

MICHIGAN STATE PLANNING BODY

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September 3, 2013

Corbin Davis, Clerk
Michigan Supreme Court
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Administrative File #2013-18.

Dear Mr. Davis,

On behalf of the State Planning Body for the Delivery of Legal Services to the Poor, we write to comment on Michigan Supreme Court ADM File No. 2013-18, E-filing Standards and Proposed Court Rules. The Planning Body is a group of about 40 individuals from the legal services community, the Bar, the courts, and low income advocacy organizations. The Planning Body serves as a forum for planning and coordination of efforts to improve access to justice for the poor.

The Planning Body has reviewed the proposed court rules and standards as well as the comments submitted in regard to the rule. At its July 30 meeting, the Planning Body voted to endorse the comments of the State Bar Committee on Justice Initiatives (CJI) submitted to the court via Janet Welch's letter of August 21.

E-filing will have a significant impact on the entire court system. We appreciate the comments from CJI pointing out that these system impacts need not and should not create barriers to access to the courts for low income people, for those with limited access to technology and/or to electronic banking, or for self-represented litigants.

In addition to endorsing the CJI comments and recommendations, we recommend that the Court further clarify proposed Court Rule 2E.005, Fees, to include a statement to the effect of: "There shall be no e-filing costs or fees assessed where there is no filing fee for a transaction, such as for pleadings related to Personal Protection Orders, Unemployment Insurance appeals, and others." The State Planning Body believes that where it has already been determined (by statute, court rule, or otherwise) that certain pleadings should not require a filing fee, additional e-filing and 'convenience' fees should not be assessed.

Thank you for your consideration of our comments.

Respectfully submitted,

RFG FOR DENISE HOOD
Denise Page Hood
Co-Chair


Robert F. Gillett
Co-Chair