

July 3, 2008

ADM File No. 2008-26

Amendment of Rule 4  
of the Rules Concerning the  
State Bar of Michigan

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On order of the Court, the need for immediate action having been found, the notice requirements are dispensed with and the following amendment of Rule 4 of the Rules Concerning the State Bar of Michigan is adopted, effective October 1, 2008. MCR 1.201(D). Comments will be received until November 1, 2008, and may be submitted to the Supreme Court Clerk in writing or electronically to P.O. Box 30052, Lansing, MI 48909, or [MSC\\_clerk@courts.mi.gov](mailto:MSC_clerk@courts.mi.gov). When filing a comment, please refer to ADM File No. 2008-26. Your comments and the comments of others will be posted at [www.courts.mi.gov/supremecourt/resources/administrative/index.htm](http://www.courts.mi.gov/supremecourt/resources/administrative/index.htm). The amendment will be considered at a future public administrative hearing. The notices and agendas for public hearings are posted at [www.courts.mi.gov/supremecourt](http://www.courts.mi.gov/supremecourt).

[Additions are indicated by underline.]

Rule 4. Membership Dues

- (A) An active member's dues for each fiscal year (October 1 through September 30) are payable at the State Bar's principal office by October 1 of each year. The dues consist of three separate amounts to be set by the Supreme Court to fund: (1) the Attorney Grievance Commission and the Attorney Discipline Board, (2) the client security fund administered by the State Bar, and (3) other State Bar expenses. Each amount shall be listed separately in the dues notice. An inactive member shall be assessed one-half the amounts assessed an active member for the client security fund and general expenses, but the full amount designated for the discipline agencies.
- (B) A member who is admitted to the State Bar between April 1 and September 30 shall be assessed one-half the full amount of dues for that fiscal year.

- (C) Dues notices must be sent to all members before September 20. A \$50 late charge will be added to a dues payment postmarked after November 30. The State Bar must send a written notice of delinquency to the last recorded address provided as required by Rule 2 to a member who fails to pay dues by November 30. Active members must be notified by registered or certified mail. Inactive members must be notified by first class mail. If the dues and the late charge are not paid within 30 days after the notice is sent, the individual is suspended from membership in the State Bar. If an individual is not subject to a disciplinary order and the suspension is for less than 3 years, the member will be reinstated on the payment of dues, a \$100 reinstatement fee, and late charges owing from the date of the suspension to the date of the reinstatement. If the suspension is for 3 years or more, the individual must also apply for recertification under Rule 8 for the Board of Law Examiners.
- (D) A person who has been a member of the State Bar for at least 50 years shall not be assessed general expenses, but shall pay the full amount assessed other members for the client security fund and the discipline agencies. A member who elects emeritus status pursuant to Rule 3(F) is exempt from paying dues.
- (E) An active or inactive member in good standing serving in the United States Armed Forces in full-time active-duty status, as defined by the United States Department of Defense, is eligible for a waiver of payment of dues, including the attorney discipline system fee and the client security fund assessment. An application for a waiver of dues that includes a copy of military orders showing federal active-duty status must be made for each year for which a dues waiver is requested, and a waiver will be granted up to a total of four times. A member for whom a waiver of dues is granted continues to be subject to the disciplinary system.
- ~~(E)~~(F) Annual dues for affiliate members and law student section members are established annually by the State Bar Board of Commissioners in an amount not to exceed one-third of the portion of dues for active members which fund State Bar activities other than the attorney discipline system and are payable at the State Bar's principal office by October 1 of each year.
- ~~(F)~~(G) All dues are paid into the State Bar treasury and maintained in segregated accounts to pay State Bar expenses authorized by the Board of Commissioners and the expenses of the attorney discipline system within the budget approved by the Supreme Court, respectively.

Staff Comment: This proposal, submitted by the State Bar of Michigan, would allow for a waiver of bar dues for up to four year for members who are in full-time active-duty status in the United States Armed Forces.

The staff comment is not an authoritative construction by the Court.