

SENATE BILL No. 1376

September 26, 2000, Introduced by Senators SCHUETTE, NORTH, STEIL, HAMMERSTROM and LELAND and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 946 (MCL 600.946).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 946. Any person who is duly licensed to practice law
2 in the court of last resort of any other state, ~~or~~ territory,
3 ~~or~~ the District of Columbia ~~,~~ of the United States of America
4 ~~,~~ and who applies for admission to the bar of this state with-
5 out examination ~~,~~ is required to prove to the satisfaction of
6 the board of law examiners ~~that~~ ALL OF THE FOLLOWING:

7 (A) ~~(1)~~ He OR SHE is in good standing at the bar of such
8 other state, territory, or district, and has the qualifications
9 as to moral character, citizenship, age, general education,
10 fitness, and ability required for admission to the bar of this
11 state. ~~and~~

1 (B) ~~(2)~~ He OR SHE intends in good faith either to maintain
 2 an office in this state for the practice of law ~~—~~ and to prac-
 3 tice actively in this state, or to engage in the teaching of law
 4 as a full-time instructor in a reputable and qualified law school
 5 duly incorporated under the laws of this state. ~~—; and—~~

6 (C) ANY OF THE FOLLOWING OR COMBINATION OF THE FOLLOWING FOR
 7 AT LEAST 3 OF THE 5 YEARS IMMEDIATELY PRECEDING APPLICATION:

8 (i) ~~(3)~~ His OR HER principal business or occupation ~~for~~
 9 ~~at least 3 of the 5 years immediately preceding his application—~~
 10 has been ~~either~~ the active practice of law in ~~such~~ THE other
 11 state, territory, or district. ~~—or the—~~

12 (ii) THE teaching of law as a full-time instructor in a rep-
 13 utable and qualified law school duly incorporated under the laws
 14 of this or some other state, ~~or~~ territory, or the District of
 15 Columbia ~~—~~ of the United States of America. ~~—, or that—~~

16 (iii) A period of active service, full-time as distinguished
 17 from active duty for training and reserve duty, in the armed
 18 forces of the United States, during which the applicant was
 19 assigned to and discharged the duties of a judge advocate, legal
 20 specialist, or legal officer by any other designation. ~~—shall~~
 21 ~~be~~ SUCH AN ASSIGNMENT considered ~~as~~ TO BE the practice of law
 22 for the purposes of this section, ~~which~~ AND THE assignment and
 23 the inclusive dates ~~thereof~~ OF THE ASSIGNMENT shall be certi-
 24 fied to by the judge advocate general or comparable officer of
 25 the armed forces concerned or by the principal assistant to whom
 26 this certification may be delegated. ~~—; or any combination of~~
 27 ~~periods of practice thereof.—~~

1 (2) The supreme court may, in its discretion, on special
2 motion and for good cause shown, increase ~~said~~ THE 5-year
3 period DESCRIBED IN SUBSECTION (1)(C). Any period of active
4 service in the armed forces of the United States not meeting the
5 requirements of duty in the armed forces as ~~herein stated~~
6 DESCRIBED IN SUBSECTION (1)(C)(iii) may be excluded from the
7 5-year period above prescribed and the period extended
8 accordingly.

9 (3) THE SUPREME COURT MAY GRANT A LICENSE TO ENGAGE IN THE
10 PRACTICE OF LAW TO AN APPLICANT LICENSED IN THE PROVINCE OF
11 ONTARIO, COMMONWEALTH OF CANADA, BY AN EQUIVALENT LICENSING BOARD
12 OR AUTHORITY SO LONG AS THAT BOARD OR AUTHORITY GRANTS RECIPROCAL
13 LICENSURE TO ATTORNEYS LICENSED UNDER THIS CHAPTER.