

HOUSE BILL No. 6185

November 8, 1990, Introduced by Rep. Perry Bullard and referred to the Committee on Judiciary.

A bill to amend section 919 of Act No. 236 of the Public Acts of 1961, entitled as amended

"Revised judicature act of 1961,"

being section 600.919 of the Michigan Compiled Laws; and to add section 2925.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 919 of Act No. 236 of the Public Acts of
2 1961, being section 600.919 of the Michigan Compiled Laws, is
3 amended and section 2925 is added to read as follows:

4 Sec. 919. (1) The measure of the compensation of members
5 of the bar is left to the express or implied agreement of the
6 parties subject to the regulation of the supreme court.

7 (2) ~~Any~~ AN agreement for ~~such~~ compensation, or for
8 reimbursement of ~~any~~ expenses, incident to the prosecution or
9 defense of ~~any~~ A claim ~~by any party~~ is ~~wholly~~ void if

1 ~~such~~ THE professional employment was solicited by the member of
2 the bar, or by any other person acting on his OR HER behalf or at
3 his OR HER request, unless the services of ~~such~~ THE member of
4 the bar were first requested by ~~such~~ THE OTHER party TO THE
5 AGREEMENT.

6 (3) AN AGREEMENT FOR REPRESENTATION OF A PERSON WHO HAS A
7 CAUSE OF ACTION FOR INJURY OR WRONGFUL DEATH RESULTING FROM A
8 MASS DISASTER IS REVOCABLE BY THAT PERSON FOR A PERIOD OF 60 DAYS
9 FOLLOWING THE OCCURRENCE THAT GIVES RISE TO THE INJURY OR WRONG-
10 FUL DEATH. FOR THE PURPOSES OF THIS SUBSECTION, "MASS DISASTER"
11 MEANS AN OCCURRENCE THAT RESULTS IN THE INJURY OR DEATH OF 100 OR
12 MORE PEOPLE.

13 SEC. 2925. (1) A PERSON WITH A CAUSE OF ACTION FOR INJURY
14 OR WRONGFUL DEATH RESULTING FROM A MASS DISASTER HAS THE RIGHT TO
15 REVOKE A SETTLEMENT AGREEMENT WITH THE TORTFEASOR FOR A PERIOD OF
16 60 DAYS FOLLOWING THE OCCURRENCE THAT GIVES RISE TO THE INJURY OR
17 WRONGFUL DEATH.

18 (2) REVOCATION OCCURS WHEN THE INJURED PERSON OR HIS OR HER
19 REPRESENTATIVE, OR THE PERSONAL REPRESENTATIVE OF A DECEASED
20 PERSON, MAILES OR DELIVERS A WRITTEN NOTICE OF REVOCATION TO THE
21 TORTFEASOR OR HIS OR HER ATTORNEY.

22 (3) IF MAILED TO THE TORTFEASOR OR HIS OR HER ATTORNEY, A
23 WRITTEN NOTICE OF REVOCATION IS GIVEN WHEN IT IS DEPOSITED IN A
24 MAILBOX PROPERLY ADDRESSED AND POSTAGE PREPAID.

25 (4) FOR THE PURPOSES OF THIS SECTION, "MASS DISASTER" MEANS
26 AN OCCURRENCE THAT RESULTS IN THE INJURY OR DEATH OF 100 OR MORE
27 PEOPLE.