



Thomas M. Cooley Law Libraries' Research Guide Series

RESEARCHING PROFESSIONALISM AND JUDICIAL CONDUCT IN MICHIGAN

- | | |
|---------------|---------------------|
| I. Statutes | II. Rules |
| III. Case Law | IV. Ethics Opinions |
| V. Treatises | VI. Periodicals |

This guide seeks to help the researcher understand how the legal profession in Michigan is governed. To that end committees, boards, and commissions are mentioned as well as sources for rules and cases. The Supreme Court is empowered by statute and the constitution to regulate lawyers and judges in the state of Michigan.

I. STATUTES

Admission to the Bar

Qualification for admission to the Bar is prescribed by statute and is supervised by the board of law examiners which also administers the bar exam, and reviews the character and fitness of applicants.

MCL 600.901 et seq.

Location: KFM4230 1979 .A23

Web Site: <http://www.legislature.mi.gov/>

Election of Judges

Eligibility for the office of judge is determined by statute. Judges become judges either by appointment by the governor or by election.

MCL 168.391 et seq.

Location: KFM4230 1979 .A23

Web Site: <http://www.legislature.mi.gov/>

II. RULES

The Rules of Professional Conduct, Code of Judicial Conduct, Rules of the State Bar of Michigan, and the Administrative Orders are promulgated by the Supreme Court.

Michigan Court Rules

Location: KFM4729.A2 1989



Web Site: <http://courtofappeals.mijud.net/court/courtrules.htm>

Michigan Court Rules Practice

One of two annotated sets of court rules.

Location: KFM4729 .A195

III. CASE LAW

Chapter 9 of the Michigan Court Rules sets out the practice and procedure governing the discipline of judges and lawyers before state disciplinary boards. State courts and federal courts that sit in Michigan also pass judgment on ethics issues concerning judges and lawyers.

Attorney Grievance Commission (AGC)

Created by the Supreme Court in 1978, the Attorney Grievance Commission investigates and prosecutes attorneys for unethical conduct.

Michigan Court Rules-Subchapter 9.100

Web Site: <http://www.agcmi.com/>

Michigan Attorney Discipline Board (ADB)

Created by the Supreme Court in 1978, the Attorney Discipline Board adjudicates cases brought by the Attorney Grievance Commission. Appeals of ADB decisions are to the Michigan Supreme Court.

Michigan Attorney Discipline Board (ADB)

Web site: <http://www.adbmich.org/>

Michigan Discipline Reporter: Cases Decided by the State of Michigan Attorney Discipline Board

Location: KFM4276.5 A2 A8

Opinions of the State Bar Grievance Board issues September, 1975 to September 1978

Opinions of the Board / State of Michigan Attorney Discipline Board

Location: KFM4276.5 A2 A88

Opinions of the Attorney Discipline Board from 1978 to 1996.
Continued online.

Recent Opinions and Notices of Discipline

Official web site of the Michigan Attorney Discipline Board. Continues the print version of the Opinions of the Board.

Web Site: <http://www.adbmich.org/RECENTNOPN.HTM>



State of Michigan Judicial Tenure Commission (JTC)

The JTC investigates allegations of judicial misconduct and makes recommendations to the Michigan Supreme Court. The formal disciplinary actions of the Court are published in the Michigan Reports.

Michigan Court Rules—Chapter 9.200

Location: KFM4729.A2 1989

Web Site: <http://jtc.courts.mi.gov/>

IV. ETHICS OPINIONS

Written by the Ethics, Judicial and Professionalism Committee at the request of attorneys and judges concerning professional and judicial conduct these opinions are advisory.

Professional and Judicial Ethics

Location: KFM4276.5 A2 A163

Web Site: Ethics, Judicial and Professionalism Committee

http://www.michbar.org/generalinfo/judicial_ethics.cfm

State Bar of Michigan Ethics Opinion Online Service

An index of formal and informal ethics opinions with links to full opinions.

<http://www.michbar.org/opinions/ethicsopinions.cfm>

V. MICHIGAN TREATISE(S)

Michigan Basic Practice Handbook

Location: KFM4277 .M522

Legal Ethics—Chapter 22

Short overview of legal ethics in Michigan.

Michigan Rules of Professional Conduct and Disciplinary Procedures by Lawrence A. Dubin & Michael Alan Schwartz

Location: KFM 4276.5 A2 D6 1989

Though publication of this title stopped in 1997, it remains a good place to start researching legal ethics problems in Michigan.

VI. PERIODICALS

Annual Survey of Michigan Law / Wayne State Law Review

Location: K27 .A7717

An annual review of new developments in professional responsibility in Michigan.

Michigan Bar Journal

Location: K13 .I3613

Publishes opinions and notices of discipline and amendments and proposed amendments to the Michigan Court Rules.



Michigan Lawyers Weekly

Location: K13 .I353

*Online: <http://www.michlaw.com>

Wide ranging in scope, Michigan Lawyers Weekly does report on malpractice cases, the proceeding of the Judicial Tenure Commission and the Attorney Discipline Board,

* A Reference Librarian will sign patron onto passworded sections of the Michigan Lawyers' Weekly.

