

Public Policy Position**ADM File No. 2022-11: Proposed Amendments of MCR 2.511 and 6.412**

The Negligence Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 1,857 members. The Negligence Law Section is not the State Bar of Michigan and the position expressed herein is that of the Negligence Law Section only and not the State Bar of Michigan. The State Bar of Michigan's position in this matter is to support ADM File No. 2022-11 with an amendment removing the proposed Rule 2.511(C)(2) and Rule 6.412(C)(2)(b).

The Negligence Law Section has a public policy decision-making body with 14 members. On June 6, 2023, the Section adopted its position after an electronic discussion and vote. 14 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 0 members did not vote.

Support with Recommended Amendments**Explanation:**

Motion to Approve Public Policy Position on Atty Conducted Voir Dire, submission of letter to MSC, and approve testimony at public hearing summarized as:

The proposed rule revision is a step in the right direction, but could be improved upon. The best change would be if the rule simply stated that the court must let the lawyers conduct voir dire. While favoring the rule, the sections supports revising the change in subpart (a) – if the court conducts voir dire, it must allow the lawyers to ask further questions that the court considers proper AND respectfully states an opposition and concern over subpart (b) that would require all f/u questions to be filtered through the judge, as currently written.

The proposed changes are to MCR 2.511 and 6.412.

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