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State of Michigan
Judicial Tenure Commission

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May 14, 2013

Corbin R. Davis
Clerk, Michigan Supreme Court
525 W. Ottawa, 2nd Floor
P O Box 30052
Lansing, Michigan 48933

Re: *ADM File 2012-06*
Proposed Amendment of MCR 9.221

Dear Mr. Davis,

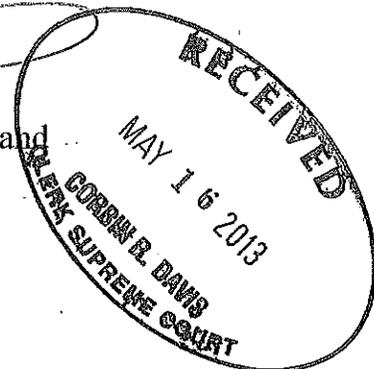
On May 13, 2013, the Judicial Tenure Commission considered the Court's notice that it was considering amendment to MCR 9.221, which governs the confidentiality of the Commission's proceedings. The amendment would allow the Commission to advise a chief judge that a magistrate or referee had been the subject of caution or admonishment (or a conditional dismissal or a recommendation of private censure, resolutions that the Commission generally does not make these days). The chief judge may then ask the referee or magistrate to provide a copy of the letter of caution or admonishment.

The Commission endorses the proposed amendment. Referees and magistrates are court employees, like any other, and not elected officials. An employer *should* know if its employee has engaged in unethical conduct. Whatever resolution the Commission may take, the employer may choose to take further action, as is its right to do with an employee.

Thank you for the opportunity to comment on this matter.

Very truly yours,


Paul J. Fischer
Executive Director and
General Counsel



cc: To All Commission Members

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