

Senators Kuipers, Whitmer, Cropsey, Sanborn, Prusi, Brown, Barcia and Jacobs offered the following resolution:

Senate Resolution No. 181.

A resolution to urge the Michigan Attorney Grievance Commission to expand its examination in its pending grievance investigation to all attorneys acting on behalf of the parties and litigants involved in the highly-publicized police whistleblower lawsuit and all other related litigation with the city of Detroit for their actions and inactions arising from these matters.

Whereas, Considerable negative public attention has been focused on certain activities related to the police whistleblower lawsuit involving two Detroit police officers, Gary Brown and Harold Nelthrope, and the city of Detroit. Furthermore, the recent indictment of the mayor of Detroit and his former chief of staff by the Wayne County prosecutor has commanded a great deal of media focus not only in Detroit and throughout Michigan, but also across the country; and

Whereas, This case has brought to light many egregious actions or omissions by attorneys beyond the \$8.4 million settlement itself; and

Whereas, The Michigan Attorney Grievance Commission, the investigative and prosecutorial arm of the Michigan Supreme Court for allegations of attorney misconduct, has, pursuant to Michigan Court Rule 9.108, initiated an examination of the actions of several attorneys associated with the Detroit whistleblower case and related activities; and

Whereas, The Michigan Attorney Grievance Commission has done, and continues to do, exemplary work in protecting the honor and integrity of the legal profession. We applaud the Michigan Attorney Grievance Commission for taking the initiative to begin investigating the conduct of several of the attorneys involved in the Detroit police whistleblower lawsuit; and

Whereas, It is essential that all attorneys involved be thoroughly investigated and that the notoriety of this case and the involvement of high-ranking officials not obscure the fact that the actions of every attorney involved merit thorough scrutiny; and

Whereas, It has been expressed by various legal ethics experts, including a University of Detroit ethics professor, that the Detroit situation has raised serious questions of unethical behavior by the attorneys involved, including conflicts of interest, impeding the administration of justice, and possible criminal acts; and

Whereas, Michigan Court Rule 9.104 and Michigan Rules of Professional Conduct Rule 8.4 require, among other duties, that attorneys shall not engage in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, and shall not engage in conduct that is contrary to justice, ethics, honesty, or good morals. Indeed, lawyers have a recognized obligation to uphold our system of justice; and

Whereas, Misconduct and unethical behavior among attorneys, especially those acting in official capacities, contribute to an erosion of public trust in the state's legal system that is harmful not only to the residents of Detroit, but also the citizens of Michigan; now, therefore, be it

Resolved by the Senate, That we urge the Michigan Attorney Grievance Commission to expand its examination in its pending grievance investigation to all attorneys acting on behalf of the parties and litigants involved in the highly-publicized police whistleblower lawsuit and all other related litigation with the city of Detroit for their actions and inactions arising from these matters; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Attorney Grievance Commission.