access policy issues that impact underserved populations
- Conferring and coordinating regularly with the Justice Initiatives, Affordable Legal Services, and Online Legal Resource and Referral committees

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	3.5	The committee reviewed 13 legislative items, 1 RA proposal, 7 court rule proposals, and the interim report of the trial court funding commission over three meetings.
10/19-5/20	3.5	The committee reviewed 9 legislative items and 7 court rule proposals over three meetings.
Current Projects	3.5	Continuing to review court rule proposals and legislation as necessary.
Future Goals	n/a	n/a

Recommended Committee Changes: None.

Additional Comments: None.

Affordable Legal Services Committee

Jurisdiction: Support the State Bar of Michigan’s access to justice and member services goals by:

- Reviewing, developing, and recommend innovative practices to provide low-cost legal services and evaluate efforts to expand access to affordable legal services for persons of modest means, including low bono services; non-profit law firms and sliding scale civil legal services; online dispute resolution and alternative dispute resolution services; lean process analysis, both at law practice and court administrative levels; alternative fee agreements; and fixed fee packages.
- Identifying possible collaborations to support the committee’s jurisdiction
- Identifying the need for any workgroups to support the jurisdiction of the committee
- Conferring and coordinating regularly at least annually with the Justice Initiatives, Unauthorized Practice of Law, Access to Justice Policy, and Online Legal Resources and Referral Center committees
- Identifying possible collaborations to support the committee’s jurisdiction
- Reviewing and evaluating metrics measuring

Note: This committee may have more than 15 members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	1.3/2.1	Limited scope representation – promote ICLE on demand webinar and use list of attendees and other methods to recruit lsr attorneys for lawyer referral service; continue to provide in-person lsr education programs to judges, lawyers, court staff; work with PMRC to create lsr podcast; Help to develop new forms (engagement letter, end of representation letter, checklist, objection to withdrawal of appearance); sponsor change to MCR 5.117 regarding limited scope in probate matters; (eventually adopted by MSct) create marketing materials for lawyers and informational brochures for the public; promote use of Connect for lsr practitioners; coordinate work with JIC and UPL Committee
	1.3/2.1	Modest means –confirm and finalize expanded case types
	1.3/2.1	ODR – learn about Mi-Resolve through in-person SCAO presentation
10/19-5/20	1.3/2.1	<ul style="list-style-type: none"> • Limited scope – in partnership with Justice Initiatives Committee, hear from national experts to identify possible areas of limited scope practice in which pro bono lawyers can be used; explore possible pilot projects; continue education in limited scope through presentations at ICLE Family Law Institute, Cooley Law School, 26th Circuit Bar Association, Michigan Judicial Institute, Marquette Bar, sections, more; Arrange for Bar Journal profile of limited scope practitioner(s); Continue promotion of Connect through scripted messages
	1.3/2.1	Modest means – expand and open more flexible fee model; work with LRS to update website with expanded case types
	1.3/2.1	Online dispute resolution – inventory Michigan courts offering online settlement; learn about possible barriers/access challenges for self-represented litigants

	1.3/2.1	Study sliding scale and non-profit law firm models; explore pro bono development of “non-profit law firm in a box”
	1.3/2.1	Explore LEAN/design thinking supports for practitioners; incorporate focus on tech competence; provide Lean input to PMRC Business Continuity webinar
Current Projects	1.3/2.1	Limited scope pro bono pilot project
	1.3/2.1	Lean Process and tech competence
	1.3/2.1	Affordable Bar Journal article for ATJ theme issue
	1.3/2.1	Non-profit law firm in a box
	1.3/2.1	Possible ODR/ADR expansion
Future Goals	1.3/2.1	Identify LSR pro bono opportunities including possible expanded use of ADR/ODR in post-COVID justice system
	1.3/2.1	Author Bar Journal article
	1.3/2.1	Identify and develop Lean/design thinking tools for practitioners so they can engage in profitable lsr and modest means practices
	1.3/2.1	Market modest means, limited scope, non-profit/sliding scale practices in partnership with affinity bars
	1.3/2.1	Understand changing structures and leadership in access to justice and affordable/futures legal services; consider profound changes and access opportunities brought about by quarantine and redesigned legal processes; seek opportunities to partner with relevant structures and identify tools to help lawyers provide affordable legal services for the public.

Recommended Committee Changes: See future goal 5: “Understand changing structures and leadership in access to justice and affordable/futures legal services; consider profound changes and access opportunities brought about by quarantine and redesigned legal processes; seek opportunities to partner with relevant structures and identify tools to help lawyers provide affordable legal services for the public.”

Additional Comments: None.

American Indian Law Committee

Jurisdiction: Support the State Bar of Michigan’s efforts to support effective and appropriate interaction between sovereign tribal courts and state and federal courts, and on the practice of law in those courts by:

- Reviewing and making recommendations on relevant proposed court rules and legislation
- Proposing court rule, legislative, or policy changes to advance more effective and appropriate interaction between sovereign tribal courts and state and federal courts

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	3.5	Court rule review
		Relationship of tribal and state courts
10/19-5/20	3.5	Court rule review
		Relationship of tribal and state courts
Current Projects	3.5	Court rule review
		Relationship of tribal and state courts
Future Goals		Continuation of present work

Recommended Committee Changes: None.

Additional Comments: None.

Awards Committee

Jurisdiction: Support the nomination process for and recommend recipients of awards made in the name of the State Bar of Michigan, by:

- Assisting in the management of the timetable for soliciting, reviewing, and recommending award nominations
- Providing input on effective solicitation of awards to ensure a high-quality pool of diverse nominees
- Providing recommendations on the establishment of new awards or discontinuation of existing awards
- Offering guidance on how best to honor awardees and create an inspiring and accessible online archive of award recipients

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	1.4	Committee members seek high quality nominations for SBM awards from other members and bar associations. For the October 1, 2018 and ends at the 2019 Inaugural & Awards Luncheon at the end of September in 2019, where the awards will be handed out, were 22 nominations to consider. The committee recommended eight award recipients.
	2.5	Liberty Bell nominations were received. Local and special purpose bar associations send their local Liberty Bell Award winners on to the State Bar for consideration. Most of these bar associations present their Liberty Bell Awards on Law Day, on or around May 1 each year. The deadline for them to nominate winners is May 2019. The committee recommended awarding the Urban League of West Michigan to the Board for the 2019.
		In the last year's cycle, commencing at the 2019 Inaugural & Awards Luncheon the Committee gave out awards to eight Michigan attorneys and the Liberty Bell Award to one non-attorney or association. 2019 Award Winners: Roberts P. Hudson Award: Lawrence P. Nolan; Frank J. Kelley Award: Michael J. Talbot; Champion of Justice Award: Julie A. Gafkay, Robert F. Gillett, Marla R. McCowan; Kimberly M. Cahill Award: Michael J. Sullivan; John Reed Award: Professor Lawrence C. Mann, Professor Suellyn Scarnecchia; Liberty Bell Award: Urban League of West Michigan, Grand Rapids County Bar Association
	2.4	Committee members review nominations submitted by other attorneys, as well as local and special purpose bar associations, and decide which nominees to recommend become award recipients. When doing so, they are always very aware of the importance of diversity and inclusion among award winners, and whenever possible they strive to grant awards to diverse nominees.
10/19-5/20	1.4	Committee members seek high quality nominations for SBM awards from other members and bar associations. For the coming year's awards cycle, which started October. 1, 2019, and ends at the 2020 Inaugural & Awards Luncheon at the end of

		September in 2020, where the awards will be handed out, there are 18 nominations to consider. Of these nominations, the committee recommended award recipients to the board.
	2.5	Liberty Bell nominations have not yet been received. Local and special purpose bar associations send their local Liberty Bell Award winners on to the State Bar for consideration. Most of these bar associations present their Liberty Bell Awards on Law Day, on or around May 1 each year. The deadline for them to nominate winners is May 8, 2020. Goal 2: Strategy 5: Expanding collaboration with professional organizations and communities outside of the legal community
		2020 Award Winners: Roberts P. Hudson Award: Barry L. Howard; Frank J. Kelley Award: Frank J. Kelley Distinguished Public Service Award: Ronald J. Frantz and Anita L. Hitchcock; Champion of Justice Award: Thomas P. Boyd, Hon. Susan L. Dobrich and James H. Fisher; Kimberly M. Cahill Award: ATJ Mid-Northern Michigan Expungement Project; John Reed Award: Prof. Paul D. Reingold; Liberty Bell Award: Timothy Skubick, Ingham County Bar Association
	2.4 (?)	Committee members review nominations submitted by other attorneys, as well as local and special purpose bar associations, and decide which nominees to recommend become award recipients. When doing so, they are always very aware of the importance of diversity and inclusion among award winners, and whenever possible they strive to grant awards to diverse nominees.
Current Projects	n/a	n/a
Future Goals	1.4/2.4	The committee members work very hard every year to seek out nominations and ensure that they are submitted by the nomination deadlines. An important goal of this committee is to also make sure that the quality of the award recipients is always outstanding and that the winners represent diversity and inclusion in the legal profession. The committee will continue to work to achieve these goals into the future.

Recommended Committee Changes: None.

Additional Comments: None.

Character & Fitness Committee

Jurisdiction: Support the work of the State Bar of Michigan conducted under the direction and authority of the Board of Law Examiners and Michigan Supreme Court by:

- Investigating the character and fitness of candidates for admission to the Bar pursuant to Rule 15, Section 1, of the Supreme Court Rules Concerning the State Bar of Michigan. This work product is provided to the Board of Law Examiners for its consideration. The work product is not provided to, or subject to approval by, the Board of Commissioners or Representative Assembly.
- Making recommendations on changes to rules concerning admissions related to character and fitness, and SBM interaction with Michigan law schools concerning character and fitness
- Meeting on a biennial basis with the Board of Law Examiners

- Determining how the committee’s work might interact with and support the work of the Professional Ethics, Judicial Ethics, Lawyers and Judges Assistance, and Client Protection Fund committees, including through conferring and coordinating regularly with them on trends, data, insights, and metrics
- Suggesting metrics for measuring the effectiveness of the work carried out by the Character and Fitness committee

Note: This committee may have more than 15 members. The work of this committee is conducted pursuant to the authority, and under the oversight of, the Board of Law Examiners. The committee’s and district committees’ work product is not provided to, or subject to review by, the Board of Commissioners or any other entity of the State Bar of Michigan.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	3.1	Processed 558 July 2019 bar applications with the assistance of State Bar Staff. An applicant is recommended favorably to the BLE without referral to the Committee when investigation of past conduct discloses no significant adverse factual information. In all other instances, applicants are referred to a DC for personal interview. 171 members of the Bar volunteer to serve on the nine DCs. The DCs issue a written report and recommendation on each applicant interviewed to the SC. Upon receiving a DC recommendation, the SC may: endorse the recommendation, take the recommendation under advisement pending additional information, remand the recommendation with instructions for further proceedings, or reject the recommendation and conduct a hearing de novo. All recommendations are ultimately transmitted to the BLE for final action.
	3.1	District Committees, under the supervision of the Standing Committee, conducted interviews for 16 applicants during this time period.
	3.1	Standing Committee members participated in 20 conference calls related to hearings.
	3.1	Standing Committee members and staff participated in 16 formal evidentiary hearings
	3.1	One hearing was conducted before the BLE, which required the presence of a member of the committee acting as assigned State Bar Counsel, as well as a member of SBM C&F Staff.
10/19-5/20	3.1	Processed 190 February 2020 bar applications with the assistance of State Bar Staff. An applicant is recommended favorably to the BLE without referral to the Committee when investigation of past conduct discloses no significant adverse factual information. In all other instances, applicants are referred to a DC for personal interview. 171 members of the Bar volunteer to serve on the nine DCs. The DCs issue a written report and recommendation on each applicant interviewed to the SC. Upon receiving a DC recommendation, the SC may: endorse the recommendation, take the recommendation under advisement pending additional information, remand the recommendation with instructions for further proceedings, or reject the recommendation and conduct

		a hearing de novo. All recommendations are ultimately transmitted to the BLE for final action.
	3.1	District Committees, under the supervision of the Standing Committee, conducted interviews for 27 applicants during this time period. Seven additional applicant matters have been referred and are awaiting interviews, with an additional 48 more expected to be referred before August 1. District Committee new member training was scheduled to be conducted on March 25, 2020 but canceled due to the COVID-19 pandemic. Training materials provided to each new member in lieu of in-person training.
	3.1	Standing Committee members participated in 39 conference calls related to hearings.
	3.1	Standing Committee members and staff participated in 10 formal evidentiary hearings, with 26 applicant matters currently on the hearing docket and are scheduled or expected to be conducted during the remainder of the fiscal year. 15 hearings were adjourned due to the COVID-19 pandemic; most have been rescheduled for Zoom or in-person hearings. New member training conducted on October 23, 2019, by members of the Committee and staff; 5 new members in attendance.
	3.1	Three hearings were conducted before the BLE, which required the presence of a member of the committee acting as assigned State Bar Counsel, as well as a member of SBM C&F Staff. Four additional applicant matters are currently on the BLE hearing docket and scheduled to be conducted during the remainder of the fiscal year.
Current Projects	3.1	At the direction of the Board of Law Examiners, changing the Affidavit of Personal History to comport with Supreme Court changes to fitness questions, to commence with the application for February 2021 exam.
	4.2	The State Bar and Board of Law Examiners staff continue to be involved in automation to the admissions process for the last 5 years. Phase 2 is in progress and involves the development of an Applicant/SBM C&F Department/BLE Staff communication portal and database. These enhancements will further improve efficiencies in communication regarding an application. The portal will be accessible to applicants at their convenience and will allow them to check on the status of their application, including to confirm documents received and outstanding, and update their contact information without emailing or letter. Through the portal system, BLE Staff will be able to see the status of applicants in the C&F Process (such as recommended for approval, closed for non-cooperation, referred to district committee, etc.) to improve communication efficiencies. The portal will also allow applicants and third parties to upload documents, which will reduce processing lag time due to pending documents and allow State Bar Staff to enhance efficiencies when sending computer generated letters to third parties.
Future Goals	n/a	n/a

Recommended Committee Changes: None.

Additional Comments: The work of the Standing Committee, and the district committees under its supervision is mandated by the Supreme Court pursuant to Rule 15, Section 1, Supreme Court Rules Concerning the State Bar of Michigan. The Committee is charged with investigating and making recommendations with respect to the character and fitness of every applicant for admission to the bar by bar examination and, upon request of the BLE, the character and fitness of any other applicant for admission.

Civil Procedure & Courts Committee

Jurisdiction: Support the public policy program of the State Bar of Michigan by:

- Reviewing and making recommendations on proposed court rules and legislation related to civil practice in the courts
- Making recommendations for administrative, court rule, and statutory changes concerning improvements in the administration, organization, and operation of Michigan state courts.
- Collaborating with other State Bar committees to provide feedback on proposed administrative, court rule, and statutory changes related to civil practice in the courts.

Note: This committee may have more than 15 members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	3.5	The committee reviewed 3 legislative items, 8 court rule proposals, and the interim report of the trial court funding commission.
10/19-5/20	3.5	The committee reviewed 17 legislative items and 4 court rule proposals.
Current Projects	3.5	Continuing to review court rule proposals and legislation as necessary.
Future Goals	n/a	n/a

Recommended Committee Changes: None.

Additional Comments: None.

Client Protection Fund Committee

Jurisdiction: Advise the Board of Commissioners on the operation of the Client Protection Fund program pursuant to the [Client Protection Rules](#) adopted by the Board of Commissioners by:

- Making recommendations on the reimbursement of claims authorized by the Board of Commissioners
- Proposing or advising on revisions to rules and policies concerning the Client Protection Fund
- Recommending subrogation actions to recoup monies paid from the Client Protection Fund
- Reviewing and recommending loss prevention measures to minimize claims and public loss
- Determining how the committee’s work might interact with and support the work of the Professional Ethics, Judicial Ethics, Lawyers and Judges Assistance, and Character and Fitness committees, including through conferring and coordinating regularly with them on trends, data, insights, and metrics
- Being aware of and discussing metrics measuring the effectiveness

Note: This committee may have more than 15 members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	4.2	The Committee reviewed 47 claims during this time period, 28 were recommended for reimbursement totaling \$240,245 and 19 were recommended for denial.
	4.2	The Board of Commissioners approved the Standing Committee's recommended revisions to CPF Rule 9(B) requiring claimants with losses greater than \$20,000 to report the incident to law enforcement; Rule 10(B)(6) to permit a broader array of information to support reimbursement; Rule 11(I) to allow for evidence of a claim to be provided by source other than the claimant; the Loss Value policy to incorporate the proposed rules changes and new SBR 20.
	4.2	State Bar staff assists in and manages subrogation activities, working with outside counsel to recoup some of the money paid by the Fund.
	4.2	Staff attended the ABA National Forum on Client Protection and the National Client Protection Organization's (NCPO) Annual meeting held concurrently and the NCPO's fall workshop.
10/19-5/20	4.2	The Committee reviewed 50 claims during this time period, 20 were recommended for reimbursement totaling \$415,087 and 30 were recommended for denial.
	4.2	The CPF rule book, claim application and website pages were updated to reflect the rule and policy changes.
	4.2	State Bar staff assists in and manages subrogation activities, working with outside counsel to recoup some of the money paid by the Fund.
	4.2	The Committee is monitoring the progress of SBR 20 to the Michigan Supreme Court in October 2019.
	4.2	Staff Bar staff implemented modifications to the CPF process to accommodate working remotely during covid-19.
Current Projects	4.2	The Committee is working on creating a streamlined, online application, which will launch once the rule changes are complete.
Future Goals	4.2	The Committee will investigate and work to implement additional proactive client protection initiatives such as random audits, fiduciary bonding, fee arbitration/mediation and payee notification.
	4.3	Staff will investigate and work to implement an updated case management system with a portal interface.
	4.2	Staff to work with the Attorney Discipline Board and Attorney Grievance Commission to streamline processes.

Recommended Committee Changes: None.

Additional Comments: None.

Criminal Jurisprudence & Practice Committee

Jurisdiction: Support the public policy program of the State Bar of Michigan by:

- Reviewing and making recommendations on proposed court rules and legislation related to criminal jurisprudence and practice
- Making recommendations for administrative, court rule, and statutory changes concerning improvements in criminal jurisprudence and practice
- Collaborating with other State Bar committees to provide feedback on proposed administrative, court rule, and statutory changes related to criminal jurisprudence and practice in the courts

Note: This committee may have more than 15 members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	3.5	The committee reviewed 14 legislative items, 5 court rule proposals, 1 Representative Assembly proposal, and 7 sets of model criminal jury instructions over three meetings.
10/19-5/20	3.5	The committee reviewed 11 legislative items, 5 court rule proposals, and 4 sets of model criminal jury instructions over three meetings.
Current Projects	3.5	Continuing to review court rule proposals and legislation as necessary.
Future Goals	n/a	n/a

Recommended Committee Changes: None.

Additional Comments: None.

Diversity & Inclusion Advisory Committee

Jurisdiction: Support the diversity goals of the SBM Strategic Plan by:

- Identifying strategies to promote a diverse and inclusive voice in all State Bar of Michigan work and communications
- Recommending practices, tools and strategies to advance diversity and inclusion at the SBM staff level, section and committee levels, and throughout the justice system
- Encouraging examination of the status of diversity and inclusion efforts of Michigan law firms, courts, and law schools
- Suggesting methods for celebrating successful diversity and inclusion efforts
- Identifying the need for any workgroups to support the jurisdiction of the committee
- Identifying possible collaborations to support

Note: This committee may develop and carry out collaborative programs consistent with this jurisdiction, and within allocated budgetary resources, with approval of the Executive Committee.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	1.4/2.6/3.3	Brunch for Bars
	1.4/2.6	Affinity Bar Summit
	1.4/2.6	Face of Justice
	1.4/2.6	Bias Training for Bar Leadership
10/19-5/20	1.4/2.6	Brunch for Bars
	1.4/2.6	Bias Training
	1.4/2.6	Civic Education Open House
Current Projects	1.4/2.6	Bar collaboration (virtual)
	1.4/2.6	Fall Affinity Bar Summit
	1.4/2.6	Face of Justice (virtual)
Future Goals	1.4/2.6	Bar collaboration forum
	1.4/2.6	Disabilities and ADA update

Recommended Committee Changes: None.

Additional Comments: None.

Judicial Ethics Committee

Jurisdiction: Offer analysis and guidance concerning the Michigan Code of Judicial Conduct, and, to the extent that they relate to judicial conduct in Michigan, to provisions of the Michigan Rules of Professional Conduct, the ABA Code of Judicial Conduct, and other applicable standards of professional conduct, as well as emerging issues of professional conduct affecting judges and judicial candidates by:

- Drafting informal opinions on judicial ethics published on the State Bar of Michigan website.
- Drafting proposed formal opinions for consideration by the Board of Commissioners.
- Making recommendations concerning amendments to the Michigan Code of Judicial Conduct and other standards professional conduct, on the committee's own initiative or upon request by the Board of Commissioners or Representative Assembly.
- Meeting biennially with the Judicial Tenure Commission and the leadership of the Michigan Judicial Institute.
- Determining how the committee's work might interact with and support work of the Professional Ethics, Lawyers and Judges Assistance, Character and Fitness, and Client Protection Fund committees, including through conferring and coordinating regularly with them on trends, data, insights, and metrics.
- Being aware of and discuss metrics measuring the effectiveness of national and state efforts to reduce behavior leading to judicial discipline and promote civility.

Note: Members are nominated by and drawn from among the membership of the Michigan Judges Association, the Michigan Probate Judges Association, the Michigan District Judges Association, the Michigan Association of District Court Magistrates, the Judicial Section Council, and the Referee Association of Michigan.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	1.2/3.2	Published JI-147 Judicial officers' and candidates' campaign activity on social media account
	1.2/3.2	Published JI-148 A judge supporting charitable organizations on social media

10/19-5/20	1.2/3.2	Published JI-148 A judge supporting charitable organizations on social media
Current Projects	1.2/3.2	Social Media FAQs
	1.2/3.2	Judicial Q & A
	1.2/3.2	Judicial Gifts Opinion
Future Goals	1.2/3.2	Continue providing resources to the judicial community

Recommended Committee Changes: None.

Additional Comments: None.

Judicial Qualifications Committee

Jurisdiction: As requested by the Governor, evaluate candidates for possible appointment to judicial vacancies and report in confidence to the Governor.

Note: The evaluations of this committee are advisory only to the Governor and are not provided to, or subject to approval by, the Board of Commissioners or Representative Assembly. The chief staff attorney of the Attorney Grievance Commission serves as reporter for this committee. Chairs of the committee may serve more than three two-year terms. This committee may have more than 15 members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	3.1	Monthly (5) meetings as requested by the Governor's Office to evaluate candidates for possible appointment to judicial vacancies.
10/19-5/20	3.1	Monthly (6) meetings as requested by the Governor's Office to evaluate candidates for possible appointment to judicial vacancies.
Current Projects	3.1	Monthly meetings as requested by the Governor's Office to evaluate candidates for possible appointment to judicial vacancies.
Future Goals	3.1	Monthly meetings as requested by the Governor's Office to evaluate candidates for possible appointment to judicial vacancies.

Recommended Committee Changes: No.

Additional Comments: None.

Justice Initiatives Committee (FKA Access to Justice Committee)

Jurisdiction: Support the State Bar's access to justice efforts by:

- Developing and recommending proposals for proactive programs to benefit underserved populations, including the poor, racial and ethnic minorities, gender identity, juveniles, domestic violence survivors
- Supporting resources for civil legal aid programs
- Providing recommendations and support for the State Bar's pro bono legal services program
- Recommending John W. Cumiskey Award recipient
- Identifying the need for any workgroups to support the jurisdiction of the committee
- Conferring and coordinating regularly with the Access to Justice Policy, Affordable Legal Services, and Online Legal Resource and Referral committees on common strategic goals

- Identifying possible collaborations to support

Note: This committee may have more than 15 members and may include non-State Bar members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	1.4/2.3/4.4	A Lawyer Helps Pro Bono Honor Roll - Inaugural Year. In 2019, SBM launched the “A Lawyer Helps” Pro Bono Honor Roll (Honor Roll) to recognize Michigan attorneys and firms providing pro bono legal services. Michigan attorneys providing 30 or more hours of eligible pro bono legal services in a calendar year and firms with attorneys on average providing 30 or more hours of eligible pro bono legal services in a calendar year were eligible to appear on the Honor Roll; Continue promotion of the Honor Roll; Encourage increased participation by Michigan attorneys, firms, and corporations; Provide attorneys with easily accessible information on the pro bono opportunities available in their geographical area and area of legal expertise on the “A Lawyer Helps” website; Identify additional opportunities to recognize Michigan attorneys and firms providing pro bono legal services.
	1.2/2.3	2019 Spring Pro Bono Workshop (May 19, 2019)
	1.2/2.3/4.4	Michigan Legal Assistance Partnership Project (MI-LAPP) - includes Qualified Domestic Relations Order Referral Program, Tax Pro Bono Program, MI Patent Pro Bono Project, & Malpractice for Pro Bono Program
	1.4/2.3/4.4	Pro Bono Partner Programs (Program Development, Recruitment, and Promotion). The JI Committee established the criteria for the Partner Program initiative. To be recognized as a Partner Program, programs must complete a brief online application and certify their pro bono programs meet all established criteria.
	1.4/2.3/4.4	Online Portal - Pro Bono Opportunities. Includes the "Legal Clinics & Events Calendar" that is updated weekly with events. The calendar is available on the A Lawyer Helps website at alawyerhelps.org .
10/19-5/20	1.2/2.3/4.4	A Lawyer Helps Pro Bono Honor Roll - Second Year Promotion. – The 2020 Honor Roll online applications will go live in early January 2020. Staff anticipates the 2020 applications being very similar to the 2019 applications. However, a Justice For All Task Force workgroup is looking at available data related to identifying gaps in currently available data related to pro bono delivery in Michigan. The workgroup is also identifying what data is needed and methods/strategies for collecting that data. So, depending on the JFA workgroup’s findings, additional questions might be added to the Honor Roll applications to collect the identified data.
	1.2/2.3/4.4	2020 Spring Pro Bono Workshop Planning Workgroup (May 2020, POSTPONED)
	1.2/2.3/4.4	Michigan Legal Assistance Partnership Project (MI-LAPP) - includes Qualified Domestic Relations Order Referral Program, Tax Pro Bono Program, MI Patent Pro Bono Project, & Malpractice for Pro Bono Program

	1.4/2.3/4.4	<p>Online Portal - Pro Bono Opportunities - Legal Clinics & Events Calendar - The legal clinics calendar is updated weekly and can be found on the ALH website. The calendar currently lists events through January 30, 2019. In early December, staff will add events for the 1st quarter of the 2020 calendar year. While the events calendar is currently a document with events listed in chronological order, soon, the events will appear on a calendar like the current SBM online calendar that provides details of upcoming bar association events, etc. Staff is working with SBM's IT department on this project.</p>
	1.4/2.3/3.5/4.4	<p>October as Pro Bono Month Celebration. This year's Pro Bono Month celebration was the most successful yet, with more than 65 pro bono events planned during the month of October, setting a record for the number of events planned! The events are listed on the Pro Bono Month events calendar on SBM's A Lawyer Helps website. B. Human Trafficking Training Held on October 17 Update – SBM, The Joseph Project, Lakeshore Legal Aid, D. Augustus Straker Bar Association, and the Oakland County Bar Association partnered to offer a human trafficking training on October 17th. The Legal First Responders: Equipping Attorneys to Empower Human Trafficking Survivors was hosted by WMU-Cooley Law School at its Auburn Hills Campus and simultaneously broadcasted to Cooley's campuses in Lansing and Grand Rapids. The event was free with the commitment to accept a human trafficking referral on a pro bono basis within one year of the training. Speakers included Jennifer Grieco, SBM; Nate Knapper, FBI; Amy Allen, a forensic interviewer with the Department of Homeland Security; Elizabeth Campbell, Human Trafficking Clinic, University of Michigan Law School Human Trafficking Clinic; Kelly Carter, Michigan Department of Attorney General Human Trafficking Unit; and Ashley Lowe, Lakeshore Legal Aid. The idea for the training stemmed from an article Jennifer Grieco authored about legal first responders in the October 2018 Michigan Bar Journal.</p>
Current Projects	1.2/2.3/4.4	<p>A Lawyer Helps Pro Bono Honor Roll - Second Year Honor Roll Published. – Due to the healthcare crisis, the due date for 2020 Honor Roll applications was extended until June 12, 2020. Staff is compiling the applications and attorney and firm data. The 2020 Honor Roll will be published in early July 2020.</p>
	1.3/2.2/4.4	<p>Limited Scope Representation Pro Bono Project Proposal with Affordable Legal Services Committee – JI/ALS Committees have been working with the 3rd Circuit Court in Detroit on a pro bono project at the Self-Help Center. Plans were to have a clinic operational in March, but the clinic has been put on hold due to the 3rd Circuit Family Court planned closing until the end of the year. The committee is continuing its efforts to partner with the 36th District Court to handle landlord/tenant cases when the courts reopen. The committee is also looking at expanding ADR and ODR in resolving landlord/tenant disputes.</p>
	1.2/2.3/4.4	<p>Michigan Legal Assistance Partnership Project (MI-LAPP) - includes Qualified Domestic Relations Order Referral Program,</p>

		Tax Pro Bono Program, MI Patent Pro Bono Project, & Malpractice for Pro Bono Program. The committee is continuing to work on expanding the capacity of the programs, number of pro bono attorneys on each program's pro bono panel, and promotion of services to the public.
	1.4/2.3/3.5/4.4	Michigan Bar Journal - Access to Justice Theme Issue - September 2021. The MBJ theme issue will educate members on ATJ issues and opportunities to help increase access to justice for low-income Michiganders.
	1.3/2.2/4.4	Midland Flooding Response Assistance - Disaster Legal Services Legal Assistance Initiative. Hotline number created for people impacted by the flooding disaster.
Future Goals	1.2/2.3/4.4	A Lawyer Helps Pro Bono Honor Roll. Third Year Tweaking and Promotion. The JI Committee will continue to promote and encourage increased participation by Michigan individual attorneys, law firms, and corporations.
	1.3/2.2/4.4	Limited Scope Representation Pro Bono Project Proposal with Affordable Legal Services Committee – JI/ALS Committees have been working with the 3rd Circuit Court in Detroit on a pro bono project at the Self-Help Center. Plans were to have a clinic operational in March, but the clinic has been put on hold due to the 3rd Circuit Family Court planned closing until the end of the year. The committee is continuing its efforts to partner with the 36th District Court to handle landlord/tenant cases when the courts reopen. The committee is also looking at expanding ADR and ODR in resolving landlord/tenant disputes.
	1.2/2.3/4.4	Michigan Legal Assistance Partnership Project (MI-LAPP). The committee is coordinating with the Tax Program's administration group to provide more webinars and recorded trainings for participating attorneys to expand professional competence and continuing professional development.
	1.2/2.3/4.4	Expanding/Promoting increased engagement of SBM's members in pro bono opportunities by educating members on the need, opportunities to help, and the benefits of increased access to justice for all regardless of income.
	1.2/2.2/4.4	MI-LAPP Expansion as needed. With the success of the MI-LAPP programs, especially the QDRO and Tax Programs. Committee members were asked to identify other specialized areas of the law where it might make sense for legal aid programs, SBM, and its Sections to collaborate to potentially create new pro bono initiatives. The committee proposed several specialized areas of law where a collaboration might be helpful, including the following: a. Drafting Child Support Orders - While the Friend of the Court calculates the amount of child support for orders, FOC does not prepare orders. Drafting these orders would require a relatively small-time commitment for pro bono attorneys, with no expectation of ongoing representation. The Family Law Section would be the obvious section for this type of collaboration. b. Real Property / Probate Issues. Many clients seek legal aid help because of issues with real property. Many times, the problem is due to title issues. In property tax

foreclosure cases, even though many clients potentially qualify for financial help to pay all or part of the property taxes based on their incomes, they are ineligible because of a lack of ownership. The issue may arise when a parent dies and an heir(s) takes ownership. But the estate is never probated, and property ownership is never transferred from the deceased person. In these cases, pro bono attorneys could assist with probating deceased family members estate and transfer of ownership the surviving heir(s). The Probate & Estate Planning and Real Property Law Sections would be the most obvious sections for this type of collaboration. c. Name Changes for Transgender People. People that are transitioning need help securing a legal name change so they can take an important step toward making their legal identities match their lived experience. Possible collaboration with the LGBTQA Section. d. Objections to Garnishment / Payment Agreements / Set Aside Defaults. Many people sued for unpaid debts never answer the complaints (many may not know they have to) which results in default judgments. Once a default judgment is entered, the garnishments are usually not far behind. Pro bono attorneys could help defendants set aside default judgments, object to garnishments, and set up payment plans. Committee members proposed offering clinic-style events in collaboration with the members of the Consumer Law and Solo and Small Firm Sections.

Recommended Committee Changes: Change part of the jurisdiction statement. Change "gender identity" to "LGBTQA."

Additional Comments: Name = Justice Initiatives Committee, not ATJ Committee. The name was changed last year. No additional changes are proposed at this time.

Law School Deans Committee

Jurisdiction: Confer on issues and subjects that affect the law schools of Michigan and the State Bar, and its members, including legal preparation, law school admissions, education, standards, and testing of candidates for admission to the bar.

Note: This committee meets upon the initiative of a majority of the Michigan law school deans. Its membership includes the officers of the State Bar and the executive director of the Board of Law Examiners.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	n/a	The Committee did not meet during this time period.
10/19-5/20	n/a	The Committee did not meet during this time period.
Current Projects	n/a	n/a
Future Goals	n/a	n/a

Recommended Committee Changes: None.

Additional Comments: This committee meets on an as-needed basis to discuss common issues effecting the law schools in the state and on a national level.

Lawyers and Judges Assistance Committee

Jurisdiction: Propose and support measures to advance the well-being of lawyers, judges, and law students by:

- Recommending, developing, and supporting programs and educational presentations that provide assistance to law students, lawyers, and judges regarding substance use issues, mental health issues, anxiety, and general wellness
- Reviewing and making recommendations concerning proposed statutes and court rules affecting assistance to lawyers and judges faced with personal and professional problems related to substance use and mental health issues
- Monitoring national trends and data on attorney and judge wellness and treatment
- Determining how the committee’s work might interact with and support work of the Professional Ethics, Judicial Ethics, Character and Fitness, and Client Protection Fund committees, including by conferring and coordinating regularly with them on trends, data, insights, and metrics
- Being aware of and discussing metrics measuring the effectiveness of national and state efforts to reduce attorney drug and alcohol addiction and depression
- Reviewing and evaluating metrics measuring

Note: The LJAP committee may develop and carry out programming consistent with this jurisdiction and within allocated budgetary resources, without explicit approval by the Board of Commissioners or Professional Standards committee. This committee may have more than 15 members and may include non-State Bar members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	3.1	ICLE initiative on lawyer wellbeing – Seminar Series Published
	3.2	SCAO initiative – LJAP/Ethics posters in every Michigan courthouse.
	1.1	Law school initiatives – Wellness as competence that must be maintained.
	3.2	Well being and ABA tool kit for legal employers to law firms and bar associations.
	3.1	Lawyers Wellness Foundation Board of Trustees established and functioning.
10/19-5/20	2.2	Support of SBM On Balance Podcast
	3.1	Outreach to stakeholders on lawyer well-being
	1.1	Discussion of Character & Fitness delays for individuals with diagnoses.
	2.2	Education of all SBM members on well-being as competence
Current Projects	1.2/3.2	Dealing with COVID-19 anxiety
		Dealing with changing demands of work
	3.3	Developing well-being blog
	1.3	Developing online presentations on pertinent topics
	1.1	Supporting On-Balance Podcast
Future Goals	3.2	Continue outreach through networking and presentations
	1.1	Continue to be aware of processes for applicants involved in Character & Fitness hearings
	2.2	Expand education about lawyer well-being to all SBM members
	2.2	Explore innovative methods of reaching more members
	3.2	Collaborate with other committees.

Recommended Committee Changes: None.

Additional Comments: This committee anchors SBM's commitment to well-regulated and healthy community of lawyers and judges. It is an essential committee and should remain intact.

Michigan Bar Journal Committee

Jurisdiction: Provide recommendations to the Board of Commissioners on any changes concerning the Michigan Bar Journal consistent with the State Bar's strategic plan and provide regular editorial assistance to the editor of the Michigan Bar Journal by:

- Developing annual plans for the content of each Michigan Bar Journal issue
- Soliciting and reviewing submissions to the Michigan Bar Journal
- Make recommendations to the Board of Commissioners on any substantial changes to the publication of the Michigan Bar Journal, including format, number of issues, and budget
- Recommending collaborations to advance the communication and member service objectives of the Strategic Plan
- Reviewing and evaluating metrics for evaluating the effectiveness of the Michigan Bar Journal

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	1.2/2.6/3.6/4.2	Published theme issues with respect to labor and employment law, domestic violence awareness, American Indian law, and appellate practice
	1.2/2.6/3.6/4.2	Published general issue in May 2019
10/19-5/20	1.2/2.6/3.6/4.2	Published theme issues on children's law, LGBTQA law, business litigation, and real property law.
	1.2/2.6/3.6/4.2	Published general issues in October 2019 and March 2020
	1.4/2.5/3.2/4.4	Published the Resource Directory in April 2020
	1.4/2.6/3.4/4.2	Prepared report and recommendations of the Michigan Bar Journal Standing Committee concerning proposed changes to the Bar Journal and presented to the SBM Communications and Member Services Committee.
Current Projects	1.2/2.6/3.6/4.2	Publishing theme issues on bankruptcy, municipal government law, election law, and international law.
	1.2/2.6/3.6/4.2	Publish a general issue in October 2020.
Future Goals	1.4/2.4/3.5/4.4	Improve the quality of the Michigan Bar Journal.
	1.2/2.4/3.5/4.4	Increase the timeliness of both theme and general issues articles.
	1.4/2.2/3.4/4.2	Reduce costs and increase revenues.

Recommended Committee Changes: None.

Additional Comments: The MBJ Committee appreciates the support it recently received from the SBM Communications and Member Services Committee and the Board of Commissioners as a whole concerning its recommendations for proposed changes to the Michigan Bar Journal.

Online Legal Resources & Referral Center Committee

Jurisdiction: Provide guidance and recommendations concerning the development and operation of the SBM Online Legal Resource and Referral Center, and the integration of the State Bar's pilot lawyer referral (LRS) program into the Center, through:

- Identifying strategies for the recruitment of qualified LRS panel members
- Evaluating pilot progress

- Proposing standards and rules for participation
- Suggesting potential collaborations
- Advising on marketing to the public
- Reviewing and advising on integration with SBM enhanced profile directory and tools
- Assessing metrics to help measure the effectiveness of the Online Legal Resource and Referral Center in advancing Strategic Plan goals
- Providing input on how ethics rules relate to the pilot and its development
- Conferring and coordinating regularly with the Justice Initiatives and Affordable Legal Services committees
- Suggesting metrics to measure the effectiveness of the Online Legal Resource and Referral Center and lawyer referral program efforts
- Identifying the need for any workgroups to support the jurisdiction of the committee.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	2.1	Expansion of Modest Means practice areas
	2.1	Developing strategies for collaboration with local bars for coordinated statewide lawyer referral system.
10/19-5/20	2.1	Advancing efforts for collaboration with local bars for statewide coordinated lawyer referral system
	2.1	Increasing attorneys participating in lawyer referral
Current Projects	2.1	Collaboration with local bars for statewide coordinated lawyer referral system
Future Goals	2.1	Continue efforts to collaborate with local bars for statewide lawyer referral system
	2.1	Develop and build consumer facing side of portal so that lawyer referral can be completed online

Recommended Committee Changes: Given the priority of working toward collaboration with local bars it is important to have the committee comprised of people able to assist in those conversations at the local level.

Additional Comments: While we did not suspend the committee last year, we advised members that the focus would be more on the local conversations. I would expect the committee to meet a little more often this coming bar year.

Past Presidents Advisory Committee

Jurisdiction: Provide counsel and recommendations on all matters concerning the State Bar, at the request of the Board of Commissioners.

Note: The membership of the committee consists of all past presidents of the State Bar of Michigan.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	n/a	The committee did not meet during this time period.
10/19-5/20	n/a	The committee did not meet during this time period.
Current Projects	n/a	n/a
Future Goals	n/a	n/a

Recommended Committee Changes: None.

Additional Comments: This committee meets on an as-needed basis. Committee members provide guidance throughout the year on various issues.

Professional Ethics Committee

Jurisdiction: Offer analysis and guidance concerning the Michigan Rules of Professional Conduct, and, to the extent that they relate to attorney conduct in Michigan, provisions of the ABA Model Rules of Professional Conduct, the ABA Mode Code of Judicial Conduct, and other applicable professional conduct standards, as well as emerging issues of professional conduct affecting lawyers:

- Drafting informal opinions on professional ethics published on the State Bar of Michigan website
- Drafting proposed formal opinions for consideration by the Board of Commissioners
- Making recommendations concerning amendments to the Michigan Rules of Professional Conduct, and other standards of professional conduct that relate to lawyer conduct, on the committee’s own initiative or upon request by the Board of Commissioners or Representative Assembly
- Proposing and advising on revisions to court rules or legislation affecting professional ethics
- Determining how the committee’s work might interact with and support work of the Judicial Ethics, Lawyers and Judges Assistance, Character and Fitness, Client Protection Fund, and Unauthorized Practice of Law committees, including through a meeting of the chairs at least annually to discuss trends, data, insights, and metrics
- Conferring with the Attorney Grievance Commission and the Attorney Discipline Board to discuss trends, data, insights
- Reviewing and evaluating metrics measuring the effectiveness of efforts to reduce behavior subject to professional discipline and promote professionalism and civility

Note: Pursuant to operating rules adopted by the Board of Commissioners, informal ethics opinions of this committee are made public on the committee’s own initiative, without approval of the Board of Commissioners. This committee may have more than 15 members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	1.2/3.2	Regularly Scheduled Meetings
	1.2/3.2	Tips and Tools Seminar
	1.2/3.2	Trust Account Seminar
	1.2/3.2	Various presentations by staff regarding ethical issues
10/19-5/20	1.2/3.2	Published RI-381 Lawyers have ethical obligations to understand technology, including cybersecurity
	1.2/3.2	Regularly Scheduled Meetings
	1.2/3.2	Tips and Tools Seminar
Current Projects	1.2/3.2	Drafting Cybersecurity FAQs, researching ethics opinions related to bankruptcy fees, law firm dissolution, trustee fees, conflicts in abuse and neglect cases, and General FAQs
Future Goals	1.2/3.2	Create additional resources for members

Recommended Committee Changes: None.

Additional Comments: None.

Public Outreach & Education Committee

Jurisdiction: Support the public education services of the State Bar of Michigan

- Assisting in developing educational events and programs advancing lay understanding of law and the legal profession, with particular emphasis on community programs, including Law Day and Constitution Day
- Providing review and recommendations concerning the State Bar of Michigan’s online resources available to the public
- Exploring and assessing opportunities for collaboration in public outreach consistent with SBM strategic goals with local bar associations, non-legal professional associations, and other external entities
- Conferring and coordinating regularly with the Unauthorized Practice of Law committee to discuss how each committee’s work might interact with and support the other’s work
- Recommending Michigan Legal Milestones that commemorate significant cases, events, places and people in the State’s legal history, and upon approval of the Board of Commissioners, helping implement the milestone and its celebration
- Reviewing reports on effectiveness of public outreach programming based on evaluation metrics and utilizing these reports as a basis for recommending improvements in content, or modification or discontinuation of programs.

Note: This committee may have more than 15 members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	2.1/2.2/2.3/2.4/2.5/2.6	POEC continues to be the center of the SBM’s ongoing support of civic education across the state. POEC collaborates routinely with the Michigan Center for Civic Education (MCCE), the Diversity and Inclusion Advisory Committee (DIAC), affinity bar associations, and state bar sections. POEC also oversees the Michigan Legal Milestones (MLM) program and maintains the index of public outreach resources. Goal 2, Strategies 1-6
	2.2/2.3/2.4/2.5	The K-12 Programs Subcommittee reviewed and revised as needed curricular materials made available at michbar.org to teachers and volunteer attorneys. Such resources include lesson plans, educational videos, links to national resources, a guide to local civic education events and activities throughout Michigan, and a guide to diversity and inclusion pipeline programs like Face of Justice. Civic education programs include, among others, Constitution Day, Law Day, High School Mock Trial, We the People, and Project Citizen. Goal 2, Strategies 2, 3, 4, 5
	2.1/2.2/2.6	The Public Resources Subcommittee reviewed and coordinated revisions to materials made available at michbar.org for the lay general public and revised the public resource index accordingly. Goal 2, Strategies 1, 2, 6
10/19-5/20	2.2/2.3/2.4/2.5	The K-12 Programs Subcommittee reviewed and revised as needed civic education curricular materials made available at michbar.org to teachers and volunteer attorneys. Such resources include lesson plans, educational videos, links to national resources, and a guide to local civic education events and activities throughout Michigan. Such programs, among others, include Face of Justice, Constitution Day, Law Day, High School

		Mock Trial, We the People, and Project Citizen. Goal 2, Strategies 2, 3, 4, 5
	2.1/2.2/2.6	The Public Resources Subcommittee reviewed and coordinated revisions to materials made available at michbar.org for the lay general public. Goal 2, Strategies 1, 2, 6
Current Projects	2.3/2.4/2.5/2.6	Assisting the MCCE in hosting the High School Mock Trial national championships, a first for Michigan, scheduled for May 2022 in Kalamazoo. Goal 2, Strategies 3, 4, 5, 6
	2.3/2.4/2.5/2.6	Continuing a lasting collaboration with MCCE and DIAC hosting civic education events and pipeline programs. Goal 2, Strategies 3, 4, 5, 6
	2.2/2.6	MLM 42 commemorating the career of Frank Joseph Kelley, 50th Michigan Attorney General, served from 1961 until 1999. The MLM 42 plaque will be placed in downtown Lansing in calendar year 2020. Goal 2, Strategies 2 and 6
	2.2/2.6	MLM 43 commemorating the passage of Senate Bill 31 of 1857, providing compensation for court-appointed attorneys and thus increasing access to justice. The MLM 43 plaque will be placed in Allegan County in calendar year 2021. Goal 2, Strategies 2 and 6
	2.1	Monitoring and managing the Public Outreach Resources Index. Goal 2, Strategy 1
Future Goals	2.1/2.2/2.3/2.4/2.5/2.6	POEC plans to remain the center of the SBM's ongoing support of civic education across the state. POEC collaborates routinely with the Michigan Center for Civic Education (MCCE), the Diversity and Inclusion Advisory Committee (DIAC), affinity bar associations, and state bar sections, and oversee the MLM program, and maintain the index of public outreach resources. Goal 2, Strategies 1-6
	2.3/2.4/2.5/2.6	POEC will continue to review and revise as needed civic education curricular materials made available at michbar.org to teachers and volunteer attorneys. Such resources include lesson plans, educational videos, links to national resources, and a guide to local civic education events and activities throughout Michigan. Such programs, among others, include Face of Justice, Constitution Day, Law Day, High School Mock Trial, We the People, and Project Citizen. Goal 2, Strategies 3, 4, 5, 6
	2.2/2.6	POEC will continue to educate the public by placing MLM plaques throughout the state to commemorate seminal events and personalities in the legal history of Michigan. Goal 2, Strategies 2 and 6
	2.1	POEC will continue to review annually all materials intended for the lay general public and manages an index of such materials. As needed, the POEC ensures each resource is revised, replaced, consolidated, or removed when its author determines it is outdated, redundant, or no longer germane. POEC also continues to work with stakeholders (SBM committees, sections, etc.) to ensure that new materials covering previously unaddressed topics are published and added to the index. Goal 2, Strategy 1

Recommended Committee Changes: None.

Additional Comments: None.

Social Media and Website Committee

Jurisdiction: Support the development and maintenance of the State Bar's website and use of social media:

- Providing assistance in the development, curation, and culling of content for the SBM website and social media.
- Offering suggestions regarding resources and information related to social media.
- Exploring and assessing the opportunities for collaboration consistent with SBM strategic goals in collaborative social media campaigns with local bar associations, nonlegal professional associations, and other external entities.
- Conferring and coordinating regularly with the Michigan Bar Journal committee.
- Providing guidance and support for the promotion of the SBM website, social media, and SBM epublications (e-Journal, Public Policy Newsletter, and SBM News).
- Reviewing and evaluating metrics measuring the effectiveness of the State Bar's public outreach and education efforts.

Recommendation: Hiatus for FY 20-21. This committee was put on a hiatus for FY 2019-2020 to allow SBM to hire a Communications Director. Elizabeth Couch started as SBM Communications Director in March 2020. Due to many unexpected projects that have arisen with the COVID-19 pandemic, Elizabeth has not had the opportunity to develop a big-picture communication plan. Therefore, we recommend that the Social Media & Website Committee take another year hiatus for FY 20-21 to allow Elizabeth an opportunity to determine how best the committee can contribute to SBM overarching communication strategy. If a need arises for attorneys to provide input on SBM's social media and website communications, we have the ability to form a work group mid-year to address those issues.

Unauthorized Practice of Law Committee

Jurisdiction: Provide advice on and support for the State Bar of Michigan's unauthorized practice of law responsibilities under Rule 16 of the Supreme Court Rules Concerning the State Bar of Michigan:

- Proposing and supporting measures to educate the public and the legal profession about unauthorized practice of law issues
- Providing guidance to the Board of Commissioners concerning matters involving the alleged unauthorized practice of the law (UPL), including recommendations on the filing and prosecuting of actions to enjoin the unauthorized practice of law.
- Proposing and advising on revisions to courts rules and legislation related to the unauthorized practice of law
- Determining how the committee's work might interact with and support work of the Professional Ethics, Public Outreach and Education, and Affordable Legal Services committees, including through conferring and coordinating regularly with them on trends, data, insights, and metrics
- Reviewing and evaluating metrics for measuring the effectiveness of efforts to carry out the responsibilities of the State Bar of Michigan under Rule 16, MCL 600.916, and MCL450.681

Notes: UPL activity of the State Bar of Michigan is subject to the ongoing oversight of the Michigan Supreme Court and recommendations of the committee on specific UPL prosecution must be approved by the Board of Commissioners. This committee may have more than 15 members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	3.1	Reviewed UPL Complaints
	2.2	Drafted articles for public outreach to inform the public of the risks of UPL
	3.2	Monitored trends in UPL enforcement
	3.2	Worked on establishing UPL Corner in the State Bar Journal to educate practitioners about UPL
	2.2	Investigated potential outreach projects with other groups and bar sections to educate the public about UPL
10/19-5/20	3.1	Reviewed UPL Complaints
	2.2	Drafted articles for public outreach to inform the public of the risks of UPL
	3.2	Continued to publish UPL Corner in the State Bar Journal to educate members about UPL
	2.2	Reviewed and worked on revising the UPL website to be more informative and user friendly
	2.2	Investigated potential outreach projects with other groups and sections to educate the public about the risks of UPL
Current Projects	2.2	Transitioning "Who Should You Trust" outreach seminars to virtual, on-demand platform
	3.3	Presenting information on UPL to immigration practitioners to educate about risks of UPL in immigrant community
	2.2	Continuing articles for public outreach
	3.3	Continuing articles for UPL Corner
	2.2	Finalizing revisions to website
Future Goals	3.1	Streamline the process for investigating and obtaining litigation approval for UPL Complaints
	2.2	Continue to seek out opportunities for public outreach
	2.2	Seek out opportunities to partner with sections to increase awareness of UPL
	2.2	Streamline the process for finalizing UPL articles for publication
	2.2	Review and update published UPL pamphlets for any required updates

Recommended Committee Changes: No. The committee functions well and has good participation. It has a wide variety of legal expertise which assists with evaluating public outreach and evaluating UPL complaints.

Additional Comments: None.

United States Courts Committee

Jurisdiction: Provide advice and recommendations concerning the State Bar of Michigan’s interaction with federal courts in Michigan and on practice of law in those courts by:

- Reviewing and making recommendations on proposed federal court rule amendments
- Proposing court rule, legislative, or policy changes to improve practice in federal courts in Michigan

Note: This committee may have more than 15 members.

Time Frame	Strategic Plan Goal/Strategy	Description of Activity
5/19-9/19	1.4	Sponsored Bench Bar Dinner at the Hall of Justice. Justice Markman provided remarks to judges and magistrate judges from the Eastern and Western Districts of Michigan.
	1.2	Published MBJ article regarding 6th Circuit en banc opinions from the 2018 term. http://www.michbar.org/file/barjournal/article/documents/pdf4article3661.pdf
	3.5	Reviewed proposed local and federal rule amendments and submitting recommendations when appropriate.
10/19-5/20	1.4	Planned Annual Bench Bar Dinner at the Hall of Justice, with Chief Justice Bridget McCormack to provide remarks. Due to COVID-19, this event was canceled.
	3.5	Reviewed proposed local and federal rule amendments (civil, bankruptcy, and criminal), submitting comments when appropriate.
	1.2	Drafted an article published in the MBJ regarding en banc opinions of the 6th Circuit during the 2019 term.
	1.1	Published three-part article for ED FBA Survival Guide in MBJ.
Current Projects	3.5	Continued review of local and federal rule amendments and making recommendations where the Committee sees fit.
Future Goals	3.5	Continue review of local and federal rule amendments.
	1.2	Review en banc opinions of the 6th Circuit.
	1.4	Continue to promote collaborative efforts between the State and Federal Courts.

Recommended Committee Changes: No.

Additional Comments: None.

TO: SBM BOC
FROM: Reapportionment Workgroup
DATE: July 13, 2020
RE: **Reapportionment Proposal and Proposed Amendments to Rules Concerning the State Bar of Michigan and Bylaws**

President Dennis Barnes appointed a workgroup¹ to evaluate the need to reapportion commissioner election districts. The Reapportionment Workgroup examined data and met several times to discuss reapportionment options. This memo sets forth the workgroup's recommendations concerning (1) reappointing commissioner election districts and (2) amendments to the Rules Concerning the State Bar of Michigan (RCSBM) to allow for more ordered succession planning.

1. Reapportionment

The RCSBM set forth the Board's authority and duties concerning commissioner election districts. RCSBM 5, § 1 gives the Board authority to establish "commissioner election districts consisting of contiguous judicial circuits and containing, as nearly as practicable, an equal lawyer population." RCSBM 5, § 3 requires the Board to "review and revise election districts every six years." Prior to President Barnes appointing the current Workgroup, it had been more than six years since the Board reviewed and revised election districts.

Attachment A shows a map of SBM's current election districts.

a. Reapportioning Seats Among Election Districts

Dr. James McComb assisted the Workgroup in assessing and analyzing the current election districts based on current lawyer population (Attachment B). This analysis indicated that District H (Wayne) was overrepresented and District I (Oakland) was underrepresented. Dr. McComb then analyzed the impact of moving one seat from District H to District (Attachment C). The analysis indicated that such a change would make the districts have a more equal lawyer population.

When conducting reapportionment, RCSBM 5, §1 provides that "[t]he largest geographic area may have the highest deviation from population equality." District A (UP and northern lower peninsula) has the largest geographic area. Therefore, Dr. McComb assisted the workgroup in assessing the impact of moving one seat from District H to District A (Attachment D).

¹ Workgroup members include: Dennis Barnes, Rob Buchanan, Dana Warnez, James Heath, Dan Quick, Aaron Burrell, Hon. Shauna Dunning, Suzanne Larsen, and Hon. David Perkins.

Recommendation 1: Based on its detailed review and discussion, the Workgroup recommends that the Board amend Bylaw Art. III, Section 1 to remove one seat from District H and add one seat to District I, as follows:

Each district shall be entitled to elect one Commissioner with the exception of District C, which shall be entitled to elect two Commissioners; District E, which shall be entitled to elect two Commissioners; District H, which shall be entitled to elect ~~five~~**four** Commissioner; and District I, which shall be entitled to elect ~~six~~**seven** Commissioners.

b. Reapportioning Judicial Circuits Within Election Districts

In addition, the Workgroup reviewed whether the judicial circuits within each district should be changed to achieve more equal election districts. The Workgroup was provided lawyers populations in each judicial circuit to help with this analysis (Attachment E). Because the RCSBM require that each election district contain contiguous judicial districts, the Workgroup was limited in its options. The Workgroup identified that District E was overrepresented and District F was underrepresented. District E currently has 2 seats and is overrepresented by .04 per seat; District F currently has 1 seat and is underrepresented by .06 per seat.² (Attachment B.) After reviewing options, the Workgroup identified that it could help correct this inequality by moving the Barry judicial circuit, which has a lawyer population of 55, from District E to District F.

Recommendation 2: To achieve election districts with more equal lawyer populations, the Workgroup recommends Bylaw Art. III, Section 1 be amended to move Barry judicial circuit from District E to District F, as follows:

There shall be nine Commissioners election districts composed of the judicial circuits indicated:

[. . .]

District E—~~5th~~, 8th, 29th, 30th, 35th, 44th, 56th

District F—1st, 2nd, **5th**, 9th, 15th, 36th, 37th, 43rd, 45th, 48th

[. . .]

2. Recommended Rule Change to Allow for Ordered Succession

In the course of its detailed review of the rules, the Workgroup identified issues with the current RCSBM and bylaws that place unnecessary barriers to allowing for an ordered succession of leadership. Currently, RCSBM 7 has the following grandfathering clause that allows the president-elect and vice president to continue to serve without running for reelection until their term of president is complete:

If the remaining term of a commissioner elected vice-president or president-elect will expire before the commissioner completes a term as president, the term shall be

² Implementing Recommendation 1 has no impact on over/under representation issue with District E and District F. See Attachment C.

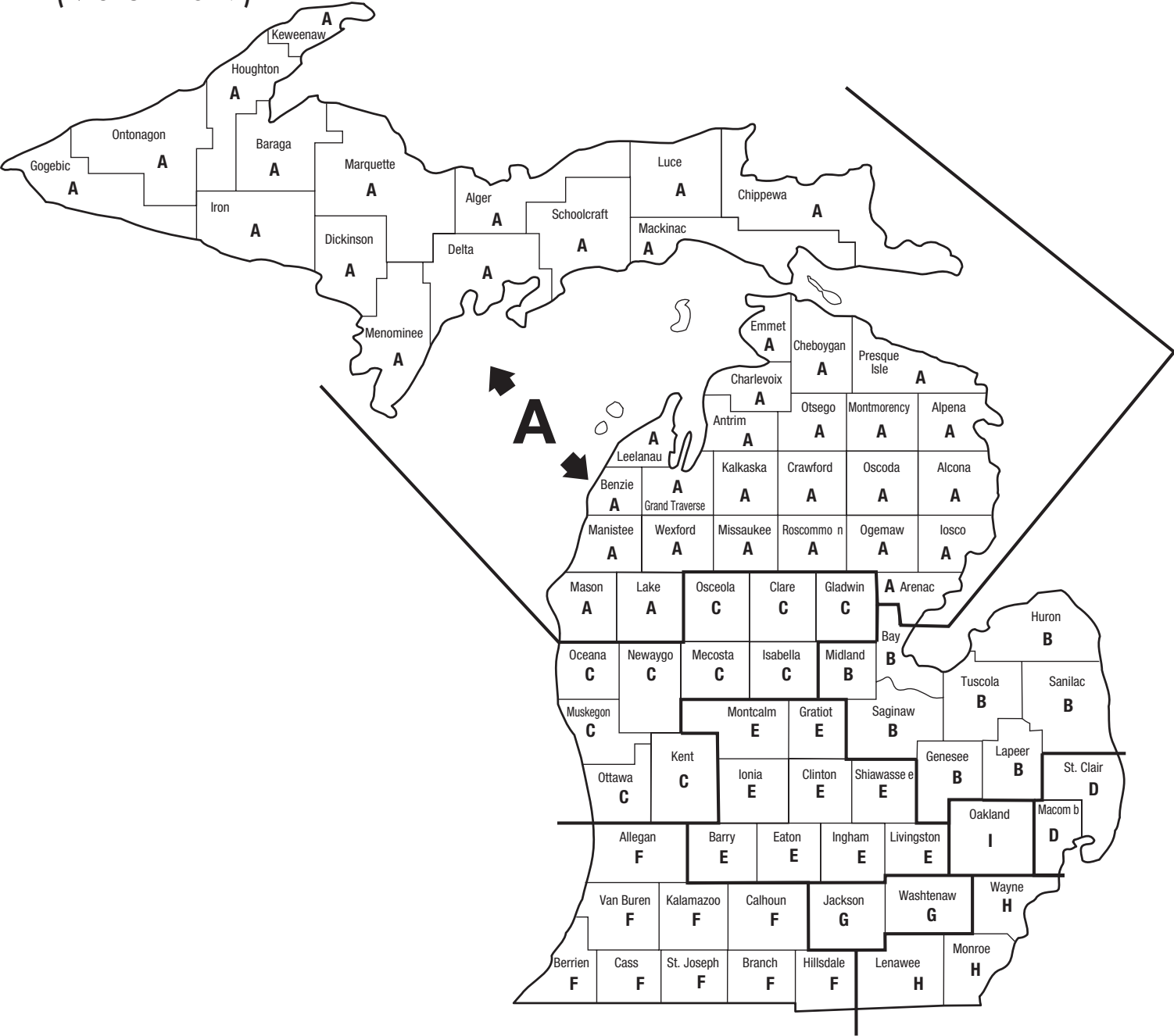
extended to allow the commissioner to complete the term as president. If the term of an elected commissioner is so extended, the authorized membership of the board is increased by one for that period; a vacancy in the district the vice-president or president-elect represents exists when the term as a commissioner would normally expire, and an election to choose a successor is to be held in the usual manner.

The rules do not, however, provide for any grandfathering for the secretary or treasurer positions. To allow for an ordered succession of officers, the Workgroup recommends that the Board support amending RCSBM 7 to extend the grandfathering provision to all officers, provided that the Board each year elects the officer to the next successive position.

Recommendation 3: The Workgroup recommends that the Board support amending RCSBM 7 as follows:

If the remaining term of a commissioner elected treasurer, secretary, vice-president, or president-elect will expire before the commissioner completes a term as president, the term shall be extended **for an addition year or years to allow the commissioner to serve consecutive terms in each successive office through the completion of the commissioner's**~~to allow the commissioner to complete the term as president,~~ **provided that the commissioner is elected by the Board of Commissioners to serve in each successive office.** If the term of an elected commissioner is so extended, the authorized membership of the board is increased by one for that period; a vacancy in the district the treasurer, secretary, vice-president, or president-elect represents exists when the term as a commissioner would normally expire, and an election to choose a successor is to be held in the usual manner.

State Bar of Michigan Commissioner Election Districts (March 2019)



Current Distribution as of 1/2020
Chart #1

1	2	3	4	5	6	7
District	Attorneys	% of Total	Currently elected Commissioners	Share of the 20 seats based on % of total active bar members	Difference between share and actual	Over or Under representation per board member
A	1,820	5.16%	1	1.03	-0.03	-0.03
B	1,777	5.04%	1	1.01	-0.01	-0.01
C	3,744	10.61%	2	2.12	-0.12	-0.06
D	2,092	5.93%	1	1.19	-0.19	-0.19
E	3,666	10.39%	2	2.08	-0.08	-0.04
F	1,658	4.70%	1	0.94	0.06	0.06
G	2,114	5.99%	1	1.20	-0.20	-0.20
H	6,983	19.80%	5	3.96	1.04	0.21
I	11,419	32.37%	6	6.47	-0.47	-0.08
Totals	35,273	100.00%	20			

1. Current District
2. Number of bar members in the district
3. % of the 35,273 members in each district
4. Current elected Commissioners
5. Proportional need based on percentage of attorney members (% of total * 20)
6. Difference between share and actual based on attorney population (currently elected - share)
7. Over or under representation per elected board member

The table was developed from data provided by the State Bar of Michigan. The data file contained the current number of bar members by county and district. The percent of active members in each district was calculated (column 3). The share of 20 seats each district would be entitled to if all districts were completely equal was calculated by multiplying the percent of bar members in each district by 20 (Column 5). The difference between share and actual was calculated by subtracting the share (column 5) from the actual (column 4) which is displayed in column 6. The over or under representation per board member (column 7) was calculated by dividing the difference between share and actual (column 6) by the number of current elected board members (column 4).

Supreme Court Rules Governing the SBM Section 3: Election Districts; Apportionment. The board shall establish commissioner districts consisting of contiguous judicial circuits and containing, as nearly as practicable, an equal lawyer population. The largest geographic area may have the highest deviation from population equality.

**Impact of adding 1 Board member to District-I and removing 1 from District-H
Chart #2**

1	2	3	4	5	6	7
District	Attorneys	% of Total	Number of Commissioners	Share of the 20 seats based on % of total active bar members	Difference between share and actual	Over or under representation per board member
A	1,820	5.16%	1	1.03	-0.03	-0.03
B	1,777	5.04%	1	1.01	-0.01	-0.01
C	3,744	10.61%	2	2.12	-0.12	-0.06
D	2,092	5.93%	1	1.19	-0.19	-0.19
E	3,666	10.39%	2	2.08	-0.08	-0.04
F	1,658	4.70%	1	0.94	0.06	0.06
G	2,114	5.99%	1	1.20	-0.20	-0.20
H	6,983	19.80%	4	3.96	0.04	0.01
I	11,419	32.37%	7	6.47	0.53	0.08
Totals	35,273	100.00%	20			

1. Current District
2. Number of bar members in the district
3. % of the 35,273 members in each district
4. Number of Commissioners
5. Proportional need based on percentage of attorney members (% of total * 20)
6. Difference between share and actual based on attorney population (currently elected - need)
7. Over of under representation per board member

The table was developed from data provided by the State Bar of Michigan. The data file contained the current number of bar members by county and district. The percent of active members in each district was calculated (column 3). The share of 20 seats each district would be entitled to if all districts were completely equal was calculated by multiplying the percent of bar members in each district by 20 (Column 5). The difference between share and actual was calculated by subtracting the share (column 5) from the actual (column 4) which is displayed in column 6. The over or under representation per board member (column 7) was calculated by dividing the difference between share and actual (column 6) by the number of current elected board members (column 4).

Supreme Court Rules Governing the SBM Section 3: Election Districts; Apportionment. The board shall establish commissioner districts consisting of contiguous judicial circuits and containing, as nearly as practicable, an equal lawyer population. The largest geographic area may have the highest deviation from population equality.

**Impact of adding 1 Board member to District A and removing 1 from District-H
Chart #3**

1	2	3	4	5	6	7
District	Attorneys	% of Total	Number of Commissioners	Share of the 20 seats based on % of total active bar members	Difference between share and actual	Over or under representation per board member
A	1,820	5.16%	2	1.03	0.97	0.48
B	1,777	5.04%	1	1.01	-0.01	-0.01
C	3,744	10.61%	2	2.12	-0.12	-0.06
D	2,092	5.93%	1	1.19	-0.19	-0.19
E	3,666	10.39%	2	2.08	-0.08	-0.04
F	1,658	4.70%	1	0.94	0.06	0.06
G	2,114	5.99%	1	1.20	-0.20	-0.20
H	6,983	19.80%	4	3.96	0.04	0.01
I	11,419	32.37%	6	6.47	-0.47	-0.08
Totals	35,273	100.00%	20			

1. Current District
2. Number of bar members in the district
3. % of the 35,273 members in each district
4. Number of Commissioners
5. Proportional need based on percentage of attorney members (% of total * 20)
6. Difference between share and actual based on attorney population (currently elected - need)
7. Over of under representation per board member

The table was developed from data provided by the State Bar of Michigan. The data file contained the current number of bar members by county and district. The percent of active members in each district was calculated (column 3). The share of 20 seats each district would be entitled to if all districts were completely equal was calculated by multiplying the percent of bar members in each district by 20 (Column 5). The difference between share and actual was calculated by subtracting the share (column 5) from the actual (column 4) which is displayed in column 6. The over or under representation per board member (column 7) was calculated by dividing the difference between share and actual (column 6) by the number of current elected board members (column 4).

Supreme Court Rules Governing the SBM Section 3: Election Districts; Apportionment. The board shall establish commissioner districts consisting of contiguous judicial circuits and containing, as nearly as practicable, an equal lawyer population. The largest geographic area may have the highest deviation from population equality.

SBM

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