

Attorney Discipline Board

2023-Mar-21

General Order ADB 2023-1 Participation in Hearings via Videoconferencing; Safety Precautions

Issued by the Attorney Discipline Board
333 W. Fort St., Ste. 1700, Detroit, MI

Pursuant to MCR 9.115(I)(3), MCR 2.407, and MCR 9.102(A), a hearing panel may, at the request of any participant, or sua sponte, allow the use of videoconferencing technology by any or all participants in a discipline proceeding before the panel. In determining in a particular case whether to permit the use of videoconferencing technology or when ruling on an objection to the use of videoconferencing technology, the panel shall consider the factors set forth in MCR 2.407(C)(1)-(12), and shall provide an opportunity for the participants to address the issue, including any requests by participants to physically appear in person for any proceedings, as referenced in MCR 2.407(B)(4).

Subject to a determination by the panel that the use of videoconferencing technology is inappropriate for a particular case under an analysis of the factors set forth in MCR 2.407(C)(1)-(12), the use of videoconferencing technology shall be presumed for all prehearing or status conferences scheduled before a panel.

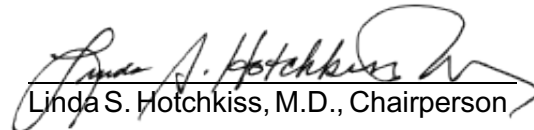
Consistent with MCR 8.110(C)(3)(i), hearing panels and the Attorney Discipline Board will continue to take reasonable measures to avoid exposing participants in disciplinary proceedings, Board employees, and the general public to COVID-19 and similar health risks where necessary or advisable and will continue to provide a method for filers to submit pleadings and other filings other than by personal appearance at the Board. Hearing panels shall also consider the health concerns of anyone involved in the proceedings, including the parties, counsel, witnesses, court reporters, and hearing panel members, and whether safety measures would be necessary based upon the location of the hearing (using state and local guidelines), including but not limited to: masks, health screenings, social distancing, and/or proof of vaccinations.

General Order ADB 2022-1 is rescinded, effective immediately.

ATTORNEY DISCIPLINE BOARD

Dated: March 21, 2023

By:


Linda S. Hotchkiss, M.D., Chairperson