

Public Policy Position
Michigan Supreme Court Docket No. 162041

The Negligence Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 1,763 members. The Negligence Law Section is not the State Bar of Michigan and the position expressed herein is that of the Negligence Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Negligence Law Section has a public policy decision-making body with 14 members. On October 28, 2020, the Section adopted its position after a discussion and vote at a scheduled meeting. 12 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 2 members did not vote.

Support Submitting an Amicus Brief

Explanation:

The Negligence Section voted to weigh in on a case pending in the Michigan Supreme Court as amicus curiae. The Section's position is that the Michigan Supreme Court should Grant Leave to Appeal to decide whether an attorney may include a mandatory arbitration provision in a retainer agreement. The Section's position is that a lawyer's retainer agreement should not be allowed to include a clause that subjects all disputes between the attorney and client to mandatory arbitration, an impairment of the client's right to a jury trial on claims for legal malpractice.

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