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State Court Administrative Office

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July 31, 2014

Office of the Administrative Counsel
P.O. Box 30052
Lansing, MI 48909

Re: Administrative Order No. 2-14-07

To Whom It May Concern:

I write regarding the proposed Administrative Order 2-14-07.

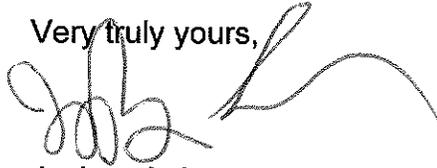
I have been a member of the State Bar for nearly twenty years. During that time, I have not always agreed with the positions taken by the State Bar regarding issues, including access to justice, and decisions regarding court rules or proposed statutes. However, I believe that the State Bar's ability to advocate on behalf of our membership outweighs any personal concerns I have regarding the positions being taken. The State Bar is the voice of attorneys in the State of Michigan. As a result, this organization should have the ability to comment on things that its leadership believes affects its membership.

The leadership of the State Bar is voted on by all members of the State Bar. I find it to be generally responsive and receptive to our comments. In other words, I feel that they represent my interests. While they do not always represent my interests completely, I believe it is important that the State Bar continue to be able to serve as a voice for legal issues. The concern I have is that without the State Bar's involvement, there would be no singular voice that represents our profession. In other words, my concern is that various interest groups that may have several lawyers as members will purport to represent the opinion of attorneys which will, in fact, weaken our position and lessen the authority our profession has, including those of our judges that is so important in our society.

My understanding is that the State Bar has a sufficient mechanism in place whereby positions are reviewed by committees and ultimately voted on by the Board of Commissioners. I do not believe that the positions taken by the State Bar in any way encroach upon my First Amendment rights. If I am unhappy with a position being taken by the Bar, my remedy is at the ballot box to put new leaders in place. Further, many of the positions taken by the State Bar are positions that nobody would take but for the Bar's unique role in our State's legal system. I would hate to think that someone who promulgates a statute or a court rule that received no opinions would presume that there is no objection. By eliminating the State Bar's role as the clearing house for commenting on these issues related to our profession and our society in general, we are simply empowering those who put forth these changes in an attempt to avoid comment and/or public scrutiny.

I urge you to reject these proposed changes in this Administrative Order.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Joshua A. Lerner', with a long, sweeping horizontal flourish extending to the right.

Joshua A. Lerner