

SENATE BILL NO. 76

January 29, 2019, Introduced by Senators LASATA, JOHNSON, HOLLIER, IRWIN, CHANG, WOJNO, THEIS, POLEHANKI, MCMORROW, MOSS, BAYER, BARRETT and DALEY and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 916 and 1307a (MCL 600.916 and 600.1307a),
section 916 as amended by 2000 PA 112 and section 1307a as amended
by 2012 PA 69.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 916. (1) A person shall not practice law or engage in the
2 law business, shall not in any manner whatsoever lead others to

1 believe that he or she is authorized to practice law or to engage
 2 in the law business, and shall not in any manner whatsoever
 3 represent or designate himself or herself as an attorney and
 4 counselor, attorney at law, or lawyer, unless the person is
 5 regularly licensed and authorized to practice law in this state. A
 6 person who violates this section is guilty of contempt of the
 7 supreme court and of the circuit court of the county in which the
 8 violation occurred, and upon conviction is punishable as provided
 9 by law. This section does not apply to a person who is duly
 10 licensed and authorized to practice law in another state while
 11 temporarily in this state and engaged in a particular matter.

12 (2) A domestic violence victim advocate's assistance that is
 13 provided in accordance with section 2950c does not violate this
 14 section.

15 (3) **An application assistant's or victim advocate's assistance**
 16 **that is provided in accordance with the address confidentiality**
 17 **program act does not violate this section.**

18 Sec. 1307a. (1) To qualify as a juror, a person ~~shall~~**must**
 19 meet all of the following criteria:

20 (a) Be a citizen of the United States, 18 years of age or
 21 older, and a resident in the county for which the person is
 22 selected, and in the case of a district court in districts of the
 23 second and third class, be a resident of the district.

24 (b) Be able to communicate in the English language.

25 (c) Be physically and mentally able to carry out the functions
 26 of a juror. Temporary inability ~~shall~~**must** not be considered a
 27 disqualification.

28 (d) Not have served as a petit or grand juror in a court of
 29 record during the preceding 12 months.

1 (e) Not have been convicted of a felony.

2 (2) A person more than 70 years of age may claim exemption
3 from jury service and ~~shall~~**must** be exempt upon making the request.

4 (3) A nursing mother may claim exemption from jury service for
5 the period during which she is nursing her child and ~~shall~~**must** be
6 exempt upon making the request if she provides a letter from a
7 physician, a lactation consultant, or a certified nurse midwife
8 verifying that she is a nursing mother.

9 **(4) An individual who is a participant in the address**
10 **confidentiality program created under the address confidentiality**
11 **program act may claim exemption from jury service for the period**
12 **during which he or she is a program participant. To obtain an**
13 **exemption under this subsection, the individual shall provide his**
14 **or her participation card issued by the department of attorney**
15 **general upon his or her certification as a program participant to**
16 **the court providing evidence that he or she is a current**
17 **participant in the address confidentiality program.**

18 **(5) ~~(4)~~**For the purposes of this section and sections 1371 to
19 1376, a person has served as a juror if that person has been paid
20 for jury service.

21 **(6) ~~(5)~~**For purposes of this section:

22 (a) "Certified nurse midwife" means an individual licensed as
23 a registered professional nurse under article 15 of the public
24 health code, 1978 PA 368, MCL 333.16101 to 333.18838, who has been
25 issued a specialty certification in the practice of nurse midwifery
26 by the board of nursing under section 17210 of the public health
27 code, 1978 PA 368, MCL 333.17210.

28 (b) "Felony" means a violation of a penal law of this state,
29 another state, or the United States for which the offender, upon

conviction, may be punished by death or by imprisonment for more than 1 year or an offense expressly designated by law to be a felony.

(c) "Lactation consultant" means a lactation consultant certified by the ~~international board of lactation consultant examiners~~. **International Board of Lactation Consultant Examiners.**

(d) "Physician" means an individual licensed by the state to engage in the practice of medicine or osteopathic medicine and surgery under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

Enacting section 1. This amendatory act takes effect 180 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 70

of the 100th Legislature is enacted into law.