



MICHIGAN SUPREME COURT

ELIZABETH A. WEAVER
JUSTICE

January 24, 2007

To: Honorable Governor Jennifer M. Granholm
Senate Majority Leader Michael R. Bishop; Senate Minority Leader Mark Schauer
House Speaker Andy Dillon; House Minority Leader Craig DeRoche
Michigan Senate Members; Michigan House of Representative Members

Re: **Justice Elizabeth A. Weaver's Proposal and Request for Independent Commission to Investigate Supreme Court Controversy**

As I have indicated in previous dissents and statements, a majority of four justices, Chief Justice Taylor, and Justices Corrigan, Young and Markman, on the Michigan Supreme Court has misused and abused power and engaged in repeated disorderly, unprofessional, and unfair conduct in the performance of the judicial business of the Court. Rather than responding with facts or reasoned arguments, the Chief Justice has chosen to attack me on a personal level, including a challenge to my honesty in reporting facts. Discord of this base nature cannot continue. Only a truly independent investigation can examine the issues and make fair evaluation of who is, or is not, telling the truth. The Court does not now deserve the trust and confidence of the people of Michigan. Any investigation this Court might create, conduct, or control will not be credible.

In the interest of beginning to restore the people's trust and confidence, I propose and request a Commission be established to investigate and report upon the controversy, with blue-ribbon members chosen by the Governor, the Michigan House of Representatives and the Michigan Senate. Our Constitution at Article 6, Section 25 gives authority to the Governor, supported by a two-thirds majority of each house of the legislature, to remove a member of the Supreme Court. The investigation I here propose and request is consistent with the Constitution and is a necessary first step in determining whether removal of any member of the Court may be justified. I expect that my conduct and veracity, as well as that of all of the justices, will be fully explored. This independent investigation should be accomplished promptly, hopefully within the next 60 to 90 days.

The Commission should be given unfettered access to internal Court documents and staff, so long as there is no intrusion upon the deliberations concerning pending and impending cases protected by Judicial Canon 3A, and so long as all present and former staff are granted immunity from retribution or adverse job action. The testimony of principal witnesses, including the justices, must be under oath and subject to penalties of perjury. If the Commission is created, I pledge my full cooperation.

The people of Michigan are owed the truth. With the truth in hand, I am confident that they will be able to make proper judgments about this Court and its justices.

**This proposal and request will be published on my personally funded website:
www.justiceweaver.com.**