

From: [Mark Vezzola](#)
To: [ADMcomment](#)
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To whom it may concern:

Thank you for soliciting comments on proposed Rule 8.126 of the Michigan Court Rules. I am a Directing Attorney at California Indian Legal Services, a non-profit organization which specializes in the practice of federal Indian law for tribes, individuals and Native-organizations. A significant part of our practice is advocating on behalf of tribes in cases involving Indian child as defined under the Indian Child Welfare Act. In addition to representing tribes in California borders, we routinely represent out-of-state tribes with member children in the California dependency system and track developments in other parts of the country.

My only comment on the proposed rule may be more of a question: subsection (A) applies to situations where out of state attorneys seek temporary admission to the Michigan State Bar. Out of state attorneys are defined as those licensed to practice law in another state or territory or in the District of Columbia, of the United States of America, or in a foreign country and who is not a member of the State Bar of Michigan. This definition does not appear to include attorneys licensed under tribal law only. Granted most attorneys working for tribes are probably licensed to practice law in other jurisdictions, including one or more of those listed in Subsection (A), I can imagine a scenario where a tribal member intent on working for a tribe might forego the state bar and seek admission with the tribal bar only. Many tribes require passing the tribal bar exam as a condition of employment. This also makes me wonder if being a member of a tribal bar qualifies as a "jurisdiction" where the applicant has been licensed to practice.

Thank you. I applaud your efforts to make it easy and cost effective for tribal legal counsel to appear in Michigan courts. In addition to benefiting tribal governments, which run the gamut in terms of resources, this step furthers the mission and spirit of the Indian Child Welfare Act.

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