

Minutes of the Michigan Supreme Court December 22, 2008
Administrative Conference Followed by Justice Elizabeth A. Weaver's
Statement to the Minutes

MINUTES OF THE CONFERENCE ON ADMINISTRATIVE MATTERS
DECEMBER 22, 2008
CONDUCTED BY CONFERENCE TELEPHONE CALL

ITEM 1 COURT ADMINISTRATIVE CONFERENCES

Motion made and carried to hold the Court's administrative conferences in public, in the Courtroom, with coverage to be made available to MGTV. Such conferences will be held one or two times per month with 2 week's advance notice of the agenda given to the public. Court personnel matters will be excluded. Further changes and adjustments may be made after the start of the year to facilitate the opening of these conferences.

Voting in favor: Taylor, C.J. and Weaver, Kelly, Corrigan, Young, Jr. and Markman, JJ. Cavanagh, J., would pass the matter to a later conference.

WEAVER, J., (*states as follows*).

I am pleased that the "majority of four" (Chief Justice Taylor and Justices Corrigan, Young, and Markman) has agreed in a 6 to 1 vote¹ to publicly open the administrative conferences of this Court, and is finally supportive of shedding some of the secrecy shrouding the Michigan Supreme Court. It is a step toward ending the secret club of the "majority of four" and letting a little sunlight into this Court.

For more than two years, the "majority of four" has advanced a policy toward greater secrecy and less accountability. See my 2006 dissent to the adoption by the "majority of four" of the unconstitutional "Gag Order" (Administrative Order 2006-08), available on my personally-funded website: justiceweaver.com.

I also note that the motion reserves the right to make further changes and adjustments in the coming new year in order to properly facilitate the opening of the administrative conferences to the public; for example, by providing for timely minutes, public input and public observation of proceedings.

Justice Kelly's and my longstanding requests to open to the public the administrative operations of this Court will at last benefit the people of Michigan. I look forward to the new year 2009 to address these important issues. As I have stated repeatedly, "An efficient and impartial judiciary is 'ill served by casting a cloak of secrecy around the operations of the courts.'"²

¹ Justice Cavanagh voted to pass the motion to a later conference.

² *Scott v Flowers*, 910 F2d 201, 213 (5th Cir 1990).