

**STATE BAR OF MICHIGAN
NEGLIGENCE LAW SECTION ANNUAL REPORT 2007-2008**

Section Name: Negligence Law Section

Mission Statement: The Negligence Law Section of the State Bar of Michigan provides education, information and analysis about issues of concern through meetings, seminars, this site, public service programs, and publication of a newsletter. Membership in the Section is open to all members of the State Bar of Michigan. Statements made on behalf of the Section do not necessarily reflect the views of the State Bar of Michigan.

The Negligence Law Section has as its purpose the study of the procedures, rules and statutes which embody the law of negligence to promote scholarship among its members and to unwaveringly promote the fair, equitable and speedy administration of negligence litigation in the Michigan trial and appellate courts.

Role and Responsibilities

The Negligence Law Section is the largest single section of the bar composed of over 4,300 litigators. The section is governed by a council composed of 14 representatives (this includes the officers and ex-officio) of the plaintiff and defense bar who are elected in equal numbers to serve three-year terms. The representatives and officers of the council are dedicated to serving its members by improving the quality of legal services through:

- o Publication of the NLS Monthly Bulletin of case summaries of all reported state and federal court matters pertaining to the practice of its membership;
- o Providing continuing legal education in the form of written commentary, articles, and formal seminars;
- o Representation of its membership before public bodies with respect to legislation and proposed court rule changes; and,
- o The endowment of scholarships to worthy law students at each of the accredited law schools in the State of Michigan.

Officers and Membership:

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*Not a member of the State Bar of Michigan

It has been a busy year for the Negligence Section of the Michigan State Bar in light of continuing efforts to address concerns over the Affidavit of Merit still required in medical malpractice cases, growing concerns of the difficulty in dealing with "Kreiner" and the current statutes which define "serious impairment of a body function" and these complicated issues as both plaintiff's lawyers and defense lawyers try to explain this to juries and to judges.

Similarly, the Negligence Section has scheduled one of its monthly council meetings in the Traverse City area in July where we hope to have a good turnout of those members of the Section who practice in the northern part of Michigan. We are trying to reconnect with our brothers and sisters who practice in the negligence area to let them know what we have been doing on their behalf regarding the previously-mentioned Affidavit of Merit and "Kreiner" issues.

We had our annual Past Chairperson Dinner for the Negligence Section with a very good turnout of judges from circuit courts down in this area together with members of the Court of Appeals and a representative from the Michigan Supreme Court.

At our Past Chairperson Dinner, we honored Judge Robert Colombo with the Earl Kline Award for his excellence in the negligence field.

We are actively involved in watching proposed legislation and use a lobbyist that we have retained to assist us in efforts to try to encourage open discussion of and hopefully changes in legislation with respect to the difficult issues regarding Affidavits of Merit and the "Kreiner" definitions.

We expect to have an interesting agenda of items at the annual meeting in September at the Hyatt Regency in Dearborn and would hope that as many members of the Section as possible will have an opportunity to stop in to our meeting scheduled on Friday, September 19, 2008 at 2:00 p.m. at the Hyatt Regency in Dearborn.

Respectfully,

/s/

Thomas M. Peters

TMP/knc/hka