

HONORABLE LAURA BAIRD
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FAMILY DIVISION



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State of Michigan
INGHAM COUNTY CIRCUIT COURT

November 5, 2013

RE SB 652

[http://www.legislature.mi.gov/\(S\(3xdp10ajavjzlw453ojtdv45\)\)/mileg.aspx?page=getObject&objectName=2013-SB-0652](http://www.legislature.mi.gov/(S(3xdp10ajavjzlw453ojtdv45))/mileg.aspx?page=getObject&objectName=2013-SB-0652)

Dear MJA Members,

October 24, SB 652 was introduced in the State Senate by Sen. Rick Jones. The bill removes the Court of Claims from the 30th Circuit Court, Ingham County. This will create a new Court of Claims as a part of the Court of Appeals. The Supreme Court will appoint the Judges serving in the new Court of Claims. The bill applies to all future and **pending** lawsuits.

October 29, the bill passed the Senate Judiciary Committee on a straight party line vote with testimony provided in favor by Sterling Corporation, Robert LaBrant and opposed by former Republican House Judiciary Attorney, Bruce Timmons.

October 30, the Senate suspended Senate rules, passed SB 652 on a straight party line vote and gave the bill immediate effect.

MJA and SCAO are reported to be neutral on the bill.

November 5, SB 652 is to be addressed by the House Government Operations Committee at noon. The committee members are Pete Lund (R), Bradford Jacobsen (R), Mike Shirkey (R), Rudy Hobbs (D), and Tim Greimel (D). It is expected to pass on a party line vote today.

The Ingham County Circuit Court unanimously opposes the bill. Contrary to characterizations, all Ingham County Circuit Court Judges do not have partisan roots as Democrats.

The following bar associations eloquently oppose the bill and have submitted letters to that effect: Ingham County Bar Association, Oakland County Bar Association, SBM Negligence Law Section, Michigan Association for Justice, and others. I have attached these letters below. Please note the letters include offers by various associations to help change the current Court of Claims but not via this fast-tracked and poorly developed bill.

Individual members of MJA Executive Board oppose the bill including myself, MJA Treasurer, Bylaw Chair and Vice-President Elect; Judge Tracey Yokich, MJA Legislative Chair and Treasurer Elect; and others. Judge Yokich and I are also former legislators.

The bill has been likened to situations where there are judicial reductions in certain counties. While SB 652 may well result in judicial reductions in Ingham County, the major problem is the enormous likelihood of unforeseen consequences and the blatant partisan attempt to find a forum to hear pending and future cases where there is a likelihood the court will reach a result favorable to Republicans.

Part of what is truly alarming and suspect with the speed in which SB 652 is moving through our Legislature is the fact that it proposes to immediately remove all pending Court of Claims cases. It is without a doubt a partisan bill in all aspects.

One reason MJA has stated for maintaining its position of neutrality is to not compromise our chances for a compensation increase. Certainly we cannot be hostages to a hope for increased compensation when we alone are among Michigan citizens who possess the education, knowledge, training and experience to recognize the true nature of this bill.

I would urge you to voice your opinion on this bill by contacting your local state representative ([http://www.legislature.mi.gov/\(S\(lqy5vlqtya0me05543tstfnv\)\)/mileg.aspx?page=legislators](http://www.legislature.mi.gov/(S(lqy5vlqtya0me05543tstfnv))/mileg.aspx?page=legislators)) and the Office of the Governor (<http://www.michigan.gov/snyder/0,4668,7-277-57827-267869--00.html>).

Thank you for your anticipated interest in SB 652.

Sincerely,

A handwritten signature in cursive script that reads "Laura Baird".

Honorable Laura L. Baird