

Marijuana Law Section of State Bar of Michigan

Section Council Meeting, Thursday, October 19, 2017 at 3 pm
Office of Mary Chartier, 1905 Abbott Road, Suite 1, East Lansing, MI

MEETING MINUTES

1. Roll Call

Present in person: Mary Chartier, Allison Arnold, Robert Hendricks, Bernard Jocuns, Matthew Abel, Barton Morris

On phone: Bruce Block, Michael Komorn

Absent: Daniel Grow

2. Approval of Agenda

3. Approval of minutes of September 29 meeting moved by Mary, Seconded by Allison, approved unanimously

4. Old Business

A. 2017 Conference at MGM had around 150 attendees.

B. Tentative Fall 2018 conference could be October 25, 2018 at Grand Traverse Resort

C. Tentative Fall 2019 conference possibly Grand Rapids (during ArtPrize?)
`and possible one day seminar at Mission Point Resort on Mackinac Island

D. Possible travel trip - Las Vegas (Pink Flamingo) or Colorado or Portland or Seattle or Vancouver, B.C. Amsterdam. Discussion about surveying members.

5. New Business

Possible one-day seminar on MMFLA Rules (with ICLE?) after rules are released in November

A. Goal setting for 2017-2018 year

1. Journal - work with CannaMedia Works - Motion by Allison to publish quarterly Journal again in January 2018 with Michael Komorn as Committee Liaison. Second by Bernard Jocuns. Approved unanimously.

2. Discussion about monthly newsletter - it may be redundant considering existence of our listserv and webpage.

B. Council members' goals and responsibilities for the year

C. Committee structure

Allison will make a proposed revised list of committees with an eye to consolidation.

Considering four: Education, Outreach, Rules & Lawmaking, Communications

D. No member moved to take a position on:

[2002-37 – Proposed Rules Related to E-Filing and Electronic Records](#)

The amendments in this proposal are intended to begin moving trial courts toward a statewide uniform e-Filing process. The rules are required to be in place to enable SCAO's e-Filing vendor to begin programming the statewide solution. In addition, the proposal would move existing language into MCR 1.109 as a way to, for the first time, include most filing requirements in one single rule, instead of scattered in various rules. The proposal largely mirrors the administrative orders that most e-Filing pilot projects have operated under, but contains some significant new provisions. For example, courts would be required to maintain documents in an electronic document management system, and the electronic record would be the official court record.

E. ETHICS OF LAWYERS OWNING MMFLA LICENSES (Bob Hendricks)

When in the spring and summer of 2016 the MLS Ethics Committee and MLS Council examined the ethical questions raised by state marijuana legalization, Michigan's only authorization of medical marijuana activity was found in the MMMA. The MLS Council proposed amendments of MRPC Rule 1.2(c) and comment to Rule 8.4(b) based on the issues we saw in the MMMA. We did not address the question of a lawyer being a MMFLA licensee, because that law had not yet been adopted. There may be other potential issues we have not yet discovered.

In the fall of 2016, the State Bar Representative Assembly accepted the MLS's proposed amendments, and the State Bar of Michigan submitted the amendments to the Michigan Supreme Court for consideration. We were told at that time that the process could take up to two years.

The MLS Council may determine that the MLS Ethics Committee should be asked to look again at ethics issue precipitated by developments in marijuana legalization, including those that may arise out of the intersection of the MMFLA and the MRPC. If we address these questions, and if we want to take action, we will also decide the best way to try to get the issues before the MSC.

I know that many Council members are aware of the ethical questions posed by the MMFLA and lawyer involvement in the industry created thereunder. We will keep you informed as we move forward with all deliberate speed.

Motion by Matthew Abel, Seconded by Mary Chartier to send amended version of notice to SBM Connect Marijuana Law Section

Vote passed unanimously.

Positions on HB 5144, SB 599, SB 600?

Matt will discuss this with Doug Mains

Discussion about adding up to three Council Persons if and when our bylaw amendments are approved.

Next Meeting Date: November 30, 2017 at Mary's Office at 3pm