

Michigan Association for Justice Member List Server Agreement

I certify to the Michigan Association for Justice (MAJ) and to my fellow members of MAJ that I have familiarized myself with the following usage restrictions with respect to the general List Server. I agree to abide by these usage restrictions as a condition to access:

1. The List Server is a private group of lawyers, who have been appropriately registered and cleared by MAJ, for the purpose of sharing information. Any information is proprietary in nature, and can be used only by the registered members of the List Server.

2. Use of the MAJ List Server is limited to MAJ members who have been appropriately registered. MAJ provides the List Server as a service to assist members in the sharing of information relative to their law practices. MAJ does not screen email content prior to posting and, therefore, accepts no responsibility for the opinions and information on the List Server.

3. The MAJ List Server should not be regarded as a secure system and should never be used for anything that should be confidential in nature.

4. Information generated on the List Server is for the sole use and benefit of the registered users of same. List Server participants agree not to forward or otherwise distribute List Server messages and/or attachments to those who are not registered for the List Server. This includes other lawyers in the same law firm, physicians, or anyone else. This means that a non-registered person is not allowed to discuss and view any information learned, viewed or read on the List Server. This includes attachments. Further, these materials are intended for the exclusive use of MAJ members representing Plaintiffs in civil actions for personal injuries, to assist individuals in any claim for benefits, to assist any insured party in any declaratory action, or a defendant in the prosecution of criminal actions. Materials may not be furnished to any person assisting in the defense of a civil action for personal injuries, to assist any employer and/or insurance company in any claim for benefits, to assist any insurance company in any declaratory action, or to any person assisting in the prosecution of criminal actions. If the materials are demanded or ordered to be produced during discovery, members are urged to oppose the discovery, and contact MAJ immediately. Messages may not be forwarded to anyone outside the List Server without the written permission of the author of the message.

5. The following material is inappropriate and may not be posted to the List Server.

a. One or two word responses, such as “thanks”, “good work”, or “send me the brief”, or “call me”. If information or responses like this need to be generated, they should be sent directly to the person it is intended, and not the group as a whole. If you have a small question that needs clarification to a person posting a response, please do so privately to the person. The goal is to limit the number of messages that are posted on the List Server, so that only questions and answers of general interest are posted.

b. Obscene, offensive, inflammatory, libelous, derogatory, or any language directed to harm someone personally.

c. Copyrighted materials shall not be posted without permission.

d. Advertising or solicitations.

e. Only reply to the entire group if the response is relevant for everyone to read. If it is appropriate for only the original sender, send that person a personal message.

6. **Upon signing this List Server Agreement members agree that they do not regularly or generally represent insurance carriers or defendants in personal injury cases, or civil defendants in negligence, workers’ compensation, auto no-fault, or employment cases. Members have an affirmative duty to inform MAJ if their practice changes such that they regularly or generally represent insurance carriers or defendants in personal injury cases or civil defendants in negligence, workers’ compensation, auto no-fault, or employment cases. Immediately upon any such practice change the affected member must request that the MAJ remove him/her from the List Server.**

7. A clear and concise label of the posting shall be put on every posting in the subject line. For example, if is a Medical

Malpractice questions, "Med Mal", should be the first words in the subject line. For Auto cases, "Auto" should be the first work the subject line. Other categories could be "Premises", "Liens", "Dog Bite", "Experts", "Products Liability", "General Neg", "Criminal", etc.

8. When you respond to a question, you should make sure that the question is copied onto the screen so that members know to what question you are responding.
9. Any depositions, motions, or other briefs that are exchanged privately, shall also be sent to MAJ so other members seeking this information can benefit as well.

Any violations of the above rules will be taken seriously. Repercussions may include expulsion from the List Server, and possibly from MAJ membership, and filing of a bar grievance.

MAJ reserves the right to change the requirements for List Server participation at any time and to require participants to sign updated forms as a condition of continued participation on the List Server.

Any use of material obtained on the List Server to assist in the defense of a civil action for personal injuries, to assist any employer and/or insurance company in any claim for benefits, to assist any insurance company in any declaratory action, or the prosecution of criminal actions is explicitly prohibited, and any such use may expose the person or persons using these materials in such a manner to sanctions by MAJ and/or ethical sanctions by Michigan's attorney grievance commission or other relevant disciplinary authority. Members agree that in the event they obtain and/or use any materials from the List Server in the defense of the civil action for personal injuries, to assist any employer and/or insurance company in any claim for benefits, to assist any insurance company in any declaratory action, or in the prosecution of criminal actions to which the initial posting or any responsive or follow up posting was meant to pertain, may violate certain ethical rules including, but not limited to, MPRC 1.6, 1.7, 1.10, 3.4, 4.1, 4.4 and 6.5. Any violations of the above rules will be taken seriously. Repercussions may include expulsion from the List Server, MAJ membership and the filing of a bar grievance.

I have read the above and agree to all of the terms. I'd like to subscribe to the following list servers:

- General List Server
- Employment Law
- Family Law
- Workers' Compensation
- Women's Caucus
- Justice PAC (Must contribute a minimum of \$600/year to Justice PAC.)

Name (please print)

Firm

email address

Signature

Date