

UNIFORM COLLABORATIVE LAW ACT (EXCERPT)
Act 159 of 2014

***** 691.1339.new THIS NEW SECTION IS EFFECTIVE DECEMBER 8, 2014 *****

691.1339.new Disqualification of collaborative lawyer in associated law firm.

Sec. 9. (1) Except as otherwise provided in subsection (3), a collaborative lawyer is disqualified from appearing before a tribunal to represent a party in a proceeding related to the collaborative matter.

(2) Except as otherwise provided in subsection (3) and sections 10 and 11, a lawyer in a law firm with which the collaborative lawyer is associated is disqualified from appearing before a tribunal to represent a party in a proceeding related to the collaborative matter if the collaborative lawyer is disqualified from doing so under subsection (1).

(3) A collaborative lawyer or a lawyer in a law firm with which the collaborative lawyer is associated may represent a party to do either of the following:

(a) Ask a tribunal to approve an agreement resulting from the collaborative law process.

(b) Seek or defend an emergency order to protect the health, safety, welfare, or interest of a party if a successor lawyer is not immediately available to represent that person.

(4) If subsection (3)(b) applies, a collaborative lawyer, or lawyer in a law firm with which the collaborative lawyer is associated, may represent a party only until the person is represented by a successor lawyer or reasonable measures are taken to protect the health, safety, welfare, or interest of the person.

History: 2014, Act 159, Eff. Dec. 8, 2014.