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August 4, 2014

Michigan Supreme Court
Office of Administrative Counsel
PO Box 30052
Lansing, MI 48909

Via email to:
ADMcomment@courts.mi.gov

RE: *Task Force on the Role of the State Bar of Michigan – AGC Comment*

Dear Chief Justice and Associate Justices:

The Attorney Grievance Commission (AGC) has reviewed the recommendations in the Report to the Michigan Supreme Court by the Task Force on the Role of the State Bar of Michigan as well as the comments submitted to the Court on August 1, 2014, by the Attorney Discipline Board (ADB).

Like the ADB, the AGC has focused on the report's recommendations that suggest "better State Bar integration with the activities of the other attorney regulatory agencies."

The AGC is in agreement with the well supported, thoughtful comments submitted by the ADB on August 1, and endorses those views, amplified only by the following comments submitted for clarification or emphasis.

1. Intake for grievances and inquiries about the discipline system:

The AGC endorses the objective of greater coordination among the AGC, ADB, State Bar of Michigan, and certain arms of the Supreme Court (including the Board of Law Examiners, Judicial Tenure Commission, and the Office of the Clerk) in providing public information and assistance regarding the professional regulation of lawyers and judges. However, for the reasons noted by the ADB, the Grievance Administrator and the staff of the AGC should continue having sole jurisdiction for the consideration and disposition of grievances which may potentially result in charges of professional misconduct under the rules promulgated by the Court.

2. The State Bar's role as the central provider of personal services for employees of the attorney discipline system:

The AGC believes that the AGC and the ADB should control the terms and conditions of employment of their respective employees. The AGC concurs in the ADB's observation that the State Bar is the central provider of personnel services for the two agencies and that this relationship, developed over more than 30 years, functions well and should be continued. Similarly, the AGC and ADB have availed themselves of the State Bar's communications, financial, insurance, printing, and legal resources and are eager to continue that beneficial relationship.

3. The State Bar's role in the budgeting process:

As noted by the ADB, it is the current practice of both the AGC and ADB to work closely with the State Bar's director of finance in formulating certain aspects of their annual budget proposals. Like the ADB, the AGC would have no objection to formalizing the role of the State Bar in the budget process to the extent that the Bar be given a reasonable period of time to comment to the Court on the budget proposal submitted by the agencies.

4. Establishment of a discipline system advisory committee:

As also noted by the ADB, the Bar maintained for a number of years a Standing Committee on Grievance. As ex officio non-voting members, the Grievance Administrator and the executive directors of the ADB and the JTC regularly attended the meetings of that committee. The AGC would be happy to provide assistance to such a committee in the future.

5. Review of services offered in other jurisdictions:

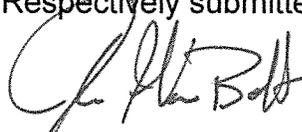
The AGC agrees that review and consideration of programs such as mandatory arbitration of fee disputes; voluntary arbitration of malpractice claims; and similar programs would be appropriate.

6. **Coordination by the State Bar and the Board of Law Examiners of intake services for admission to practice and pro hac vice admissions:**

The AGC joins the ADB in supporting this proposal.

As the Court moves forward with its consideration of the Task Force Report, the members and staff of the Attorney Grievance Commission welcome the Court's further questions or comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Van Bolt". The signature is written in a cursive style with a large initial "J" and "V".

John Van Bolt
Interim Grievance Administrator
on behalf of the Attorney
Grievance Commission

JVB/cjv