

Name: Judge Kathleen J McCann, Retired

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Comment:

Dear Chief Justice Clement,

Thank you for the opportunity to comment on the proposed amendments to Canon 4 and 6 of the Michigan Code of Judicial Conduct. I have retired after 30 years on the bench, several threats to my life, a bombing to the front of our previous courthouse, and more recently a year long paper terrorism ordeal instituted by a Sovereign Woman who disputed the authority of the Police, the Prosecutors, the Magistrates, the Court Administrators and three Judges.

She filed UCC liens (mine was for \$3,035,045,000.00), against each of our properties in the State of Colorado. We were not protected by the State. The Attorney General's office indicated they would not intervene unless our funding unit refused to pay for independent counsel. Thankfully both jurisdictions were supportive of our efforts and paid a very substantial amount to our joint attorney for his service.

He ultimately was awarded a release of liens after months of filings in Colorado. The woman has absconded and we are left with a record in Colorado of released property liens, to be permanently deleted from their records in five years.

There is a Judicial Protection Act lingering in the State Legislature that would, from my understanding prohibit posting of a judge or his or her family's personal information. It would permit a judge to file a civil action to compel compliance by removing posts containing personal information of judges and their families. Further, if there is loss due to a violation of the act, it would allow the damaged party to seek recourse.

The Amendments do not acknowledge that there is a danger to public posting of personal information of a judge or a family. This act is far too weak and has not been sent to the Governor to date. Paper terrorism is personally and financially devastating. I have spent the better part of this year dealing with three Sovereign Citizens, each of whom has threatened some form of harm.

For the sake of my brethren who follow me, I respectfully ask that you wait to explore transparency until a law is passed that penalizes this conduct with serious jail time. Similar laws have recently been passed in several other states.

As a former member and chair of the Judicial Tenure Commission, I recognize that the best of judges make mistakes. That is why we have a Court of Appeals, and a Supreme Court. In my years on the Tenure Commission I witnessed many incidents of less than exemplary restraint, some incidents of judicial conduct that went beyond the pale, but rarely if ever did I witness a judge who refused to recuse when there was a conflict. Surely there is a better solution than to put a target on the back of the judiciary.

Respectfully,

Kathleen McCann