

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.3014 Trust claims materials and trust governance documents; presumption; discovery from asbestos trust; use and basis of trust materials.

Sec. 3014.

(1) Trust claims materials and trust governance documents are presumed to be relevant and authentic, and are admissible in evidence in an asbestos action. A claim of privilege does not apply to trust claims materials or trust governance documents.

(2) A defendant in an asbestos action may seek discovery from an asbestos trust. The plaintiff may not claim privilege or confidentiality to bar discovery and shall provide consent at the time of asbestos trust identification, including, but not limited to, authorization for release of trust materials or other expression of permission that may be required by the asbestos trust to release information and materials sought by a defendant.

(3) Trust materials may be used to prove, without limitation, an alternative source for the cause of the plaintiff's alleged harm and may serve as a basis to allocate responsibility for the plaintiff's alleged harm.

History: Add. 2018, Act 100, Imd. Eff. Apr. 2, 2018