

SUBSTITUTE FOR  
SENATE BILL NO. 742

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending sections 931, 937, 940, and 946 (MCL 600.931, 600.937,  
600.940, and 600.946), section 931 as amended by 2000 PA 86, and by  
adding section 945.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 931. (1) ~~The fees required to be paid by each~~ **AN**  
2       applicant for admission to the bar shall ~~be paid~~ **PAY THE APPLICABLE**  
3       **FEES DESCRIBED IN THIS SECTION** to the board of law examiners. ~~and~~  
4       **FEES RECEIVED BY THE BOARD OF LAW EXAMINERS** shall be deposited in  
5       the general fund for the restricted purpose of expenditures of the  
6       supreme court related to the administration of the board of law  
7       examiners.

8       (2) Subject to ~~subsection (3),~~ **SUBSECTIONS (3) AND (4),** the  
9       fees described in this section are as follows:

(a) The fee for applying for examination is ~~\$175.00~~ **\$300.00** for an examination ~~occurring~~ **THAT OCCURS** before January 1, ~~2001,~~ **2017**, or ~~\$300.00~~ **\$400.00** for an examination ~~occurring~~ **THAT OCCURS ON OR** after January 1, ~~2001.~~ **2017.**

(b) The fee for applying for reexamination ~~or recertification~~ is ~~\$100.00~~ **IS \$240.00** for a reexamination ~~or recertification~~ ~~occurring~~ **THAT OCCURS** before January 1, ~~2001,~~ **2017**, or ~~\$200.00~~ **\$300.00** for a reexamination ~~or recertification occurring~~ **THAT OCCURS ON OR** after January 1, ~~2001.~~ **2017.**

(C) **THE FEE FOR APPLYING FOR A RECERTIFICATION IS \$200.00 IF THE RECERTIFICATION OCCURS BEFORE JANUARY 1, 2017, OR \$300.00 IF THE RECERTIFICATION OCCURS ON OR AFTER JANUARY 1, 2017.**

(D) ~~(c)~~ The fee for admission without examination is ~~\$400.00~~ **\$600.00** for an admission without examination before January 1, ~~2001,~~ **2017**, or ~~\$600.00~~ **\$800.00** for an admission without examination **ON OR** after January 1, ~~2001.~~ **2017.**

(E) ~~(d)~~ The additional fee for late filing of application or transfer of an application is \$100.00.

(3) ~~The~~ **SUBJECT TO SUBSECTION (4), THE** supreme court, by administrative order or rule, may increase the amounts ~~prescribed~~ **DESCRIBED** in subsection (2) (a), (b), ~~or~~ (c), **OR (D)** within the following limits:

(a) The fee for applying for an examination ~~occurring~~ **THAT OCCURS ON OR** after January 1, ~~2002~~ **2017** may be increased to not more than ~~\$400.00~~ **\$600.00.**

(b) The fee for applying for a reexamination ~~or~~ ~~recertification occurring after January 1, 2002~~ **THAT OCCURS ON OR**

1 AFTER JANUARY 1, 2017 may be increased to not more than  
2 ~~\$300.00.~~ \$500.00.

3 (C) THE FEE FOR APPLYING FOR A RECERTIFICATION THAT OCCURS ON  
4 OR AFTER JANUARY 1, 2017 MAY BE INCREASED TO NOT MORE THAN \$500.00.

5 (D) ~~(e)~~ The fee for admission without examination after  
6 January 1, ~~2002~~ 2017 may be increased to not more than  
7 ~~\$800.00.~~ \$1,500.00.

8 (4) BEGINNING 2 YEARS AFTER THE EFFECTIVE DATE OF THE  
9 AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE MAXIMUM FEES  
10 DESCRIBED IN SUBSECTION (3) (A) TO (D) SHALL BE ADJUSTED ON AN  
11 ANNUAL BASIS BY AN AMOUNT DETERMINED BY THE STATE TREASURER TO  
12 REFLECT THE CUMULATIVE PERCENTAGE CHANGE IN THE DETROIT CONSUMER  
13 PRICE INDEX OVER THE PRECEDING CALENDAR YEAR. AS USED IN THIS  
14 SUBSECTION, "DETROIT CONSUMER PRICE INDEX" MEANS THE MOST  
15 COMPREHENSIVE INDEX OF CONSUMER PRICES AVAILABLE FOR THE DETROIT  
16 AREA FROM THE BUREAU OF LABOR STATISTICS OF THE UNITED STATES  
17 DEPARTMENT OF LABOR.

18 (5) ~~(4)~~ Each ~~A~~ member of the board OF LAW EXAMINERS is  
19 entitled to receive compensation for his or her services, ~~as are~~ IN  
20 AN AMOUNT THAT IS authorized by the supreme court and appropriated  
21 by the legislature. ~~, and in addition the~~ A MEMBER OF THE BOARD IS  
22 ALSO ENTITLED TO REIMBURSEMENT FOR HIS OR HER actual and necessary  
23 expenses incurred in the discharge of his or her duties as a member  
24 of the board, ~~. The expenses of the board shall be paid upon~~  
25 ~~certification~~ PAYABLE WHEN THE AMOUNT OF THOSE EXPENSES ARE  
26 CERTIFIED by the supreme court pursuant to the procedures  
27 established by the supreme court.

1       Sec. 937. ~~Every~~ **EXCEPT AS PROVIDED IN SECTION 945, AN**  
 2 applicant for admission to the bar is required to have ~~completed~~  
 3 ~~successfully prior to commencement of his~~ **SUCCESSFULLY COMPLETED,**  
 4 **BEFORE BEGINNING HIS OR HER** legal education, at least 2 years of  
 5 study, consisting of not less than 60 "semester hours" or 90  
 6 "quarter hours" of study in courses for which credit towards a  
 7 collegiate degree is given, either in an accredited college  
 8 authorized under the laws of the state in which the college is  
 9 located to grant collegiate degrees, or in a junior college or  
 10 other school from which students who have successfully completed  
 11 ~~such~~ **THOSE** 2 years of study are accepted as regular third-year  
 12 students by any accredited college in this state that is authorized  
 13 by law to grant collegiate degrees.

14       Sec. 940. (1) ~~Every~~ **EXCEPT AS PROVIDED IN SECTION 945, AN**  
 15 applicant for examination is required to be a graduate from a  
 16 reputable and qualified law school ~~duly incorporated under the laws~~  
 17 ~~of~~ **LOCATED IN** this state, ~~or~~ another state or territory **OF THE**  
 18 **UNITED STATES,** or the District of Columbia. ~~, of the United States~~  
 19 ~~of America.~~

20       (2) If an applicant is called into or volunteers for the armed  
 21 forces of the United States, ~~of America,~~ and has completed  
 22 successfully ~~2-1/2~~ **2-1/2** years of the course of study as a full-  
 23 time student, or ~~3-1/2~~ **3-1/2** years of the course of study as a  
 24 part-time student, in ~~any such~~ **A** law school **DESCRIBED IN SUBSECTION**  
 25 **(1),** the board of law examiners ~~, in its discretion may allow such~~  
 26 **THE** applicant to be examined for the bar ~~prior to such~~ **BEFORE HIS**  
 27 **OR HER** graduation, but shall withhold certification until after his

1 OR HER graduation.

2 SEC. 945. AN INDIVIDUAL WHO IS DULY LICENSED TO PRACTICE LAW  
3 IN THE COURT OF LAST RESORT OF ANY OTHER STATE OR TERRITORY OF THE  
4 UNITED STATES OR THE DISTRICT OF COLUMBIA MAY APPLY FOR EXAMINATION  
5 IN THIS STATE WITHOUT MEETING THE EDUCATION REQUIREMENTS DESCRIBED  
6 IN SECTION 937 OR 940 IF HE OR SHE PROVES ALL OF THE FOLLOWING TO  
7 THE SATISFACTION OF THE BOARD OF LAW EXAMINERS:

8 (A) HE OR SHE HAS NOT BEEN SUSPENDED OR DISCHARGED FROM THE  
9 BAR OF ANOTHER STATE OR TERRITORY OF THE UNITED STATES OR THE  
10 DISTRICT OF COLUMBIA OR FROM THE BAR OF ANY FEDERAL COURT OF THE  
11 UNITED STATES.

12 (B) HE OR SHE IS A PERSON OF GOOD MORAL CHARACTER. AS USED IN  
13 THIS SUBDIVISION, "GOOD MORAL CHARACTER" MEANS GOOD MORAL CHARACTER  
14 AS DEFINED AND DETERMINED UNDER 1974 PA 381, MCL 338.41 TO 338.47.

15 (C) HE OR SHE IS 18 YEARS OF AGE OR OLDER.

16 (D) HE OR SHE HAS SUFFICIENT GENERAL EDUCATION AND LEARNING IN  
17 THE LAW TO ENABLE HIM OR HER TO PRACTICE LAW IN THE COURTS OF  
18 RECORD OF THIS STATE. IN DETERMINING WHETHER IT IS SATISFIED THAT  
19 AN INDIVIDUAL HAS PROVED THAT HE OR SHE MEETS THIS SUBDIVISION, THE  
20 BOARD OF LAW EXAMINERS SHALL APPLY A REBUTTABLE PRESUMPTION THAT AN  
21 INDIVIDUAL WHO HAS SUCCESSFULLY PASSED THE BAR EXAMINATION IN  
22 ANOTHER STATE OR TERRITORY OF THE UNITED STATES OR THE DISTRICT OF  
23 COLUMBIA HAS SUFFICIENT GENERAL EDUCATION AND LEARNING IN THE LAW  
24 TO ENABLE HIM OR HER TO PRACTICE LAW IN THE COURTS OF RECORD OF  
25 THIS STATE.

26 (E) HE OR SHE HAS THE CURRENT FITNESS AND ABILITY TO ENABLE  
27 HIM OR HER TO PRACTICE LAW IN THE COURTS OF RECORD OF THIS STATE.

1       Sec. 946. ~~(1) Any person~~ **AN INDIVIDUAL** who is duly licensed to  
 2       practice law in the court of last resort of any other state or  
 3       territory **OF THE UNITED STATES** or the District of Columbia, ~~of the~~  
 4       ~~United States of America,~~ and who applies for admission to the bar  
 5       of this state without examination, is required to prove **ALL OF THE**  
 6       **FOLLOWING** to the satisfaction of the board of law examiners: ~~that:~~

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

12      **(B)** ~~(2) He~~ **OR SHE** intends in good faith either to maintain an  
 13      ~~office in this state for the practice of law, and to practice~~  
 14      ~~actively~~ **LAW** in this state, ~~or~~ to engage in the teaching of law as  
 15      a full-time instructor in a reputable and qualified law school ~~duly~~  
 16      ~~incorporated under the laws of~~ **LOCATED IN** this state. ~~and~~

17      **(C)** ~~(3) His~~ **SUBJECT TO SUBSECTIONS (2) AND (3), HIS OR HER**  
 18      principal business or occupation for at least ~~3~~ **36 MONTHS** of the 5  
 19      years immediately preceding his **OR HER** application ~~has been either~~  
 20      ~~the~~ **WAS ANY OF THE FOLLOWING:**

21      **(i)** **THE** active practice of law in ~~such~~ **THAT** other state,  
 22      territory, or district. ~~or the~~

23      **(ii)** **THE** teaching of law as a full-time instructor in a  
 24      reputable and qualified law school ~~duly incorporated under the laws~~  
 25      ~~of~~ **LOCATED IN** this ~~or some other~~ **STATE, ANOTHER** state or **A**  
 26      territory **OF THE UNITED STATES**, or the District of Columbia. ~~of~~  
 27      ~~the United States of America, or that period of active~~

1           **(iii) ACTIVE** service, full-time as distinguished from active  
 2 duty for training and reserve duty, in the armed forces of the  
 3 United States, during which the applicant was assigned to and  
 4 discharged the duties of a judge advocate, legal specialist, or  
 5 legal officer by any other designation, ~~shall be considered as the~~  
 6 ~~practice of law for the purposes of this section, which~~ **IF THAT**  
 7 assignment and the inclusive dates ~~thereof shall be~~ **OF THAT**  
 8 **ASSIGNMENT ARE** certified to by the judge advocate general or  
 9 comparable officer of the armed forces concerned or by the  
 10 principal assistant to whom this certification ~~may be~~ **AUTHORITY IS**  
 11 delegated. ~~or any~~

12           **(iv) ANY** combination of **TIME** periods ~~of practice thereof.~~  
 13 **ENGAGED IN MORE THAN 1 OF THE PRINCIPAL BUSINESSES OR OCCUPATIONS**  
 14 **DESCRIBED IN SUBPARAGRAPH (i), (ii), OR (iii).**

15           **(2)** The supreme court may, in its discretion, on special  
 16 motion and for good cause shown, increase ~~said~~ **THE** 5-year period  
 17 **DESCRIBED IN SUBSECTION (1) (C).**

18           **(3)** Any period of active service in the armed forces of the  
 19 United States ~~not meeting~~ **THAT DOES NOT MEET** the requirements of  
 20 duty in the armed forces ~~as herein stated~~ **DESCRIBED IN SUBSECTION**  
 21 **(1) (C) (iii)** may be excluded from the 5-year period ~~above prescribed~~  
 22 **DESCRIBED IN SUBSECTION (1) (C)** and the period extended accordingly.