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House Bill 5204 (as passed by the House)
Sponsor: Representative Kelly Breen
House Committee: Judiciary
Senate Committee: Civil Rights, Judiciary, and Public Safety

Date Completed: 10-22-24

CONTENT

The bill would amend Chapter 9 (Attorneys and Counselors) of the Revised Judicature Act to allow a judicial district of the Court of Appeals to swear in qualified individuals to the State Bar.

Under the Act, the Supreme Court and each circuit court has jurisdiction to admit qualified individuals to the Bar of the State, to disbar or suspend members of the Bar for misconduct, and to reinstate licenses to practice law.

The clerk of the Supreme Court and the clerk of each circuit court must do all the following:

- Administer the oath prescribed by the Supreme Court for members of the Bar.
- Issue a certificate of admission upon payment of \$25.
- Keep a record of the admission in the roll of attorneys and the journal of that court.
- Promptly transmit certified copies of the orders of admission to the State Bar of Michigan and Clerk of the Supreme Court.

The bill would grant each Court of Appeals judicial district the jurisdiction described above and require the chief clerk of the Court of Appeals to complete the requirements of clerks.

MCL 600.910 & 600.913

BACKGROUND

Members of the State Bar are individuals licensed to practice law in the State and are considered officers of the courts of the State. Members have the exclusive right to designate themselves as lawyers or attorneys. Generally, an individual must meet the following qualifications to practice law in the State:

- Be at least 18 years of age.
- Possess good moral character.
- Have completed certain undergraduate credit hours at an accredited school prior to entering law school.
- Obtain a Juris Doctor degree from a qualified and accredited law school that meets certain requirements.

Additionally, an individual must pass the State Bar Exam, pass and submit a transfer application for the Universal Bar exam, or may be qualified without examination if the

individual met other qualifications such as actively practicing law in another State, a United States Territory, or the District of Columbia, among other exemptions.¹

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

The bill is a reintroduction of Senate Bill 1162 of the 2021-2022 Legislative Session.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on State or local court systems.

Fiscal Analyst: Michael Siracuse

¹ "State Bar of Michigan Admission Michigan Requirements.", *State Bar of Michigan*. 2023.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.