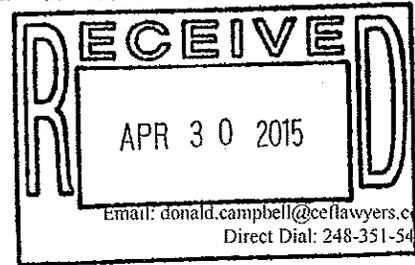


**COLLINS EINHORN**

Collins Einhorn Farrell PC



Donald D. Campbell

April 28, 2015

→ Sally Anne

Justices, Michigan Supreme Court
Office of Administrative Counsel
Hall of Justice
P.O. Box 30052
Lansing, MI 48909

Re: Proposed Amendment to MRPC 1.5(d)
ADM File No. 2013-38

Dear Chief Justice and Honorable Justices,

In response to your request for comments two possible amendments to MRPC 1.5(d), I submit a proposal for a third option, an amendment to the comment only.

I propose the following be adopted in the Comment to 1.5, to be placed between the current sections entitled "Terms of Payment" and "Division of Fees":

DOMESTIC RELATIONS MATTERS

The restriction on a contingent fee in domestic relations matters does not prohibit a fee that is agreed to by the client and is not clearly excessive based upon the application of the factors set forth at paragraphs (a)(1)-(7) of this rule. These fee arrangements are commonly referred to as either an "enhanced" or a "value-added" fee in the practice. Where such fees comply with paragraph (a)(1)-(7), they are not prohibited by paragraph (d).

The current rule, has successfully been in place for many, many years. There is no reason to modify this rule at this time. The Court should reinforce the current rule with an amendment to the comments rather than change a rule. I note that in October 2010, the Court adopted as series of amendments. Among these was a "comment – only" change to MRPC 3.1. (See October 26, 2010 Order ADM File No. 2009-06).

Very truly yours,
COLLINS EINHORN-FARRELL PC

Donald D. Campbell