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SENT VIA EMAIL

March 29, 2010

Federal Trade Commission
Office of the Secretary
Room H-135 (Annex W)
600 Pennsylvania Avenue, NW
Washington, DC 20580

306 Townsend Street
Michael Franck Building
Lansing, MI
48933-2012

RE: Proposed Changes to the Practice of Law Exemption, FTC Mortgage Assistance Relief Services Rulemaking, Rule No. R911003, 75 Fed. Reg. 10707 (March 9, 2010)

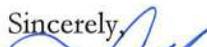
Dear Sir/Madam:

The State Bar of Michigan respectfully requests that the Federal Trade Commission (FTC) modify the current proposed rule to expand the existing attorney exemption to exclude all lawyers engaged in the practice of law from all aspects of the proposed rule. **The State Bar of Michigan fully endorses the position submitted by the American Bar Association.**

The State Bar of Michigan urges that attorneys be fully exempt due to the nature of legal services and their vital importance to clients who seek remedy to protect their homes. The proposed rule would limit attorneys' ability to act in the best interest of their clients by risking attorney-client privilege and by restricting certain actions, such as speaking directly with a mortgage provider on behalf of a client, that are in the client's interest.

The State Bar of Michigan shares the same goal as the FTC to protect consumers facing insolvency or mortgage foreclosure. However, attorneys are strongly regulated in the state. State law and a well-established attorney discipline process provide the same protection that is the goal of the proposed rule, and more. For these reasons, the proposed rule should not be applied to attorneys.

Thank you for your consideration of this position articulated by the American Bar Association, fully supported by the State Bar of Michigan.

Sincerely, 


Janet K. Welch
Executive Director