Michigan Judges Association
Founded 1927

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February 11, 2015

RECEIVED
FEB 18 2015
LARRY S. ROYSTER
CLERK SUPREME COURT

Larry Royster
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

RE: Proposed Amendments of the Michigan Court Rules

Dear Clerk Royster:

At the February 10, 2015 meeting of the Michigan Judges Association, the Executive Board considered and acted upon several proposed amendments to the Michigan Court Rules:

ADM File No. 2014-02. This proposed amendment of MCR 6.106(A) would clarify that the court is to determine issues regarding a defendant's pretrial release at the time of defendant's arraignment on the complaint and warrant (rather than at the defendant's "first appearance before the court" as presently stated). The Executive Board of the Michigan Judges Association voted to support this amendment.

ADM File No. 2014-45. This new rule amends the Mental Health Rules, specifically MCR 5.731 ("Records are public except as otherwise indicated in court rule or statute") by adding MCR 5.731a, which would require that clinical certificates be marked confidential unless the court determines, by balancing the factors stated in the rule, that a person seeking access has a legitimate interest. The MJA Executive Board supports this amendment, and recommends it be adopted.

We thank the Court for considering our input on these matters. If the Michigan Judges Association may provide any further information or assistance, please do not hesitate to contact us.

Sincerely,

Colleen A. O'Brien

Hon. Colleen A. O'Brien, President
Michigan Judges Association

CC: Hon. Robert Young, Chief Justice Michigan Supreme Court
Hon. Jon Van Allsburg, Rules Committee Chairperson, Michigan Judges Association
Hon. Joan E. Young, Family Law Committee Chairperson, Michigan Judges Association
Hon. Laura L. Baird, President-Elect, Michigan Judges Association
Anne Boomer, Administrative Counsel, Michigan Supreme Court