

SENATE BILL No. 114

February 6, 2001, Introduced by Senator SCHUETTE and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 946 (MCL 600.946).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

8 (A) ~~(1)~~ He OR SHE is in good standing at the bar of ~~such~~
9 THAT other state, territory, or district, and has the
10 qualifications as to moral character, citizenship, age, general

1 education, fitness, and ability required for admission to the bar
2 of this state. ~~and~~

3 (B) ~~(2)~~ He OR SHE intends in good faith either to maintain
4 an office in this state for the practice of law ~~,~~ and to prac-
5 tice actively in this state, or to engage in the teaching of law
6 as a full-time instructor in a reputable and qualified law school
7 ~~duly~~ incorporated under the laws of this state. ~~and~~

8 (C) ANY OF THE FOLLOWING OR COMBINATION OF THE FOLLOWING FOR
9 AT LEAST 3 OF THE 5 YEARS IMMEDIATELY PRECEDING APPLICATION:

10 (i) ~~(3)~~ His OR HER principal business or occupation ~~for~~
11 ~~at least 3 of the 5 years immediately preceding his application~~
12 has been ~~either~~ the active practice of law in ~~such~~ THE other
13 state, territory, or district. ~~or the~~

14 (ii) THE teaching of law as a full-time instructor in a rep-
15 utable and qualified law school duly incorporated under the laws
16 of this or some other state, ~~or~~ territory, or the District of
17 Columbia ~~,~~ of the United States of America. ~~, or that~~

18 (iii) A period of active service, full-time as distinguished
19 from active duty for training and reserve duty, in the armed
20 forces of the United States, during which the applicant was
21 assigned to and discharged the duties of a judge advocate, legal
22 specialist, or legal officer by any other designation. ~~, shall~~
23 ~~be~~ SUCH AN ASSIGNMENT IS considered ~~as~~ TO BE the practice of
24 law for the purposes of this section, ~~which~~ AND THE assignment
25 and the inclusive dates ~~thereof~~ OF THE ASSIGNMENT shall be cer-
26 tified to by the judge advocate general or comparable officer of
27 the armed forces concerned or by the principal assistant to whom

1 this certification may be delegated. ~~or any combination of~~
2 ~~periods of practice thereof.~~

3 (2) The supreme court may, in its discretion, on special
4 motion and for good cause shown, increase ~~said~~ THE 5-year
5 period DESCRIBED IN SUBSECTION (1)(C). Any period of active
6 service in the armed forces of the United States not meeting the
7 requirements of duty in the armed forces as ~~herein stated~~
8 DESCRIBED IN SUBSECTION (1)(C)(iii) may be excluded from the
9 5-year period ~~above~~ prescribed IN SUBSECTION (1)(C) and the
10 period extended accordingly.

11 (3) THE SUPREME COURT MAY GRANT A LICENSE TO ENGAGE IN THE
12 PRACTICE OF LAW TO AN APPLICANT LICENSED IN THE PROVINCE OF
13 ONTARIO, CANADA, BY AN EQUIVALENT LICENSING BOARD OR AUTHORITY SO
14 LONG AS THAT BOARD OR AUTHORITY GRANTS RECIPROCAL LICENSURE TO
15 ATTORNEYS LICENSED UNDER THIS CHAPTER.