



Board of Commissioners

Agenda and Materials

June 11, 2021

**STATE BAR OF MICHIGAN
BOARD OF COMMISSIONERS
FRIDAY, June 11, 2021
9:00 a.m.
HYBRID MEETING
GRAND HOTEL – THEATER ROOM
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..... Robert J. Buchanan President

CONSENT AGENDA

- II. **Minutes**
A. April 23, 2021 Board meeting*
B. April 6, 2021 Executive Committee meeting*
C. May 11, 2021 Executive Committee meeting*
- III. **President’s Activities**..... Robert J. Buchanan, President
A. Recent Activities*
- IV. **Executive Director’s Activities**..... Janet K. Welch, Executive Director
A. Recent Activities*
- V. **Finance**..... Joseph P. McGill, Chairperson
A. FY 2021 Financial Reports through April 2021*

LEADERSHIP REPORTS

- VII. **President’s and Executive Director’s Report** Robert J. Buchanan, President
Janet K. Welch, Executive Director
A. Introduction of Guests
B. Resolution for Special Committees and Sections*
- VIII. **Representative Assembly Report** Chelsea M. Rebeck, Chairperson
- IX. **Young Lawyers Section Report** Samantha J. Orvis, Chairperson

COMMISSIONER COMMITTEES

- X. **Finance**.....Joseph P. McGill, Chairperson
 - A. FY 2021 Financial Update
 - B. FY 2022 Budget Assumptions**

- XI. **Audit**.....Joseph P. McGill Chairperson

- XII. **Professional Standards**Daniel D. Quick, Chairperson

- XIII. **Communications and Member Services**James W. Heath, Chairperson

- XIV. **Public Policy**.....Dana M. Warnez, Chairperson
 - A. Court Rules**
 - B. Legislation**

FOR THE GOOD OF THE PUBLIC AND THE PROFESSION

- XV. **Comments or questions from Commissioners**

- XVI. **Comments or questions from the public**

- XVII. **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 Buchanan called the meeting to order at 9:30 a.m. on Friday, April 23, 2021 via videoconference.

Commissioners present:

Danielle Mason Anderson
David C. Anderson
Kristina A. Bilowus
Robert J. Buchanan, President
Erika L. Butler
Hon. Clinton Canady III
Hon. B. Chris Christenson
Thomas P. Clement
Josephine A. DeLorenzo
Robert A. Easterly
Lisa J. Hamameh
James W. Heath, Vice President
Thomas H. Howlett
Sarah E. Kuchon
Suzanne C. Larsen
James W. Low

Gerrow D. “Gerry” Mason
E. Thomas McCarthy Jr.
Joseph P. McGill, Treasurer
Valerie R. Newman
Takura N. Nyamfukudza
Nicholas M. Ohanesian
Samantha J. Orvis
Hon. David A. Perkins
Barry R. Powers
Daniel D. Quick, Secretary
Chelsea M. Rebeck
Thomas G. Sinas
Dana M. Warnez, President-Elect
Hon. Erane C. Washington
Mark A. Wisniewski
Ryan Zemke

State Bar staff present:

Janet Welch, Executive Director
Margaret Bossenbery, Executive Coordinator
Elizabeth Couch, Communications Director
Peter Cunningham, Assistant Executive Director and Director, Governmental Relations
Michelle Erskine, Research Assistant & Event Specialist
Katherine Gardner, UPL Counsel
Tatiana Goodkin, Chief Financial Officer
Kathryn Hennessey, General Counsel
Kylie Thompson, Communication Specialist
Sarah Lawrence, Brand Designer
Robert Mathis, Pro Bono Services & Justice Initiatives Counsel
Carrie Sharlow, Administrative Assistant
Janna Sheppard, Administrative Assistant
Kari Thrush, Program Director, Lawyer Services

Consent Agenda:

The Board received the minutes from the January 22, 2021 Board meeting.
The Board received the minutes from the February 23, 2021 Executive Committee meeting.
The Board received the recent activities of the president.
The Board received the recent activities of the executive director.
The Board received the draft FY 2021 financial reports through February 2021.
The Board received the 2020 Report of the State Bar of Michigan Retirement Plan.
The Board received the 2020 Report of the State Bar of Michigan Retiree Healthcare Trust.
The Board received the Client Protection Fund Claims.
The Board received the Unauthorized Practice of Law Claims.
The Board received bylaw amendments from the Animal Law and Family Law sections.

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

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

LEADERSHIP REPORTS

President and Executive Director's Report: Robert J. Buchanan, President and Janet K. Welch, Executive Director

Mr. Buchanan and Ms. Welch reported:

- that the MI Supreme Court adopted the State Bar's request to extend all officers' terms to allow for completing the commissioners' term as president, provided that the commissioner is elected by the BOC to serve in each successive office.
- on the logistics of the Board and officer elections.
- that there are two new SBM staff members: Ms. Kylie Thompson, communication specialist, and Ms. Sarah Lawrence, brand designer.
- on planning for hybrid June Board meeting and retreat.

Mr. Howlett provided the Board with an update on the work of the Strategic Planning Committee, including enhancing communication of the information contained in the Strategic Plan Activity Report and developing metrics to measure SBM's effectiveness at achieving Strategic Plan activity goals.

Ms. Warnez provided the Board with an update on the work of the Executive Director Search Work Group, stating that the work group is contemplating hiring a consulting firm. Ms. Warnez stressed the importance of input from the Board.

Representative Assembly (RA) Report: Chelsea Rebeck, Chairperson

Ms. Rebeck reported:

- tomorrow is the RA meeting when the members will be asked to vote on the proposed fee increase.
- volunteers worked hard on outreach to RA members on the proposed fee increase and she expressed her appreciation.

Young Lawyers Section (YLS) Report: Samantha Orvis, Chairperson

Ms. Orvis reported:

- there are three vacancies on the YLS Executive Council and asked the Board members to encourage any young lawyer they know to get involved by filing a petition by the end of the month.
- there is a call out for nominations for the Outstanding Young Lawyer Award in honor of Regeana Myrick, which will be awarded at the YLS Annual Summit in September.
- the YLS Annual Summit is partnering with ICLE this year and Justice Elizabeth Welch is the keynote speaker.

Ms. Orvis provided the Board with an update on past and upcoming programs and activities of the YLS.

COMMISSIONER COMMITTEES

Finance: Joseph P. McGill, Chairperson

Mr. McGill reviewed the FY 2020 financial results through February 28, 2021.

Audit: Joseph P. McGill, Chairperson

Mr. McGill reported that the subsequent events audit is completed and that no future action is required.

Mr. McGill reported that the Audit Committee reviewed a fee proposal received from Andrews Hooper Pavlic (AHP) PLC. The committee is satisfied with the fee proposal and affirms its recommendation to the Board who voted to appoint AHP as the State Bar of Michigan auditors for FY 2021 at its January meeting.

Professional Standards: Daniel D. Quick, Chairperson

Mr. Quick reported on the items requiring Board action.

ABA House of Delegates

A motion was offered to reappoint Ms. Julie Fershtman as a representative to the ABA House of Delegates. The motion was seconded and approved.

Tiered Recognition of Firm & Corporation Pro Bono Services

Mr. Quick referred to Mr. Mathis for a review on the Justice Initiatives Committee's recommendation to expand firm/corporation pro bono service recognition to include recognition of total pro bono service hours provided in a calendar year at one of four tiers. The Professional Standards Committee supported the proposal as outlined in the memo provided to the Board. The proposed additional recognition list

would supplement the current “A Lawyer Helps Pro Bono Honor Roll” and provide an opportunity for more firms and corporations to be recognized for their pro bono service.

Mr. Quick offered a motion to approve the new policy as outlined in the memo. The motion was seconded and approved.

Judicial Qualifications Confidentiality

Mr. Quick provided the Board with an overview of the memo they were provided on confidential documents that the Judicial Qualifications Committee receives. Ms. Hennessey reviewed minor changes to the proposed policy recommended by the Public Policy Committee.

A motion was offered to adopt the policy set forth in the memo including the proposed amendments provided by Ms. Hennessey. The motion was seconded and approved.

Communications and Member Services (CAMS): James W. Heath, Chairperson

Mr. Heath reported there were not any action items for the Board to consider.

Mr. Heath reported on the ongoing issues bring addressed by the committee including the future of the UMLI and BLF, the Legal Milestone events, and the special committee on rapid response communications. Mr. Heath stated that Ms. Ranns provided the committee with a report on the SOLACE program and that recommendations of the Rule of Law workgroup be reviewed by CAMS.

Public Policy: Dana M. Warnez, Chairperson

HB 4174 (Lightner) Criminal procedure: records; criminal justice system data collection; provide for. Creates new act.

A motion was offered that this legislation is Keller permissible. The motion was seconded and approved.

A motion was offered to support this legislation. The motion was seconded and approved.

HB 4181 (Anthony) Civil procedure: evictions; residential evictions during the COVID-19 state of emergency; prohibit. Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding sec. 5740.

A motion was offered that this legislation is not Keller permissible. The motion was seconded and approved.

SB 0159 (MacDonald) Courts: juries; provision related to allowance of a one man grand jury; eliminate. Amends 1927 PA 175 by repealing secs. 3, 4, 5, 6, 6a & 6b, ch. VII (MCL 767.3 et seq.).

A motion was offered that this legislation is Keller permissible. The motion was seconded and approved.

A motion was offered to table taking a position on this legislation to establish a special committee to look into the one-man grand jury. The motion was seconded and approved.

Executive Budget for the Michigan Indigent Defense Commission for the 2021-2022 Fiscal Year

A motion was offered that the MIDC budget is Keller permissible. The motion was seconded and approved.

A motion was offered to support the FY 2021-22 Executive Budget for the MIDC. The motion was seconded and approved. Mr. Heath abstained.

Executive Budget for the Department of the Judiciary for the 2021-2022 Fiscal Year

A motion was offered that the Judiciary budget is Keller permissible. The motion was seconded and approved.

A motion was offered to support the FY 2021-22 Executive Budget for the Judiciary branch, with additions to fund problem-solving courts and swift-and-sure programs, and the Justice For All Proposal. The motion was seconded and approved. Hon. Clinton Canady, Chris Christenson, David Perkins, and Erane Washington abstained.

FOR THE GOOD OF THE PUBLIC AND THE PROFESSION

Comments or questions from Commissioners

Mr. Mason apologized for joining the meeting late.

Comments or questions from the public

There were none.

A motion was offered to go into a closed session to discuss litigation, the executive director search, and supplemental UPL claims. The motion was seconded and approved.

The Board went into closed session at 11:18 a.m. Ms. Welch, Mr. Cunningham, Ms. Hennessey, and Ms. Gardner from the SBM staff were also asked to join the closed session.

The Board went into open session at 12:22 p.m.

Adjournment

The meeting was adjourned at 12:23 p.m.

**State Bar of Michigan
Executive Committee Virtual Meeting
Tuesday, April 6, 2021
4:00 p.m.**

Call to Order: President Buchanan called the meeting to order at 4:01 p.m.

Members Present: President Robert J. Buchanan; President-Elect Dana Warnez; Vice President James W. Heath; Secretary Daniel D. Quick; Treasurer Joseph P. McGill; Representative Assembly Chair Chelsea M. Rebeck; and Commissioners Erika L. Butler, Lisa J. Hamameh, and Thomas H. Howlett

Member Absent: Representative Assembly Vice Chair Nicholas M. Ohanesian

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

Minutes from the February 23, 2021 Executive Committee Meeting

A motion was offered to approve the minutes from the February 23, 2021 Executive Committee meeting. The motion was seconded and approved.

President and Executive Director's Report

Ms. Welch reported that staff is preparing for the April RA meeting, that the Professionalism Committee met for the first time since the Court adopted the Professionalism Principles, and that the Justice for All Commission is working on appointing people to committees and work groups and their work on this should be complete by the end of the week. She stated that the State Bar will be represented on many of those groups.

Mr. Buchanan provided an update on the Strategic Planning Committee, Rule of Law Initiative, Executive Director's Search work group, Operations and Governance, and mentioned that preparations are underway for the RA deliberations on the proposed fee increase.

Ms. Thrush provided an update on the June Board meeting on Mackinac Island and let them know that they would receive an email with a link to use to make reservations. She mentioned there is a cancellation policy in place: if the reservation is not cancelled within ten days of arrival, the entire amount for one night will be charged.

Ms. Welch said that staff is exploring Board activities for time outside of the Board meetings that are retreat-like experiences that other bars found to succeed. Board members suggested a bigger picture or focusing on two or three items that the strategic planning committee is discussing.

Representative Assembly (RA) Chair’s Report

Ms. Rebeck reported that a group of longtime RA members and the officers plan to contact RA members before the April meeting to get feedback on the proposed fee increase. She asked the members of the committee to assist in this effort.

Ms. Rebeck stated that two new member orientations were conducted and that efforts are underway to make the RA Diversity Committee a permanent committee. She told the committee that the Diversity Committee has designed outreach marketing materials for their use in promoting diversity on the RA.

Resolution to Open New Bank Accounts

Mr. McGill offered a motion for the State Bar to open new CD accounts at both CASE Credit Union and LAFUCU. The motion was seconded and approved.

Mr. Heath recommended checking on the rates offered at minority-owned banks if that is not already done. (It is.)

Appointment to Lakeshore Legal Aid Board of Directors

Ms. Welch reported that the Executive Director of the Lakeshore Legal Aid requests that the State Bar reappoint Rob Mossel to its Board of Directors. A motion was offered to reappoint Mr. Mossel. The motion was seconded and approved.

April 23, 2021 Board of Commissioners meeting agenda

Ms. Bossenbery presented the draft agenda for the April 23, 2021 Board meeting. A motion was offered to approve the agenda as amended. The motion was seconded and approved.

Other

There were none.

Adjournment

The meeting was adjourned at 4:52 p.m.

State Bar of Michigan
Executive Committee Virtual Meeting
Tuesday, May 11, 2021
4:00 p.m.

Call to Order: President Buchanan called the meeting to order at 4:01 p.m.

Members Present: President Robert J. Buchanan; President-Elect Dana Warnez; Vice President James W. Heath; Secretary Daniel D. Quick; Treasurer Joseph P. McGill; Representative Assembly Chair Chelsea M. Rebeck; Representative Assembly Vice Chair Nicholas M. Ohanesian; and Commissioners Erika L. Butler, Lisa J. Hamameh, and Thomas H. Howlett

State Bar Staff Present: Janet Welch, Executive Director; Margaret Bossenbery, Executive Coordinator; Nancy Brown, Assistant Executive Director; Peter Cunningham, Assistant Executive Director; Kathryn Hennessey, General Counsel; and Tatiana Goodkin, Finance Director

Minutes from the April 6, 2021 Executive Committee Meeting

A motion was offered to approve the minutes from the April 6, 2021 Executive Committee meeting. The motion was seconded and approved.

President and Executive Director's Report

Mr. Buchanan began by asking for status reports from two of the work groups working on projects for the Board.

Ms. Warnez provided the committee with a report on the work of the Executive Director Search work group. The work group has recommended the use of a consultant; Ms. Warnez reported that she had interviewed two consultants recommended by the ABA, and she recommended that proceeding on engaging one of them: Elizabeth Derrico. Ms. Derrico would begin in mid-June. Her first responsibility would be to facilitate a meeting of all commissioners devoted exclusively to the topic of the executive director succession: what is the Board looking for, how to communicate that in a job description, etc. A motion was offered to hire Ms. Derrico and have Ms. Hennessey draft a brief written contract for her services. The motion was seconded and approved.

Mr. Quick informed the committee about the activities of the Operations Structure, and Governance Special Committee. He stated that at their last meeting they worked on developing a potential core set of principles they plan to share with a small group of people, including some of the Executive Committee members and both current and past RA leadership. He reported that they plan to have something ready for internal review at the June 11 Board meeting.

Mr. Buchanan and Ms. Welch reported to the committee their thoughts for potential topics for the afternoon retreat on June 11. Ms. Welch first addressed the format of the Board meeting and stated that the experience of a hybrid meeting will be different. There will be on-site assistance from an AV company, but the only people who will be on camera will be those seated at the head table. She then turned to the afternoon session that will offer the opportunity for in-person discussions about issues the Board wants to delve into. The Executive Committee discussed various ideas, and recommended that all commissioners be surveyed for their ideas.

Religious Liberty Law Theme *Bar Journal* Issue

Ms. Welch reported on member comments generated by Religious Liberty theme issue of the *Bar Journal*. The handful of members who have provided written or voicemail comments have been encouraged to formally submit their views as letters to the editor. The feedback on this issue, as well as on the December 2019 LGBTQA theme issue, prompted questions of the overall value of MBJ theme issues and the role of sections in providing content for those issues. The executive committee also discussed the authority and limitations of the Board in relation to sections, especially the few sections that tend to operate with a distinct ideological perspective on their particular field of practice (Animal Law; Cannabis Law, LGBTQA, and Religious Liberty).

One-Man Grand Jury Legislation

Executive committee feedback was sought on the question of who should be appointed to serve on the special committee to look into the one-man grand approved by the Board.

Personnel

Mr. Buchanan informed the committee that SBM's director of communications has accepted a new position outside the bar, but will continue to provide with assistance on projects on a contractual basis.

Representative Assembly (RA) Chair's Report

Ms. Rebeck reported that at the April meeting of the RA the proposal on the fee increase passed overwhelmingly. Ms. Rebeck reported that efforts continue to make the RA Diversity Committee a permanent committee.

Resolution to Open New Bank Account

Mr. McGill offered a motion for the State Bar to open new CD account at First Independent Bank of Detroit. The motion was seconded and approved.

Other

No other business.

Adjournment

The meeting was adjourned at 5:18 p.m.

President Robert J. Buchanan
President's Activities
April 24 through June 11, 2021

Date	Event	Location
April 24	Representative Assembly meeting	Virtual
April 28	Strategic Planning Committee meeting	Virtual
May 10	Meeting with Jeff Kirkey of ICLE re: 61 st Annual SBM-ICLE Probate & Estate Planning Institute	Virtual
May 11	Executive Directors Search Work Group	Virtual
May 11	Executive Committee meeting	Virtual
May 14	Meeting with Executive Director Janet Welch, and Director of Outreach Darin Day	Virtual
May 19	Meeting with Executive Coordinator Marge Bossenbery	Virtual
May 20	61 st Annual SBM-ICLE Probate & Estate Planning Institute	Virtual
May 20	Justice for All Commission meeting	Virtual
May 24	SOLACE Implementation Team meeting	Virtual
May 25	Meeting with Executive Director Janet Welch	Virtual
June 1	Executive Committee meeting	Virtual
June 2	Meetings with Dir. of Outreach Darin Day, Lawyer Services Dir. Kari Thrush, and Team	Virtual
June 3	Race and Justice Forum	Virtual
June 3	Justice for All Commission meeting	Virtual
June 4	Swearing In Ceremony for New Attorneys	Virtual
June 7	Michigan State Bar Foundation meeting	Virtual
June 10	Justice for All Committee meeting	Virtual

Date	Event	Location
June 11	Board of Commissioners meeting	In Person
June 11	Board of Commissioners retreat	In Person

Executive Director Janet K. Welch
Executive Director Activities
April 23 through June 11, 2021

Date	Event
April 24	Representative Assembly meeting
April 28	International Working Group - Transition after Pandemic Restrictions
April 28	Strategic Planning Committee meeting
April 28	ABA ATJC Monthly Staff meeting
April 29	Meeting with Michigan State Bar Foundation (MSBF) Executive Director, Jennifer Bentley
April 29	Michigan Judicial Institute (MJI) Panel meeting
April 29	Justice for All Executive Committee meeting
April 30	Meeting with Justice Megan Cavanagh
May 5	Attorney Discipline System meeting
May 6	Justice for All Regulatory and Practice Reform Work Group meeting
May 6	Operation, Structure, and Governance Special Committee meeting
May 7	Michigan Judicial Institute Panel discussion: Unrepresented but Not Without Help: A New Look at Two Resources for Self- Represented Litigants
May 11	Executive Director Search Work Group
May 11	Executive Committee meeting
May 13	Attorney Wellness meeting with Justice Meghan Cavanagh, President-Elect Dana Warnez, and LJAP Program Director, Molly Ranns
May 13	ABA Standing Committee on Bar Activities and Services (SCOBAS) meeting
May 13	Justice for All (JFA) Executive Committee meeting
May 14	ICLE recording session – Probate Court and Estate Planning Seminar Welcoming Remarks
May 14	JFA Technology and Data Sharing Committee meeting
May 14	Meeting with Incoming Dean of Michigan State University College of Law, Linda Greene
May 14	Meeting with President Rob Buchanan and Darin Day

Date	Event
May 17	Capitol Club meeting
May 17	Meeting with MSBF Executive Director, Jennifer Bentley
May 18	ABA Presidential Appointments meeting
May 19	Attorney Discipline System meeting
May 19	Finance Committee meeting
May 19	All Staff Meeting
May 20	Meeting with John Reed
May 20	Justice for All Commission Committee/Workgroup Chairs meeting
May 21	JFA Delivery Committee meeting
May 24	Budget Review meetings with Strategic Management Teams
May 25	Budget Review meetings with Strategic Management Teams
May 25	SOLACE Implementation Committee meeting
May 25	Meeting with President Rob Buchanan
May 25	JFA Workgroup Member Meeting
May 26	International Working Group - Transition after Pandemic Restrictions Meeting
May 28	International Bar Association Bar Executive Committee Program Panel
May 28	Meeting with Treasurer Joe McGill, Assistant Director, Peter Cunningham, and Finance Director, Tatiana Goodkin
June 1	Executive Committee meeting
June 2 -4	ABA National Conference on Professional Responsibility
June 3	Race and Justice Forum
June 3	JFA Executive Committee meeting
June 4	Swearing In Ceremony for New Attorneys
June 8	Michigan Supreme Court Historical Society Board meeting
June 9	Public Policy Committee meeting
June 9	Michigan Association of Bar Executives meeting
June 10	JFA Executive Committee meeting
June 10	ICLE Executive Committee meeting

Date	Event
June 11	Board of Commissioners meeting
June 11	Board of Commissioners Retreat

State Bar of Michigan Financial Results Summary

For the Six Months Ended April 30, 2021

Fiscal Year 2021

Administrative Fund - Summary of Results as of April 30, 2021

Operating Revenue	\$5,581,643
Operating Expense	<u>\$5,811,855</u>
Operating Loss	(\$230,212)
Non-Operating Income	<u>\$823,790</u>
Change in Net Position	<u><u>\$893,578</u></u>
Net Position, October 1, 2020	\$11,571,907
Net Position, April 30, 2021	<u><u>\$12,165,485</u></u>

As of April 30, 2021, Net Position excluding Retiree Healthcare Trust was \$8,967,062, a decrease of \$215,589 since the beginning of the year. However, the decrease was **favorable** to budget by \$593,374.

YTD Operating Revenue variance - \$38,836 favorable to budget (0.7%):

Operating revenue was favorable to budget primarily due to late fees, LRS, LJAP and other revenue.

YTD Operating Expense variance - \$561,301 favorable to budget (8.8%):

Salaries and Employee Benefits/ Payroll Taxes – \$278,610, favorable (6.6%)

- Under budget in salaries and benefits due to vacancies and health care.

Non-Labor Operating Expenses - \$282,691, favorable (13.0%)

- Legal - \$17,379, favorable (20.9%) – Under budget primarily in UPL, CPF, Ethics and General Counsel.

- Public and Bar Services - \$71,323, favorable (13.7%) – Under budget primarily in Outreach, LJAP, 50 Year Celebration, UMLI and BLF (cancelled).
- Operations and Policy - \$193,989, favorable (12.4%) – under budget primarily in BJ 11, Website, Print Center, Media, Executive Office, BOC, and Facilities, some due to timing.

YTD Non-Operating Revenue Budget Variance - \$768,957 favorable to budget:

- Operating investment income is unfavorable to budget by \$6,763 (12.3%).
- Retiree Health Care Trust net investment income is favorable by \$775,720 due to investment gain (this amount is not budgeted).

Cash and Investment Balance

As of April 30, 2021, 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 \$9,118,095, an increase of \$1,632,683 so far in FY 2021 due to the collection of license fees.

SBM Retiree Health Care Trust

As of April 30, 2021, the SBM Retiree Health Care Trust investments were \$4,658,329, an increase of \$809,165 since the beginning of the year and consisted of trust income of \$784,915, SBM contributions of \$33,445 and paid advisor fees of \$9,195.

Capital Budget

As of April 30, 2021, YTD capital expenditures totaled \$247,092 which is under the annual capital budget by \$157,908 due to timing of projects.

Client Protection Fund

The Net Position of the Client Protection Fund as of April 30, 2021 totaled \$2,126,068, an increase of \$94,358 so far in FY 2021. Claims expenses recorded this year totaled \$232,226, including \$31,208 in approved claims awaiting signed subrogation agreements.

SBM Membership

As of April 30, 2021, the active, inactive and emeritus membership in good standing totaled 46,272 attorneys, a net decrease of 48 attorneys since the beginning of the year; the number of paying attorneys decreased by 157. A total of 602 new attorneys have joined the SBM since the beginning of the year.

Summary of Cash and Investment Balances by Financial Institution
4/30/2021

Assets	Bank Rating	Financial Institution Summary	Interest Rates	Fund Summary
		SBM Chase Checking \$ 207,179.96		Client Protection Fund \$ 2,195,587
		SBM Chase Credit Card \$ 9,965.75		State Bar Admin Fund \$ 12,599,921
		SBM Chase E Checking \$ 3,377.50		(including Sections)
		SBM Chase Payroll \$ -		Attorney Discipline System \$ 4,861,088
		SBM Chase Savings \$ 100,681.01	0.05%	SBM Retiree Health Care Trust \$ 4,658,329
		ADS Chase Checking \$ 23,351.55		ADB Retiree Health Care Trust \$ 1,344,387
		CPF Chase Checking \$ 23,802.85		AGC Retiree Health Care Trust \$ 4,549,449
\$3.4 Trillion	5 stars	CPF Chase Savings \$ 215,516.46	0.05%	
		** Chase Totals \$ 583,875.08		Total \$ 30,208,761
		SBM Horizon Bank Money Market \$ 990,105.75		
		ADS Bank of America Petty Cash \$ 2,596.74	0.00%	
\$2.4 Trillion	5 stars	Bank of America Totals \$ 2,596.74		
		SBM Fifth Third Commercial Now \$ 74,911.51	0.10% *	
\$203 Billion	5 stars	Fifth Third Totals \$ 74,911.51		
		Grand River Bank Money Market \$ 10,017.74	0.20%	
\$450 Million	5 stars	Grand River Bank Totals \$ 10,017.74		
		Grand River Bank Total w/CD \$ 999,156.89		
		Sterling Bank \$ 355.70	0.10%	
\$3 Billion	3.5 stars	Sterling Bank Money Market \$ 201,193.54	0.09%	
		Sterling Bank Total \$ 201,549.24		
		Citizens Bank Checking \$ 10,000.00	0.00%	
\$187 Billion	5 stars	Citizens Bank Money Market \$ -		
		Citizens Bank Totals \$ 10,000.00		
		MSUCU Savings \$ 32.77	0.00%	
\$5.6 Billion	5 stars	MSUCU Checking \$ 10,830.01	0.00%	
		MSU Credit Union Total \$ 10,862.78		
		MSU Credit Union Total w/CDs \$ 2,002,912.02		
		LAFCU Savings \$ 5.00		
		LAFCU Total w/CDs \$ 500,005.00		
		SBM Flagstar ICS Checking \$ 2,761,320.42	0.10%	
\$31 Billion	4 stars	ADS Flagstar ICS Checking Account \$ 4,828,236.27	0.10%	
		CPF Flagstar ICS Checking \$ 1,956,268.00	0.10%	
		Flagstar Bank FDIC Insured \$ 9,545,824.69		
		Flagstar Bank Total with CDs \$ 10,645,824.69		
		SBM - CD Chemical Bank (TCF) \$ 250,000.00	1.75%	
		SBM - CD Chemical Bank (TCF) \$ 250,000.00	1.75%	
		SBM - CD Chemical Bank (TCF) \$ 250,000.00	1.75%	
		SBM - Grand River Bank \$ 253,527.69	2.50%	
		SBM - Grand River Bank \$ 245,611.46	0.50%	
\$21.5 Billion	4 stars	SBM - Grand River Bank \$ 245,000.00	0.85%	
		SBM - Grand River Bank \$ 245,000.00	0.85%	
		SBM-CD First National Bank of America \$ 245,659.68	0.80%	
\$5 Billion	5 stars	SBM-CD First National Bank of America \$ 250,000.00	0.80%	
		SBM-CD First National Bank of America \$ 250,000.00	0.80%	
		SBM-CD First National Bank of America \$ 250,000.00	0.80%	
		SBM-CD MSU Credit Union \$ 250,514.54	0.50%	
\$2.6 Billion	3.5 stars	SBM-CD MSU Credit Union \$ 250,514.54	0.50%	
		SBM-CD MSU Credit Union \$ 250,514.54	0.50%	
		SBM-CD MSU Credit Union \$ 250,514.54	0.50%	
		SBM-CD MSU Credit Union \$ 250,000.00	0.55%	
\$5.6 Billion	5 stars	SBM-CD MSU Credit Union \$ 250,000.00	0.55%	
		SBM-CD MSU Credit Union \$ 250,000.00	0.55%	
		SBM-CD MSU Credit Union \$ 239,991.08	0.55%	
		SBM - CD Flagstar \$ 250,000.00	0.20%	
		SBM - CD Flagstar \$ 250,000.00	0.20%	
		SBM - CD Flagstar \$ 250,000.00	0.20%	
		SBM - CD Flagstar \$ 100,000.00	0.20%	
		SBM - CD Flagstar \$ 250,000.00	0.20%	
		SBM - CD Flagstar \$ 1,900,000.00	0.20%	
		SBM - CD LAFCU \$ 250,000.00	0.70%	
		SBM - CD LAFCU \$ 250,000.00	0.70%	
		Bank CD Totals \$ 8,226,848.07		
		Total Cash & Investments (excluding Schwab) \$ 20,156,596.60		
		SBM - Charles Schwab (Ret HC Trust) \$ 4,658,328.64		Mutual Funds
		ADB - Charles Schwab (Ret HC Trust) \$ 1,344,386.78		Mutual Funds
		AGC - Charles Schwab (Ret HC Trust) \$ 4,549,448.77		Mutual Funds
		Charles Schwab Totals \$ 10,552,164.19		
		Grand Total (including Schwab) \$ 30,208,755.79		
		Total amount of cash and investments (excluding Schwab) not FDIC insured \$ 7,821,709.42	38.80%	

State Bar Admin Fund Summary

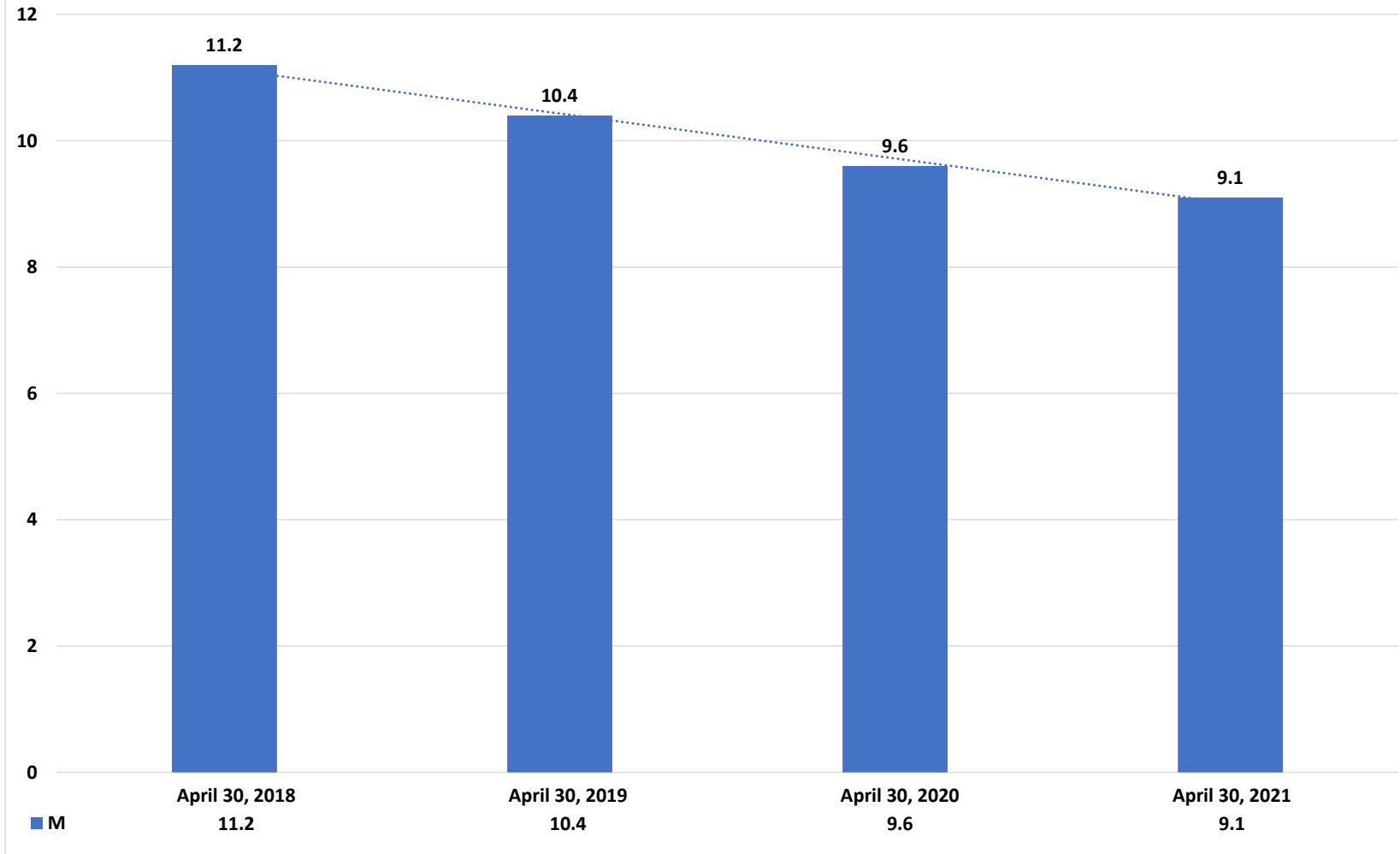
Cash and Investments	\$	12,599,921
Less:		
Due (to)/from Sections	\$	(3,481,489)
Due (to)/from CPF	\$	(338)
Due to Sections and CPF	\$	(3,481,827)
Net Administrative Fund	\$	9,118,095

SBM Average Weighted Yield: 0.54%
ADS Average Weighted Yield: 0.10%
CPF Average Weighted Yield: 0.09%

Notes:

- Average weighted yields exclude retiree health care trusts
- All amounts are based on reconciled book balance and interest rates as of 04/30/21
- 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 76% equity securities, 22% in bonds and 2% in money market funds
- As of 04/30/21, the funds held by SBM attributable to ADS were \$6,903.30
- Bank Star rating from Bauer Financial, ratings and balances updated as of 3/31/21
- Lockbox fees are offset by 0.10% (annual rate) on average monthly balance (*)
- Actual unreconciled Chase balance per statements was \$617,119.26 (**)

State Bar of Michigan Cash & Investments
Excluding Sections, Client Protection Fund and Retiree Health Care Trust
For the Seven Months Ending April 30, 2021
\$9.1M



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

**STATE BAR OF MICHIGAN
ADMINISTRATIVE FUND**

Unaudited and For Internal Use Only

**FINANCIAL REPORTS
April 30, 2021**

FY 2021

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 Seven Months Ending April 30, 2021

	3/31/2021	4/30/2021	Increase (Decrease)	%	Beginning of FY 2021 10/1/20
ASSETS AND DEFERRED OUTFLOWS					
Cash	\$5,022,163	\$4,373,073	(\$649,090)	(12.9%)	\$2,555,783
Investments	8,223,448	8,226,848	3,400	0.0%	7,593,526
Accounts Receivable	101,510	60,384	(41,126)	(40.5%)	256,921
Due from ADS	0	0	0	0.0%	75,128
Due from (to) CPF	(253)	(338)	(85)	33.4%	(44,159)
Due to Sections	(3,539,206)	(3,481,489)	57,717	(1.6%)	(2,619,740)
Prepaid Expenses	375,501	380,249	4,749	1.3%	352,958
Capital Assets	3,443,534	3,427,876	(15,658)	(0.5%)	3,555,659
SBM Retiree Health Care Trust	4,501,079	4,658,329	157,250	3.5%	3,849,164
Total Assets	\$18,127,776	\$17,644,932	(\$482,843)	-17%	\$15,575,240
Deferred outflows of resources related to pensions	36,627	36,627	0	0.0%	36,627
Deferred outflows of resources related to OPEB	448,630	448,630	0	0.0%	448,630
Total Deferred outflows of resources	485,257	485,257	0	0.0%	485,257
Total Assets and Deferred Outflows of Resources	18,613,032	18,130,189	(482,843)	(2.6%)	16,060,497
LIABILITIES, DERERRED INFLOWS AND NET POSITION					
Liabilities					
Accounts Payable	\$1,900	\$125	(\$1,775)	(93.4%)	\$280,767
Accrued Expenses	582,556	593,259	10,703	1.8%	559,657
Deferred Revenue	3,731,715	3,083,353	(648,361)	(17.4%)	1,360,196
Net Pension Liability	364,363	364,363	0	0.0%	364,363
Net OPEB Liability	1,581,433	1,581,433	0	0.0%	1,581,433
Total Liabilities	6,261,966	5,622,533	(639,433)	(10.2%)	4,146,416
Deferred Inflows of resources related to pensions	15,069	15,069	0	0.0%	15,069
Deferred Inflows of resources related to OPEB	327,105	327,105	0	0.0%	327,105
Total Deferred inflows of resources	342,174	342,174	0	0.0%	342,174
Total Liabilities and Deferred Inflows	6,604,140	5,964,707	(639,433)	(9.7%)	4,488,590
Net Assets					
Invested in Capital Assets, Net of Related Debt	3,443,534	3,427,876	(15,658)	(0.5%)	3,555,659
Restricted for Retiree Health Care Trust	3,041,170	3,198,420	157,250	5.2%	2,389,256
Unrestricted	5,524,187	5,539,186	14,998	0.3%	5,626,992
Total Net Position	12,008,892	12,165,482	156,590	1.3%	11,571,907
Total Liabilities, Deferred Inflows and Net Position	\$18,613,032	\$18,130,189	(\$482,843)	(2.6%)	\$16,060,497
Net Position <u>excluding</u> the impacts of retiree health care	8,967,722	8,967,062	(660)	-4%	9,182,651

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 \$9,118,095 (see below)

	3/31/2021	4/30/2021	Increase (Decrease)	%	Beginning of FY 2021 10/1/20
CASH AND INVESTMENT BALANCES					
Cash (including CD's and Money Market)	\$5,022,163	\$4,373,073	(\$649,090)	(12.9%)	\$2,555,783
Investments	8,223,448	8,226,848	3,400	0.0%	7,593,528
Total Available Cash and Investments	13,245,611	12,599,921	(645,690)	(4.9%)	10,149,310
Less:					
Due to Sections	3,539,206	3,481,489	(57,717)	(1.6%)	2,619,740
Due to CPF	253	338	85	33.4%	44,159
Due to Sections and CPF	3,539,459	3,481,827	(57,632)	(1.6%)	2,663,899
Net Administrative Fund Cash and Investment Balance	9,706,152	9,118,095	(588,057)	(6.1%)	7,485,412

State Bar of Michigan
Statement of Revenue, Expense, and Net Assets
Administrative Fund
For the Seven Months Ending April 30, 2021

	Actual YTD	Budget YTD	Variance	Percentage	Prior Year YTD	Variance	Percentage
Revenue							
Legal							
Ethics	\$6,000	\$4,020	\$1,980	49.25%	\$4,840	\$1,160	23.97%
Character & Fitness	263,215	299,896	(36,681)	(12.23%)	271,000	(7,785)	(2.87%)
Legal Total	269,215	303,916	(34,701)	(11.42%)	275,840	(6,625)	(2.40%)
Public and Bar Services							
Annual Meeting	0	0	0	0.00%	540	(540)	(100.00%)
Lawyer Services	123,767	122,345	1,422	1.16%	112,157	11,610	10.35%
Bar Leadership Forum	0	4,725	(4,725)	(100.00%)	1,631	(1,631)	(100.00%)
Upper Michigan Legal Institute	0	8,400	(8,400)	(100.00%)	2,535	(2,535)	(100.00%)
Practice Management Resource Center	500	583	(83)	(14.24%)	20	480	2,400.00%
Lawyer Referral Service	89,326	87,667	1,659	1.89%	99,627	(10,301)	(10.34%)
LJAP	34,180	30,750	3,430	11.15%	24,245	9,935	40.98%
Public and Bar Services Total	247,773	254,470	(6,697)	(2.63%)	240,755	7,018	2.91%
Operations and Policy							
License Fees	4,643,063	4,545,008	98,055	2.16%	4,636,710	6,353	0.14%
Other Revenue	218,983	212,650	6,333	2.98%	246,398	(27,415)	(11.13%)
Bar Journal Directory	12,827	32,750	(19,923)	(60.83%)	38,970	(26,143)	(67.08%)
Bar Journal 11 issues	113,730	112,363	1,367	1.22%	104,879	8,851	8.44%
Print Center	24,348	33,067	(8,719)	(26.37%)	31,403	(7,055)	(22.47%)
e-Journal	21,400	20,000	1,400	7.00%	19,418	1,982	10.21%
Website	30,304	28,583	1,721	6.02%	32,491	(2,187)	(6.73%)
Operations and Policy Total	5,064,655	4,984,421	80,234	1.61%	5,110,269	(45,614)	(0.89%)
Non-Operating Revenue							
Investment Income - SBM Operations	48,070	54,833	(6,763)	(12.33%)	140,697	(92,627)	(65.83%)
Investment Income - Ret HC Trust	775,720	0	775,720	0.00%	(153,627)	929,347	(604.94%)
Total Non-Operating Revenue	823,790	54,833	768,957	1,402.36%	(12,930)	836,720	(6,471.15%)
Total Revenue	6,405,433	5,597,640	807,793	14.43%	5,613,934	791,499	14.10%

State Bar of Michigan
Statement of Revenue, Expense and Net Assets
Administrative Fund
For the Seven Months Ending April 30, 2021

	Actual YTD	Budget YTD	Variance	Percentage	Prior Year YTD	Variance	Percentage
Expense							
Legal							
Ethics	\$1,640	\$4,251	(\$2,611)	(61.42%)	\$6,734	(\$5,094)	(75.65%)
Client Protection Fund Dept	1,281	3,275	(1,994)	(60.89%)	2,054	(773)	(37.63%)
Character & Fitness	27,773	29,310	(1,537)	(5.24%)	16,616	11,157	67.15%
UPL	1,551	6,692	(5,141)	(76.82%)	9,179	(7,628)	(83.10%)
General Counsel	9,682	11,303	(1,621)	(14.34%)	31,144	(21,462)	(68.91%)
Human Resources	1,078,388	1,186,622	(108,234)	(9.12%)	1,110,603	(32,215)	(2.90%)
Salaries	644,416	699,615	(55,199)	(7.89%)	621,262	23,154	3.73%
Legal Total	1,764,731	1,941,068	(176,337)	(9.08%)	1,797,592	(32,861)	(1.83%)
Public and Bar Services							
Annual Meeting	899	0	899	0.00%	18,778	(17,879)	(95.21%)
Lawyer Services	15,742	16,669	(927)	(5.56%)	63,637	(47,895)	(75.26%)
Bar Leadership Forum	0	600	(600)	(100.00%)	847	(847)	(100.00%)
UMLI	0	4,900	(4,900)	(100.00%)	3,393	(3,393)	(100.00%)
50 Yr. Golden Celebration	1,178	4,300	(3,122)	(72.60%)	1,643	(465)	(28.30%)
Practice Management Resource Center	1,583	1,951	(368)	(18.86%)	3,591	(2,008)	(55.92%)
Lawyer Referral Service	5,597	6,594	(997)	(15.12%)	1,270	4,327	340.71%
Outreach	21,249	65,221	(43,972)	(67.42%)	104,872	(83,623)	(79.74%)
Diversity	21,076	22,811	(1,735)	(7.61%)	5,901	15,175	257.16%
LJAP	3,297	14,038	(10,741)	(76.51%)	12,737	(9,440)	(74.11%)
IT	376,816	381,676	(4,860)	(1.27%)	286,359	90,457	31.59%
Salaries	986,402	1,070,963	(84,561)	(7.90%)	1,197,608	(211,206)	(17.64%)
Total Public and Bar Services	1,433,839	1,589,723	(155,884)	(9.81%)	1,700,636	(266,797)	(15.69%)
Operations and Policy							
Administration	62,027	65,617	(3,590)	(5.47%)	16,462	45,565	276.79%
Financial Services	674,701	683,775	(9,074)	(1.33%)	625,570	49,131	7.85%
Bar Journal Directory	1,519	0	1,519	0.00%	23,984	(22,465)	(93.67%)
Bar Journal 11 Issues	215,820	259,603	(43,783)	(16.87%)	258,825	(43,005)	(16.62%)
Print Center	18,475	35,500	(17,025)	(47.96%)	28,714	(10,239)	(35.66%)
Website	54,425	76,583	(22,158)	(28.93%)	59,900	(5,475)	(9.14%)
e-Journal	25,020	25,946	(926)	(3.57%)	19,663	5,357	27.24%
Media Relations	8,907	17,110	(8,203)	(47.94%)	22,039	(13,132)	(59.59%)
Executive Office	17,084	31,547	(14,463)	(45.85%)	46,414	(29,330)	(63.19%)
Board of Commissioners	2,020	24,533	(22,513)	(91.77%)	25,804	(23,784)	(92.17%)
Representative Assembly	1,275	7,800	(6,525)	(83.65%)	(475)	1,750	(368.42%)
Governmental Relations	32,050	38,425	(6,375)	(16.59%)	34,594	(2,544)	(7.35%)
Research and Development	220	3,792	(3,572)	(94.20%)	8,270	(8,050)	(97.34%)
Facilities Services	181,943	216,987	(35,044)	(16.15%)	213,049	(31,106)	(14.60%)
Justice Initiatives	76,796	79,053	(2,257)	(2.86%)	78,584	(1,788)	(2.28%)
Salaries	1,241,003	1,276,094	(35,091)	(2.75%)	1,171,224	69,779	5.96%
Operations and Policy Total	2,613,285	2,842,365	(229,080)	(8.06%)	2,632,621	(19,336)	(0.73%)
Total Expense	5,811,855	6,373,156	(561,301)	(8.81%)	6,130,849	(318,994)	(5.20%)
Increase (Decrease) in Net Assets	\$593,576	(\$775,516)	\$1,369,092	(176.54%)	(\$516,913)	\$1,110,489	(214.83%)
Human Resources Detail							
Payroll Taxes	209,427	234,686	(25,259)	(10.76%)	219,314	(9,887)	(4.51%)
Benefits	844,926	923,426	(78,500)	(8.50%)	859,588	(14,662)	(1.71%)
Other Expenses	24,035	28,510	(4,475)	(15.70%)	31,702	(7,667)	(24.18%)
Total Human Resources	1,078,388	1,186,622	(108,234)	(9.12%)	1,110,604	(32,216)	(2.90%)
Financial Services Detail							
Depreciation	339,644	347,926	(8,282)	(2.38%)	325,500	14,144	4.35%
Other Expenses	344,252	335,848	8,404	2.50%	300,957	43,295	14.39%
Total Financial Services	683,896	683,774	122	0.02%	626,457	57,439	9.17%

	Actual	Budget	Variance	Percentage	Prior Year	Variance	Percentage
	YTD	YTD			YTD		
Salaries							
Legal	644,416	699,615	(55,199)	(7.89%)	621,262	23,154	3.73%
Public and Bar Services	986,402	1,070,963	(84,561)	(7.90%)	1,197,608	(211,206)	(17.64%)
Operations and Policy	1,241,003	1,276,094	(35,091)	(2.75%)	1,171,224	69,779	5.96%
Total Salaries Expense	2,871,821	3,046,672	(174,851)	(5.74%)	2,990,094	(118,273)	(3.96%)
Non-Labor Expense Summary							
Legal	65,962	83,341	(17,379)	(20.85%)	97,428	(31,466)	(32.30%)
Public and Bar Services	447,437	518,760	(71,323)	(13.75%)	503,028	(55,591)	(11.05%)
Operations and Policy	1,372,282	1,566,271	(193,989)	(12.39%)	1,461,397	(89,115)	(6.10%)
Total Non-Labor Expense	1,885,681	2,168,372	(282,691)	(13.04%)	2,061,853	(176,172)	(8.54%)

State Bar of Michigan
Statement of Revenue, Expense and Net Assets
For the Seven Months Ending April 30, 2021

YTD FY 2021 Increase (Decrease) in Net Position Summary

	Actual YTD	Budget YTD	Variance	Percentage	Prior Year Actual YTD	Variance
Operating Revenue						
- License Fees, Dues & Related	4,643,063	4,545,008	98,055	2.2%	4,636,710	6,353
- All Other Op Revenue	938,580	997,799	(59,219)	(5.9%)	990,154	(51,574)
Total Operating Revenue	<u>5,581,643</u>	<u>5,542,807</u>	38,836	0.7%	5,626,864	(45,221)
Operating Expenses						
- Labor-related Operating Expenses						
Salaries	2,871,821	3,046,672	(174,851)	(5.7%)	2,990,094	(118,273)
Benefits and PR Taxes	1,054,353	1,158,112	(103,759)	(9.0%)	1,078,902	(24,549)
Total Labor-related Operating Expenses	<u>3,926,174</u>	<u>4,204,784</u>	(278,610)	(6.6%)	4,068,996	(142,822)
- Non-labor Operating Expenses						
Legal	65,962	83,341	(17,379)	(20.9%)	97,428	(31,466)
Public and Bar Services	447,437	518,760	(71,323)	(13.7%)	503,028	(55,591)
Operations and Policy	1,372,282	1,566,271	(193,989)	(12.4%)	1,461,397	(89,115)
Total Non-labor Operating Expenses	<u>1,885,681</u>	<u>2,168,372</u>	(282,691)	(13.0%)	2,061,853	(176,172)
Total Operating Expenses	<u>5,811,855</u>	<u>6,373,156</u>	(561,301)	(8.8%)	6,130,849	(318,994)
Operating Income (Loss)	(230,212)	(830,349)	600,137	(72.3%)	(503,985)	273,773
Non-operating Revenue (Expenses)						
Investment Income	48,070	54,833	(6,763)	(12.3%)	140,697	(92,627)
Investment Income - Ret HC Trust	775,720	0	775,720	N/A	(153,627)	929,347
Loss on Disposal of Capital Asset	-	-	-	0.0%	-	-
Net Non-operating revenue (expenses)	<u>823,790</u>	<u>54,833</u>	768,957	1,402%	(12,930)	836,720

	Actual YTD	Budget YTD	Variance	Percentage	Prior Year Actual YTD	Variance
Increase (Decrease) in Net Position	593,578	(775,516)	1,369,094	N/A	(516,915)	1,110,493
Net Position - Beginning the Year	11,571,907	11,571,907	-	0.0%	12,217,220	(645,313)
Net Position - Year-to-Date	12,165,485	10,796,391	1,369,094	12.7%	11,700,305	465,180
Increase (Decrease) in Net Position Excluding Ret HC Trust Inv. Income	(182,142)	(775,516)	593,374	(76.5%)	(363,288)	181,146

State Bar of Michigan Administrative Fund
Revenues, Expenses and Net Assets
FY 2021 - Year-End Forecast
Updated March 24, 2021

	FY 2021 Year-End Forecast	FY 2021 Budget	Variance	Percentage	FY 2020 Actual
Operating Revenue					
- License Fees, Dues & Related	7,716,000	7,641,000	75,000	0.98%	7,732,165
- All Other Op Revenue	1,400,291	1,494,890	(94,599)	(6.33%)	1,390,427
Total Operating Revenue	<u>9,116,291</u>	<u>9,135,890</u>	<u>(19,599)</u>	<u>(0.21%)</u>	<u>9,122,592</u>
Operating Expenses					
- Labor-related Operating Expenses					
Salaries	5,101,821	5,330,899	(229,078)	(4.30%)	5,281,014
Benefits, PR Taxes, and Ret HC Exp	1,819,959	1,915,358	(95,399)	(4.98%)	1,776,147
Total Labor-related Operating Expenses	<u>6,921,780</u>	<u>7,246,257</u>	<u>(324,477)</u>	<u>(4.48%)</u>	<u>7,057,161</u>
- Non-labor Operating Expenses					
Legal	170,422	191,920	(21,498)	(2.09%)	183,254
Public and Bar Services	915,958	1,027,080	(111,122)	(57.90%)	745,450
Operations and Policy	2,482,198	2,713,645	(231,447)	(8.53%)	2,292,296
Total Non-labor Operating Expenses	<u>3,568,578</u>	<u>3,932,645</u>	<u>(364,067)</u>	<u>(9.26%)</u>	<u>3,221,000</u>
Total Operating Expenses	<u>10,490,358</u>	<u>11,178,902</u>	<u>(688,544)</u>	<u>(6.16%)</u>	<u>10,278,161</u>
Operating Income (Loss)	<u>(1,374,067)</u>	<u>(2,043,012)</u>	668,945	N/A	<u>(1,155,569)</u>
Nonoperating Revenue (Expenses)					
Investment Income	70,200	94,000	(23,800)	(25.32%)	199,067
Investment Income - Ret HC Trust*	-	-	-	N/A	328,761
Loss on Disposal of Capital Assets	-	-	-	N/A	(17,570)
Net Nonoperating Revenue (Expenses)	<u>70,200</u>	<u>94,000</u>	<u>(23,800)</u>	<u>(25.32%)</u>	<u>510,258</u>
Increase (Decrease) in Net Position	<u>(1,303,867)</u>	<u>(1,949,012)</u>	645,145	<u>(33.10%)</u>	<u>(645,311)</u>

Operating Revenue Forecast:

- License fees and related - Expected to be close to budget for license fees and related revenues. Late fees are higher (\$80k).
- All other operating revenue - Expected to be under budget due to cancellation of UMLI and BLF (\$24k) and lower revenues for LRS, Print Center, and BJ Directory (\$62k)

Labor Forecast:

- Salaries - Expected to be under budget due to vacancies
- Benefits - Expected to be under budget due to vacancies

Non-labor Forecast:

Legal

- Expected to be under budget due to savings in UPL, HR, and IAP (\$20k)

Public and Bar Services

- Expected to be under budget in Lawyer Services primarily due to cancellation of UMLI and BLF and savings due to virtual 50 year celebration (83k)
- Expected to be under budget in LJAP (\$12k) and Outreach (\$8k) due to lower travel and meeting expenses

Operations and Policy

- Executive Offices & BOC - Expected to be under budget primarily in meetings and travel (\$46k)
- Finance & Administration - Expected to be under budget (\$5k), net of higher credit card fees (\$12k) and insurance (\$3k)
- Communications - Expected to be under budget primarily due to Bar Journal (\$86k), website (\$28k), and print center (\$8k) due to savings on paper, postage and operating expenses.
- Expected to be under budget in Facilities (\$33k), RA (\$13k) and Governmental Relations (\$11k) primarily due to lower operating, meetings, and travel expenses.

Non-Operating Income forecast:

- Investment Income - Expected to be under budget due to lower interest rates
- Retiree Health Care Trust Investment income was not budgeted nor forecasted

State Bar of Michigan
Administrative Fund
FY 2021 Capital Expenditures vs Budget
For the Seven Months Ending April 30, 2021

	YTD Actual	YTD Budget	YTD Variance	Notes and Variance Explanations	Total Approved FY 2021 Budget	FY 2021 Year-End Forecast	Projected Year-end Variance
FACILITIES, FURNITURE & OFFICE EQUIPMENT							
Elevator Upgrade/Modernization	-	\$20,000	(\$20,000)	Installation of the control panel	\$20,000	\$20,000	-
Meeting room upgrades for virtual capabilities	-	20,000	(20,000)	In process, obtaining bids.	20,000	20,000	-
Replacement of Floor Copiers/Scanners	-	35,000	(35,000)	On hold	35,000	-	(35,000)
Total Facilities, Furniture & Office Equipment:	-	\$75,000	(\$75,000)		75,000	40,000	(35,000)
INFORMATION TECHNOLOGY							
<u>IT Infrastructure:</u>							
Network Firewalls (2)	-	\$25,000	(\$25,000)	In process, obtaining bids.	25,000	15,600	(9,400)
Data Center	133,267	125,000	8,267	Includes a three year service contract for \$35,231.24.	125,000	133,267	8,267
<u>Application Software Development:</u>							
Receivership /Interim Administrator Program data portal	-	30,000	(30,000)	Pending MI Supreme Court program approval	30,000	-	(30,000)
E-commerce store	-	15,000	(15,000)		15,000	7,500	(7,500)
E-commerce License Fee Portal	19,875	-	19,875	Not budgeted, to be offset by other projects	-	35,000	35,000
Firm Billing/Invoices for License Fees	-	10,000	(10,000)		10,000	10,000	-
Firm Administration Application	-	10,000	(10,000)		10,000	10,000	-
Unauthorized Practice of Law Portal	-	20,000	(20,000)		20,000	-	(20,000)
Client Protection Fund Portal	-	30,000	(30,000)		30,000	-	(30,000)
Website Functionality Enhancements	28,975	25,000	3,975		25,000	31,500	6,500
Lawyer Referral Module Enhancements	27,475	40,000	(12,525)		40,000	40,000	-

	YTD Actual	YTD Budget	YTD Variance	Notes and Variance Explanations	Total Approved FY 2021 Budget	FY 2021 Year-End Forecast	Projected Year-end Variance
Volunteer Application Portal	2,500		2,500	Not budgeted, to be offset by other projects		2,500	2,500
Character & Fitness Hearings Module	32,500	-	32,500	Not budgeted, to be offset by other projects	-	50,000	50,000
MIFILE Court Database	2,500	-	2,500	Not budgeted, to be offset by other projects	-	2,500	2,500
Total Information Technology:	\$247,092	\$330,000	(\$82,908)		330,000	337,867	7,867
Total Capital Budget:	\$247,092	\$405,000	(\$157,908)		405,000	377,867	(\$27,133)

**STATE BAR OF MICHIGAN
CLIENT PROTECTION FUND**

Unaudited and For Internal Use Only

FINANCIAL REPORTS

April 30, 2021

FY 2021

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 Seven Months Ending April 30, 2021

	3/31/2021	4/30/2021	Increase (Decrease)	%	Beginning of FY 2021 10/1/20
Assets					
Cash-Checking	\$63,851	\$23,803	(\$40,049)	(62.7%)	\$121,712
Savings	2,141,651	2,171,784	30,133	1.4%	826,370
Account Receivable	236,445	234,785	(1,660)	(0.7%)	217,066
Due From SBM	253	338	85	33.4%	44,159
Accrued Interest Receivable	0	0	0	0.0%	2,682
Total Assets	\$2,442,200	\$2,430,710	(\$11,490)	(0.5%)	\$2,211,989
Liabilities					
Accounts Payable	\$2,000	\$31,208	\$29,208	1460.4%	\$82,247
Deferred Revenue	326,035	273,434	(52,601)	(16.1%)	98,033
Total Liabilities	328,035	304,642	(23,394)	(7.1%)	180,280
Fund Balance					
Fund Balance at Beginning of Year	2,031,710	2,031,710	0	0.0%	1,996,790
Net Income (Expense) Year to Date	82,455	94,358	11,903	14.4%	34,920
Total Fund Balance	2,114,165	2,126,068	11,903	0.6%	2,031,710
Total Liabilities and Fund Balance	\$2,442,200	\$2,430,710	(\$11,490)	(0.5%)	\$2,211,989

Note 1:

	3/31/2021	4/30/2021
Change in Accounts Receivable	-	-
+ New approved claims receivables	-	-
- Claims payments received	(4,837)	(1,660)
- Allowance for new approved claims	-	-
+ Decrease (increase) in claims allowance	-	-
	\$ (4,837)	\$ (1,660)

Note 2:

Beginning October 1, 2020, CPF is recording claim expense when claims are approved. As of April 30, 2021, \$31,207.75 authorized claims were recorded as expense, but were not paid awaiting signed subrogation agreements.

Client Protection Fund
Statement of Revenue, Expenses, and Changes in Net Assets
For the Seven Months Ending April 30, 2021

	<u>4/30/2021</u>	<u>4/30/2020</u>
	YTD	YTD
Income:		
3-7-00-000-0005 Contributions Received	\$ 5,371	\$ 554
3-7-00-000-0050 License Fees Assessment	368,165	379,274
3-7-00-000-0051 Pro Hac Vice Fees	7,650	7,260
3-7-00-000-0890 Claims Recovery ¹	36,965	31,695
3-7-00-000-0891 Claims Income ²	2,043	0
Total Income	<u>420,194</u>	<u>418,783</u>
Expenses:		
3-9-00-000-0200 Claims Payment	232,226	224,475
3-9-00-000-0910 Administrative Fee	96,347	127,167
3-9-00-000-0994 Bank Service Charges	252	415
Total Expenses	<u>328,825</u>	<u>352,057</u>
Investment Income	2,990	14,020
Increase/Decrease in Net Position	94,359	80,746
Net Position, Beginning of Year	<u>2,031,710</u>	<u>1,996,791</u>
Net Position - End of Period	<u><u>\$ 2,126,069</u></u>	<u><u>\$ 2,077,537</u></u>

¹ Represents expected claims recoveries

² Represents miscellaneous income collected

Monthly SBM Attorney and Affiliate Report - April 30, 2021

FY 2021

Attorneys and Affiliates In Good Standing	September 30 2014	September 30 2015	September 30 2016	September 30 2017	September 30 2018	September 30 2019	September 30 2020	April 30 2021	FY Increase (Decrease)
Active	41,093	41,608	41,921	42,100	42,342	42,506	42,401	42,155	(246)
Less than 50 yrs serv	40,036	40,490	40,725	40,833	40,973	41,036	40,559	40,485	(74)
50 yrs or greater	1,057	1,118	1,196	1,267	1,369	1,470	1,842	1,670	(172)
Voluntary Inactive	1,211	1,218	1,250	1,243	1,169	1,139	1,192	1,102	(90)
Less than 50 yrs serv	1,184	1,195	1,230	1,217	1,142	1,105	1,149	1,066	(83)
50 yrs or greater	27	23	20	26	27	34	43	36	(7)
Emeritus	1,552	1,678	1,841	1,973	2,204	2,447	2,727	3,015	288
Total Attorneys in Good Standing	43,856	44,504	45,012	45,316	45,715	46,092	46,320	46,272	(48)
Fees paying Attorneys (Active & Inactive less than 50 yrs of Serv)	41,220	41,685	41,955	42,050	42,115	42,141	41,708	41,551	(157)
Affiliates									
Legal Administrators	14	13	13	13	10	10	8	8	0
Legal Assistants	413	425	405	400	401	393	317	334	17
Total Affiliates in Good Standing	427	438	418	413	411	403	325	342	17

Total Attorneys and Former Attorneys in the Database

State Bar of Michigan Attorney and Affiliate Type	September 30 2014	September 30 2015	September 30 2016	September 30 2017	September 30 2018	September 30 2019	September 30 2020	April 30 2021	FY Increase (Decrease)
Attorneys in Good Standing:									
ATA (Active)	41,093	41,608	41,921	42,100	42,342	42,506	42,401	42,155	(246)
ATVI (Voluntary Inactive)	1,211	1,218	1,250	1,243	1,169	1,139	1,192	1,102	(90)
ATE (Emeritus)	1,552	1,678	1,841	1,973	2,204	2,447	2,727	3,014	287
Total Attorneys in Good Standing	43,856	44,504	45,012	45,316	45,715	46,092	46,320	46,271	(49)
Attorneys Not in Good Standing:									
ATN (Suspended for Non-Payment of Dues)	5,427	5,578	5,743	5,888	6,072	6,246	6,416	6,717	301
ATDS (Discipline Suspension - Active)	407	415	418	430	439	440	445	448	3
ATDI (Discipline Suspension - Inactive)	12	11	18	19	19	24	25	25	0
ATDC (Discipline Suspension - Non-Payment of Court Costs)	1	3	3	16	15	16	16	15	(1)
ATNS (Discipline Suspension - Non-Payment of Other Costs)	83	92	99	94	95	98	100	101	1
ATS (Attorney Suspension - Other)*	1	1	1	0	1	1	2	1	(1)
ATR (Revoked)	521	517	534	562	583	596	613	621	8
ATU (Status Unknown - Last known status was inactive)**	2,088	2,076	2,074	2,070	2,070	2,070	2,070	2,070	0
Total Attorneys Not in Good Standing	8,540	8,693	8,890	9,079	9,294	9,491	9,687	9,998	311
Other:									
ATSC (Former special certificate)	136	140	145	152	155	157	158	158	0
ATW (Resigned)	1,429	1,483	1,539	1,612	1,689	1,798	1,907	2,013	106
ATX (Deceased)	8,127	8,445	8,720	9,042	9,287	9,524	9,793	10,023	230
Total Other	9,692	10,068	10,404	10,806	11,131	11,479	11,858	12,194	336
Total Attorneys in Database	62,088	63,265	64,306	65,201	66,140	67,062	67,865	68,463	598

* 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 attorneys 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 attorneys to determine a final disposition.

N/R - not reported

Notes: Through March 31, 2021 a total of 602 new attorneys joined the SBM so far in FY 2021



FY 2021-22 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 2021-22 as set forth in the FY 2020-2021 Committee Annual Reports with the following amendments:

- Change the jurisdiction of the Access to Justice Policy Committee as follows:
Support the State Bar of Michigan’s public policy program by:
 - **Reviewing and making recommendations on changes to court and administrative rules and statutes 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

- Change the jurisdiction of the United States Courts Committee as follows:
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
 - **Developing and collaborating on projects and events focused on federal practice and the relationship between state and federal courts**

- Dissolve the Social Media & Website Committee.

TO: Board of Commissioners
FROM: Strategic Planning Committee
DATE: May 24, 2021
RE: **FY 2021-2022 Committee Recommendations**

As part of its jurisdiction, the Strategic Planning Committee is tasked with reviewing and making recommendations concerning committees. Based on recommendations of SBM staff and Strategic Planning Committee discussions, the Committee makes the following committee recommendations for FY 2021-2022 to the Board of Commissioners:

Access to Justice Policy Committee: Jurisdiction Amendment

To streamline the jurisdiction, the Strategic Planning Committee recommends that the first two bullet points in the Access to Justice Policy Committee’s jurisdiction be consolidated as follows:

Current 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

Proposed Jurisdiction:

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

- **Reviewing and making recommendations on changes to court and administrative rules and statutes 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

This change is merely intended to streamline the jurisdiction and not substantively change the work in which the committee engages.

United States Courts Committee: Jurisdiction Amendment

The United States Courts Committee has been engaged in many well-received projects, including the Certified Question program, the annual Bench-Bar Dinner, and the annual Sixth Circuit *En Banc* article for the Michigan Bar Journal. These projects, however, are not technically encompassed in the committee's jurisdiction. For this reason, the Strategic Planning Committee recommends that a bullet point be added to the committee's 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
- **Developing and collaborating on projects and events focused on federal practice and the relationship between state and federal courts**

Social Media & Website Committee:

The Website & Social Media Committee has been on a two-year hiatus. The committee was first developed in FY2018 and was active during FY2018 and FY2019. The committee was put on hiatus for FY2020 and FY2021 to allow SBM time to hire a Director of Communications and allow her to develop an over-arching communications plan.

Former SBM Communications Director, Elizabeth Couch, recommends dissolving the committee permanently. While she acknowledges that there is still a lot of work to be done with the SBM website and social media presence, the responsibility for developing SBM's online presence belongs with our very capable communications staff. SBM now has a dedicated Director of Communications position, as well as a brand designer and communications specialist, who are experts in these areas. The communications staff appreciate volunteers' offer to help, but volunteers are not best positioned to create content on behalf of the Bar.

For these reasons, the Strategic Planning Committee recommends dissolving the Social Media & Website Committee.



SBM Committee Annual Reports

FY2020 with FY2021 Updates

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
FY 2020	3.5	Reviewed and made recommendations on 15 administrative rule proposals, 15 legislative items, and one Michigan Indigent Defense Commission standard.
Current Projects	3.5	Reviewing public policy matters within the committee’s jurisdiction.
Future Goals	3.5	Reviewing public policy matters within the committee’s jurisdiction.

FY 2021 Update: The committee meets regularly to discuss proposed court rule amendments and legislation to make recommendations to the Board of Commissioners.

Recommended Committee Changes: Staff recommends that the jurisdiction be simplified by combining the first two bullet points as follows: “Reviewing and making recommendations on changes to court and administrative rules and statutes concerning access to justice, particularly access policy issues that impact underserved populations.”

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
FY 2020	1.3/2.1	• Limited Scope – in partner with Justice Initiatives Committee, hear from national experts to identify possible areas of limited scope representation practice for pro bono lawyers; continue education in limited scope representation with 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	Develop Lean/design thinking tools
	1.3/2.1	Market modest means, limited scope, non-profit/sliding scale practices with most strategic partnerships

	1.3/2.1	Prioritize efforts in collaboration with changing ATJ and statewide planning structures; 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.
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FY 2021 Update:

1. **Limited Scope Representation** - The LSR subcommittee is prioritizing several tasks, including: 1) planning/drafting an LSR article for the upcoming ATJ Theme issue of the MBJ being published in November 2021, 2) reorganizing the LSR Tool Kit website to make it easier to navigate, and 3) develop an LSR practice guide with all pertinent information easily accessible in a single document.

2. **LEAN Lawyering** - The subcommittee identified short and long-term goals, with an overarching focus on educating attorneys on LEAN processes and the importance of continuous improvement. The workgroup is developing a LEAN tool kit that will include LEAN resources, information, and materials in one, easily accessible location on the SBM’s website (exact location TBD). The subcommittee will then focus on developing/offering LEAN layering training materials, videos, and other helpful resources.

3. **Sliding Scale Fees** - The subcommittee has discussed and is in the initial stages of establishing a repository for sliding scale fee structure resources and a tool kit. The subcommittee has identified several issues related to sliding scale fee structures it is taking a closer look at, including how organizations set sliding scale fee structures, how they calculate (what counts) income, what types/sources of income are considered, and how organizations determine/assess eligibility.

4. The committee is working with an eye to the work of the Justice For All (JFA) Commission so that efforts are not duplicated, and the committee's work supplements the work of the commission.

Recommended Committee Changes: Refocus and prioritize work; consider eliminating initiatives that have not progressed.

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
FY 2020	1.2/2.2/3.6/4.1	Court rules review
	1.2/2.2/3.6/4.1	Relationship of tribal and state courts
Current Projects	1.2/2.2/3.6/4.1	Court rule review
	1.2/2.2/3.6/4.1	Relationship of tribal and state courts
Future Goals	1.2/2.2/3.6/4.1	Continuation of present work

FY 2021 Update: American Indian Law Committee continues to monitor changes and/or proposed changes in the Michigan Court Rules including the Court Improvement Program that impact tribal communities. Last year amendments that were offered were approved by the Michigan Supreme Court. The committee also monitors the Indian Child Welfare Act (ICWA) and Violence Against Women Act (VAWA) for potential impacts on tribal communities.

Recommended Committee Changes: 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
FY 2020	1.4/2.4	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
	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.
	2.4	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
Current Projects	n/a	n/a

Future Goals	1.4/2.4/2.5	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.
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FY 2021 Update: Nominations for major State Bar of Michigan awards for 2021 are being moved to 2022 so that we can properly celebrate our 2020 award winners. The Board of Commissioners made this decision after last year’s awards celebration was canceled due to the pandemic. If a nomination is time-sensitive, a nomination can be submitted for consideration now. In addition, 2019 nominees who were not chosen for a 2020 award will have their nominations extended to the 2022 cycle for consideration.

Recommended Committee Changes: 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
FY 2020	3.1	Processed 190 February 2019 and 558 July 2020 bar applications during FY 19-20 with the assistance of State Bar Staff. An applicant is recommended favorably to the Board of Law Examiners (BLE) without referral to the District Committee (DC) when investigation of past conduct discloses no significant adverse factual information. In all other instances, applicants are referred to a DC for personal interview. 170 members of the Bar

		volunteer to serve on the nine DCs. The DCs issue a written report and recommendation on each applicant referred for interview to the Standing Committee (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 of staff and/or the Committees are ultimately transmitted to the BLE for final action.
	3.1	District Committees, under the supervision of the Standing Committee, conducted interviews for 47 applicants during this time period. Eighteen additional matters were referred, with interviews or recommendations pending, and 26 matters are expected to be referred upon completion of the investigation. New member training was scheduled to be conducted on March 25, 2020 but canceled due to the COVID-19 pandemic. Training materials were provided to each new member in lieu of in-person training.
	3.1	Standing Committee members participated in 62 conference calls related to hearings (pre and post hearing discussions or deliberations.)
	3.1	Standing Committee members and staff participated in 14 formal in-person hearings prior to pivoting to Zoom hearings in June. Thirteen hearings scheduled between late March and the end of May were adjourned for safety reasons due to the COVID-19 pandemic. Zoom hearings commenced in June at the direction of the BLE; all applicants on the hearing docket were asked if they wanted to proceed remotely or wait until hearings can be safely conducted in-person. Twenty hearings were conducted via Zoom. To date, eight applicants have requested to wait until in-person hearings can be held. Fourteen applicants are currently in the prehearing process and will be scheduled for hearings in the next FY. New member training was conducted on October 23, 2019, by members of the Committee and staff; 5 new members in attendance.
	3.1	Four hearings were conducted before the BLE (3 in-person prior to March 2020 and 1 via Zoom in August), which required the presence of a member of the committee acting as assigned State Bar Counsel, as well as a member of the SBM C&F Staff. Three additional applicant matters are currently in the prehearing process.
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 (application period opened on August 15, 2020).
	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 Team/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 e-mailing 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

FY 2021 Update: The Committee continues to conduct character and fitness hearings for those applicants for admission to the bar whose background investigation reveals significant adverse factual information that cannot be otherwise resolved and provides oversight of the District Character and Fitness interview process pursuant to Rule 15, Section 1, Supreme Court Rules for the State Bar of Michigan.

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
FY 2020	3.5	Reviewed and made recommendations on 21 legislative items and 14 court administrative proposals.
Current Projects	3.5	Continuing to review public policy matters as needed.
Future Goals		Reviewing public policy matters within the committee's jurisdiction.

FY 2021 Update: The committee meets regularly to discuss proposed court rule amendments and legislation to make recommendations to the Board of Commissioners.

Recommended Committee Changes: 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
FY 2020	4.2	The Committee reviewed 85 claims during this time period, 38 were recommended for reimbursement totaling \$539,102.68 and 47 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 submitted to the Michigan Supreme Court in October 2019. ADM 2019-36 was issued on April 8, 2020. The comment period ended August 1, 2020.
	4.2	Staff implemented modifications to the CPF, Subrogation, and receivables processes 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 is working on creating a streamlined, online application, which will launch once the rule changes are complete.
	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.

FY 2021 Update: On January 20, 2021, the Michigan Supreme Court adopted amendments to State Bar Rule 20, which codifies the State Bar’s authority to manage the Client Protection Fund (CPF); authorizes the State Bar to issue subpoenas to support CPF claim investigations; provides absolute immunity from suit regarding statements and communications to the State Bar and issued by the State Bar regarding the duties and responsibilities of the CPF; and authorizes disclosure of information regarding CPF claim applications and information obtained during the investigation of CPF claims to persons or entities empowered and authorized to investigate and reimburse such claims in other jurisdictions.

The Committee is processing claims as usual.

Recommended Committee Changes: 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
FY 2020	3.5	Reviewed and made recommendations on 9 court administrative rule proposals, 14 legislative items, 7 model criminal jury instruction packages, and one Michigan Indigent Defense Commission proposal.
Current Projects	3.5	Continuing to review public policy matters as needed.
Future Goals	3.5	Reviewing public policy matters within the committee’s jurisdiction.

FY 2021 Update: The committee meets regularly to discuss proposed court rule amendments and legislation to make recommendations to the Board of Commissioners.

Recommended Committee Changes: 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
FY 2020	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
Current Projects	1.4/2.6/3.3	Brunch for Bars
	1.4/2.6	Bias Training
	1.4/2.6	Civic Education Open House
	1.4/2.6	Face of Justice
Future Goals	1.4/2.6	Bar collaboration (virtual)
	1.4/2.6	Winter Affinity Bar Summit
	1.4/2.6	Face of Justice (virtual)
	1.4/2.6	Bias Training

FY 2021 Update: The committee has been diligently operating several subcommittees (Mentoring, Legal Education and Training, and Program Development) and many events. The created the new Critical Conversations series, serve as a collaborator for the Race and Justice Forum, and has provided unconscious decision-making training. The committee is currently gearing up for mentoring opportunities with the Face of Justice.

- Critical Conversation on Barriers in the Law- Diversity and Inclusion Advisory Committee – February 22
- Unconscious Decision-Making Training - February 25
- Race and Justice Forum - considering March 25
- Unconscious Decision-Making Training - March 4 and March 11
- Critical Conversation on Pipeline Programs - April 8
- Face of Justice with L'Anse HS - May 12
- Race and Justice Forum – Forum - June 3
- Face of Justice with Southfield - June 1

Recommended Committee Changes: 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
FY 2020	2.2	Published Ethics Opinions JI-145, JI-146, JI-147, and JI-148
	2.2	Judicial Social Media—Frequently Asked Questions
Current Projects	2.2	Judicial General FAQs
Future Goals	2.2	Continue drafting Judicial Ethics Opinions

FY 2021 Update:

Completed Work:

- The JEC has completed their general frequently asked questions (FAQs). Those FAQs have been posted on the Ethics website.

Pending Work:

- SBM staff researching the definition of a law firm for the following question that was posed:
 - o Prior to being appointed to a bench or being elected to the bench, an attorney may be employed by a public defender’s office or a prosecutor’s office. Does a public defender’s office or a prosecutor’s office fall under the definition of a “law firm” especially when considering that a prior firm may not appear before the judge for two years? What is the definition of a “law firm” when being appointed to or elected to the bench for purposes of disqualification under MCR 2.003(C)(1)(e) and in terms of Canon 7(C)?

Based on current research, SBM staff is recommending to JEC and PEC that two opinions are prepared to answer this question from the judicial perspective and from the attorney perspective.

- SCAO Judicial Ethics Handbook Committee Update: The committee has not received a chapter to review yet but will continue to update as the committee’s group continues.

Recommended Committee Changes: 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
FY 2020	3.1	Monthly (7) 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.

FY 2021 Update: There have been 3 monthly meetings as requested by the Governor's Office to evaluate candidates for possible appointment to judicial vacancies.

Recommended Committee Changes: No.

Justice Initiatives 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, LGBTQA, 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
FY 2020	1.4/2.3/4.4	A Lawyer Helps Pro Bono Honor Roll The 2020 "A Lawyer Helps" Pro Bono Honor Roll (Honor Roll) recognizes 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. The Michigan attorneys and law firms appearing on the 2020 Honor Roll represent thousands of hours of pro bono service provided in the 2019 calendar year, increasing access to justice for many low-income Michigan families. This year, the coronavirus pandemic, extensive flooding in Mid-Michigan, widespread social unrest, and other unprecedented challenges have increased the need for pro bono service. Thankfully, Michigan attorneys, even when faced with significant disruptions to their own lives, have continued the tradition of pro bono service, supporting access to justice, and helping those in need. Now more than ever, "A Lawyer Helps."
	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 .
	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. In partnership with Legal Services of Eastern Michigan and Dow Chemical, an online video featuring a hometown NFL player was created to promote the hotline and availability of legal help for residences of the federally natural disaster area.
Current Projects	1.2/2.3/4.4	Pro Bono Honor Roll. As the Honor Roll begins its third year, the JI Committee will work to vigorously promote and encourage increased participation.
	1.2/2.3/4.4	Michigan Legal Assistance Partnership Project (MI-LAPP) - includes Qualified Domestic Relations Order Referral Program, 62 17 Page 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	Limited Scope Representation Pro Bono Project Proposal with Affordable Legal Services Committee – JI/ALS Committees

		<p>have been working with the 3rd Circuit Court in Detroit on a pro bono project at the Self-Help Center. The committee is also looking at expanding ADR and ODR in resolving landlord/tenant disputes.</p>
	1.2/2.2/4.4	<p>Michigan Legal Assistance Partnership Project. Expansion as needed. With the success of the MILAPP 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.</p>
Future Goals	1.2/2.3/4.4	<p>2021 Pro Bono Honor Roll. As the Honor Roll begins its third year, the JI Committee is working to promote the current 2020 Honor Roll, which included a significant increase in participation. The 2021 Honor Roll applications will available online in early January 2021. The anticipated publish date for the 2021 Honor Roll is early May 2021. Staff is considering ways to streamline the application process.</p>

	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	Michigan Legal Assistance Partnership Project. Expansion as needed. With the success of the MILAPP 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.
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FY 2021 Update:

1. The committee ramped up its work coordinating the November 2021 MBJ's Access to Justice theme issue. Article topics will include limited scope representation, JFA Taskforce/Commission update, Eviction Diversion Programs during COVID, and an update on cutting edge technology help increase access to justice for low-income people.

2. The committee formed a workgroup to review and propose expanding firm pro bono recognition to supplement to the Pro Bono Honor Roll. The committee adopted a proposal for consideration by the Professional Standards Committee and the BOC at their respective meetings on April 23, 2021.

3. The committee is planning the 2021 Pro Bono Workshop that will take place over two half-days on May 25 & 26 and will include sessions on the expungement laws and how technology has helped increase access to justice during the pandemic.

4. The Patent Pro Bono Project continued to see a more than 300% increase in applications for pro bono assistance compared to the previous year. 5. The committee, at the request of the JFA Commission, is working on creating a state-wide repository for pro bono training materials and resources.

Recommended Committee Changes: None.

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
FY 2020	n/a	The Committee did not meet during this time period.
Current Projects	n/a	n/a
Future Goals	n/a	n/a

FY 2021 Update: This committee meets on an as-needed basis. No meeting has been scheduled in this bar year.

Recommended Committee Changes: None.

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
FY 2020	3.1	The newly established Lawyers Wellness Foundation Board of Trustees became solidified and began meeting regularly.
	1.2	Successfully transitioned face-to-face lawyers and judges 12-Step meetings to a virtual platform amidst the COVID-19 pandemic.
	3.1	Expanded and facilitated outreach to law firms, affinity bars, and other stakeholders through networking and presentations.
	1.1	Expanded and facilitated outreach to law schools to stress the importance of wellness as a form of competence that must be maintained.
	1.4	Garnered an understanding of the SOLACE Program and how to contribute to the establishment of this Program in Michigan.
Current Projects	3.1	Continued growth with the Lawyers Wellness Foundation including development of a website and logo.
	1.4	Contributing to the establishment of the SOLACE Program in Michigan.
	3.2	Providing a response to the Board of Commissioners regarding a proposed amendment of MCR 9.261.
	3.1	Expanding outreach on well-being to stakeholders in the legal profession.
	1.1	Supporting On-Balance Podcast
Future Goals	3.1	Continued growth with the Lawyers Wellness Foundation, including fundraising.
	3.2	Submit response to Board of Commissioners regarding proposed amendment of MCR 9.261.
	3.1	Expanding outreach to all SBM members on lawyer well-being.

	1.4	Working with other committees, help fully establish the SOLACE Program in Michigan.
	1.2/3.2	Address anticipated pandemic fatigue with the ongoing COVID-19 pandemic.

FY 2021 Update: The Lawyers and Judges Assistance Committee (LJAC) has engaged in vital work thus far during FY 2021. We discussed, voted on, and provided a written response to the proposed amendment of Rule 9.261 of the Michigan Court Rules, supporting the proposed amendment. This response was provided to the Board of Commissioners in November 2020 and unanimously approved. LJAC was, again, asked to provide opinion as an interested party in March 2021. In this instance, LJAC discussed and provided a written comment to the American Bar Association Council for Legal Education and Admissions to the Bar regarding proposed revisions to the ABA Standards and Rules of Procedure for Approval of Law Schools. The revisions on which LJAC commented concerned Standard 508, supporting a new requirement for law schools to provide law students reasonable access to well-being resources, including information or services related to substance abuse and mental health. LJAC has helped to provide and craft information for LJAP staff to utilize in outreach efforts, specifically in presentations to local and affinity bars, law schools, Character and Fitness, and to other stakeholders within the field of law. LJAC members have participated in and been supportive of LJAP’s new virtual support groups. The Committee looks forward to the work ahead!

Recommended Committee Changes: The only change we recommend would be to continue with virtual meetings even after the pandemic concludes. Our Committee members have relayed that virtual meetings are much easier to attend and have requested that virtual attendance be made indefinite. With virtual meetings throughout the past year, we have experienced an increase in attendance and participation, and a reduction in both excused and unexcused absences. No additional changes are recommended at this time.

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
FY 2020	1.2	The committee published 10 issues of the Michigan Bar Journal, including two general issues and issues specific to the following themes: children’s law, LGBTQA law, business litigation, real property law, bankruptcy law, municipal government law, election law, and international law.
	4.2	In response to a discussion by the Finance Committee about reducing the cost of the Michigan Bar Journal, the committee wrote a report offering recommendations to the Communications and Member Services Committee.

		Recommendations from the report, including changing from an “opt out” to an “opt in” model for print delivery and discontinuing the print version of the April Resource Directory, were implemented by the Board of Commissioners.
Current Projects	1.2	The committee is working to curate articles for upcoming issues of the Michigan Bar Journal that are high quality, timely, and of interest to large numbers of attorneys.
	1.2	The committee is working to welcome aboard several new members, and train them in Michigan Bar Journal stewardship by pairing them with the more experienced members of the committee.
Future Goals	3.6	The committee has a goal to improve the diversity of authors, so the Michigan Bar Journal is more representative of the state’s legal profession.

FY 2021 Update: The Michigan Bar Journal Committee continues to solicit and review content for each issue, as well as develop annual plans for theme issues. The committee is also planning a way to commemorate the upcoming 100th anniversary of the Michigan Bar Journal with special features.

Recommended Committee Changes: None.

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
FY 2020	2.1	Expansion of Modest Means program
	3.4	Expansion of reports from new platform
	2.1	Helpline panels for Frontline Responders and Covid related matters
Current Projects	2.1	Further expansion of modest means program
	2.5	Collaboration with local bars for LRS
	2.2	Campaign to increase public awareness of LRS
Future Goals	2.1	Increase number of attorneys on LRS so that every county has coverage
	2.2	Increase public awareness of LRS
	2.5	Further collaboration with local bar associations to advance statewide LRS
	2.1	Develop consumer facing side of portal so that more referrals can be done completely online

FY 2021 Update: As stated at Committee appointment time last year, this committee would not be very active as focus on this year was technology improvements on portal for administrative staff and panel use, and connection with Michigan Legal Help.

Recommended Committee Changes: None.

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
FY 2020	n/a	The committee did not meet during this time period.
Current Projects	n/a	n/a
Future Goals	n/a	n/a

FY 2021 Update: The Advisory Council met with Janet Welch on February 5, 2021, for an informational meeting on matters concerning the State Bar.

Recommended Committee Changes: None.

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 Model 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
FY 2020	2.2	Published Ethics Opinion RI-381
Current Projects	2.2	Ethics Opinions on Bankruptcy Fees, Leaving a Law Firm, Overhead Percentage charged in Trustee matters, Lawyer Advertising, General Ethics FAQs, and Lending Brokers.
Future Goals	2.2	Draft more articles for the Bar Journal.
	2.2	Update Rules of the Committee

FY 2021 Update:

Completed Work:

- The PEC has completed their frequently asked questions (FAQs) on cybersecurity. Those FAQs have been posted on the ethics website.
- Ethics Opinion Requests:
 - o Prosecutor and Conflict of Interest Issues: The PEC agreed that an opinion should not be drafted and instead a letter should be drafted informing him to review the ADB Hurst opinion.
 - o Employment Agreement: The PEC agreed that an opinion should not be drafted and instead an email should be sent to the attorney referencing RI-245 and RI-86.
 - o Conflict in Decedent Estate: The PEC agreed that an opinion should not be drafted and instead a letter should be drafted citing MRPC 1.9 and recommending resources such as the Tips and Tools Webinar.
 - o Purchasing a Book of Business from Retiring Social Security Advocate: The PEC agreed that SBM staff should contact the inquirer and walk through the analysis of SSA and business.

o Marijuana Licensing Permit Contact with “Represented Party”: The PEC agreed that SBM staff should contact the inquirer and explain how it is inappropriate for the PEC to comment as it is not about the attorney’s own conduct, but to suggest reviewing MRPC 4.2.

Pending Work:

• **Lawyers Working Remotely:** Members of the PEC and the UPL committee joined together to work on the issue of lawyers working remotely. The UPL Committee has recommended changes to MRPC 5.5 that is being presented to the Representative Assembly during their April meeting. The PEC is in the process of drafting an ethics opinion.

• **Subcommittees:** o **Law Firm Dissolution/Leaving a Firm:** SBM is working to finalize the draft the subcommittee began for the Committee to review.

o **Lending Broker Situations:** The subcommittee is reviewing the ABA guidelines and completing research on each guideline to determine if applicable to Michigan.

o **General FAQs:** The subcommittee is working on the following topics for the first phase of FAQs:

Conflicts of Interest

Attorney Fees and Costs

Attorney-Client Relations

Unauthorized Practice of Law

Scams and Reporting Obligations

o **Conflicts in Child Protection Proceedings:** The subcommittee has completed an outline of topics they would like to address in a series of articles and/or opinions.

o **MRPC 1.15 and 1.15A:** The subcommittee is working on providing recommendations to revise the rules.

o **CI-1182:** The subcommittee is researching the opinion and determining if the opinion needs to be updated.

Recommended Committee Changes: 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
FY 2020	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.
	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, 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.
	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.
Current Projects	2.6	Assisting the MCCE in hosting the High School Mock Trial national championships, a first for Michigan, scheduled for May 2022 in Kalamazoo.
	2.6	Continuing a lasting collaboration with MCCE and DIAC hosting civic education events and pipeline programs.
	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.
	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.
	2.1	Monitoring and managing the Public Outreach Resources Index.
Future Goals	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.
	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.
	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.
	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.

FY 2021 Update: The Public Outreach and Education Committee (POEC) consists of three working subcommittees — Public Outreach Resources, Michigan Legal Milestones, and K-12 Programs. All activities of the POEC flow through the subcommittees.

Public Outreach Resources subcommittee continues to actively maintain SBM’s catalog of resources intended for the general public, including civic education materials, updating michbar.org as needed, removing obsolete items, etc., and keeping accurate records.

Michigan Legal Milestones (MLM) subcommittee: (1) MLM #42, commemorating Frank Kelley, 50th Michigan Attorney General. Later in 2021, a plaque will be placed at the State Law Library in downtown Lansing and SBM will release a video honoring AG Kelley’s life and career, including the official dedication of the plaque. (2) 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 2022.

K-12 Programs subcommittee continues to actively support and engage in local and statewide programs concerning Law Day, Constitution Day, Face of Justice, High School Mock Trial, We the People, Project Citizen, and others, including helping the Michigan Center for Civic Education (MCCE) prepare for the national championship of High School Mock Trial, to be hosted by MCCE and held in Kalamazoo in May 2022.

Recommended Committee Changes: 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 e-publications (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.

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
FY 2020	3.1	Reviewed UPL Complaints
	1.4/3.1	Publish UPL Corner bi-monthly in the SBM Bar Journal
	2.2	Publish informational articles and pamphlets to promote public awareness of UPL issues
	3.1	Coordinate with SBM sections to address UPL concerns with SBM membership
Current Projects	1.1	Updating existing informational pamphlets for public outreach
	1.2	Developing new informational materials for public outreach
	2.1	Streamlining methods for review of UPL complaints
	1.1	Exploring innovative ways to reach the public to provide information about UPL issues
	2.5	Partnering with SBM sections and other legal organizations to help educate the public about the risks of UPL
Future Goals	1.1	Automate the UPL complaint process for electronic submission of complaints
	2.1	Redevelop the "Who Should You Trust" seminar to a virtual on-demand format
	2.2	Explore the use of "UPL Minute" video formats for potential web-based and social media use
	2.5	Explore joint informational sessions with community or legal associations to educate the public about UPL

FY 2021 Update: The Committee has begun investigating ways to provide public outreach through virtual, on-demand presentations including the "Who Can You Trust" seminar. The Committee has also finalized a public outreach booklet

on family law and UPL which will be made available on the UPL website. The Committee is proposing a change to MRPC 5.5 with regard to attorneys working remotely in the State in accord with an ABA Ethics Opinion on the same topic. The Committee continues to evaluate and make recommendations as to the disposition of UPL Complaints.

Recommended Committee Changes: No. The UPL Standing Committee and its subcommittees work well to both address UPL complaints and engage in public education.

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
FY 2020	3.5	Reviewed proposed local and federal rule amendments (civil, bankruptcy, and criminal), submitting comments when appropriate.
	1.2	Drafted an article that was published in the MBJ regarding en banc opinions of the 6th Circuit during 2019. (July 2020)
	1.2	Published three-part article for ED FBA Survival Guide in MBJ. (January, February, March 2020)
	1.4/2.6	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.
Current Projects	3.5	Reviewing of local and federal rule amendments and making recommendations.
	1.2	Publishing an article in MBJ regarding en banc opinions from the previous term.
Future Goals	n/a	n/a

FY 2021 Update:

- The Committee is planning a bench-bar dinner in the fall, featuring Chief Justice McCormack, Chief Judge Denise Page Hood, and Chief Judge Jonker (or his designee).
- On Thursday, May 13, 2021, in partnership with the Eastern and Western District Chapters of the Federal Bar Association and the SBM Appellate Practice Section, the Committee is hosting a virtual event on certified questions, entitled Am I Certifiable? Considerations Regarding Certified Questions from Federal to State Court. The event will feature Michigan Supreme Court Justice David Viviano, Sixth Circuit Court of Appeals Judge Joan Larsen, U.S. District Judge Thomas Ludington, and Ann Sherman, Deputy Attorney Solicitor General for the Michigan Department of the Attorney General.
- The committee is also working on a Bar Journal article of notable 6th Circuit opinions, as well as reviewing proposed changes to the federal practice rules to provide recommendations to the SBM Board of Commissioners.

Recommended Committee Changes: The jurisdiction of the committee needs to be updated to include activities beyond public policy. Staff suggests the following be added to the committee’s jurisdiction: “Developing and collaborating on projects and events focused on federal practice and the relationship between state and federal courts.”

SBM

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