



# HOUSE BILL No. 5251

October 12, 1995, Introduced by Reps. Crissman, Green, Horton, Middleton, Hammerstrom, Rhead, McManus, Hill, Voorhees, Gustafson, LeTarte, Bodem, Perricone, Walberg, Law, Kaza, Geiger, Johnson, Bobier, Kukuk, Rocca and Galloway and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 919 of Act No. 236 of the Public Acts of 1961, entitled as amended  
"Revised judicature act of 1961,"  
being section 600.919 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 919 of Act No. 236 of the Public Acts of  
2 1961, being section 600.919 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 919. (1) The measure of the compensation of members of  
5 the bar is left to the express or implied agreement of the par-  
6 ties subject to the regulation of the supreme court.

7 ~~(2) Any agreement for such compensation, or for reimburse-~~  
8 ~~ment of any expenses, incident to the prosecution or defense of~~  
9 ~~any claim by any party is wholly void if such professional~~  
10 ~~employment was solicited by the member of the bar, or by any~~

1 ~~other person acting on his behalf or at his request, unless the~~  
2 ~~services of such member of the bar were first requested by such~~  
3 ~~party.~~ A MEMBER OF THE STATE BAR OF MICHIGAN SHALL NOT SEND, OR  
4 KNOWINGLY PERMIT TO BE SENT ON THE MEMBER'S BEHALF OR ON BEHALF  
5 OF THE MEMBER'S FIRM, PARTNER, ASSOCIATE, OR ANY OTHER ATTORNEY  
6 AFFILIATED WITH THE MEMBER'S FIRM, A WRITTEN COMMUNICATION TO A  
7 PROSPECTIVE CLIENT FOR THE PURPOSE OF OBTAINING PROFESSIONAL  
8 EMPLOYMENT IF BOTH OF THE FOLLOWING CIRCUMSTANCES EXIST:

9 (A) THE WRITTEN COMMUNICATION CONCERNS AN ACTION FOR PER-  
10 SONAL INJURY OR WRONGFUL DEATH OR OTHERWISE RELATES TO AN ACCI-  
11 DENT OR DISASTER INVOLVING THE PERSON TO WHOM THE COMMUNICATION  
12 IS ADDRESSED OR A RELATIVE OF THAT PERSON.

13 (B) THE ACCIDENT OR DISASTER OCCURRED LESS THAN 30 DAYS  
14 BEFORE THE DATE OF THE MAILING OF THE COMMUNICATION.

15 (3) A MEMBER OF THE STATE BAR OF MICHIGAN SHALL NOT ACCEPT  
16 REFERRALS IF THE MEMBER KNOWS, OR HAS REASON TO KNOW, THAT THE  
17 INITIAL CONTACT WAS MADE IN VIOLATION OF SUBSECTION (2).