

## Rules, Regulation, and Enforcement

Rules, regulation, and enforcement should be one of the big issues in the 2010 Michigan election. In the 1970s illegal immigrants became a problem. The solution to the problem was to require all employers to certify under financial penalty that their employees were U.S. citizens. Employees' documents had to be inspected and the employer had to fill out an I-9 form for each employee documenting compliance with the law. This law was not enforced, and the illegal alien problem became much worse.

Rules, regulation, and enforcement are complex. What good are the rules if they are not enforced? Special interest groups in this country and state control the enforcement of many of the rules that were made to protect the public. Big and small businesses influenced the federal government to not enforce I-9 regulations, because they wanted cheap labor. The recent financial problems facing the country are partially due to lax rules and enforcement of existing regulations concerning the securities business. The securities business was allowed to regulate itself and look at the result. Numerous individuals can present their cases of how they were injured due to self regulation by special interest groups. The Michigan Constitution states that the majority of members of all licensing boards must be composed of that profession. The licensing board enforces the rules of the profession. A builder does a substandard job, and a complaint is filed with his licensing board. The licensing board does not take proper action against the builder and justice is not obtained. This has a snow ball effect. Many of the licensing boards operate in secret, so their lack of enforcement of regulations is never known.

The Michigan Constitution has given the public tremendous problems with the legal system. The Michigan Constitution gives the legal system the power through the Michigan Supreme Court to write the rules for the Michigan legal system, and the authority to police the legal system in secret. We will never know how many citizens are injured by the Michigan Legal system. The public let the legal profession write the current Michigan Constitution in 1963. Sixty percent of the delegates who wrote the 1963 Michigan Constitution were attorneys. Michigan citizens will have the opportunity to improve rules enforcement of the legal and other professions in 2010 if they vote to rewrite the Michigan Constitution, and then vote for delegates to the Constitutional Convention who are not attorneys.

The ***Golden Legal Oversight Amendment*** for the Michigan Constitution, which has been proposed by Theodore A. Golden, M.D., will create an independently elected board to write court rules, administer Michigan courts, and police the legal system.

In 2010 Michigan citizens will have the opportunity to get the fox out of the hen house by voting to hold a Constitutional Convention, then elect delegates to the Convention who are not attorneys, incorporate the ***Golden Legal Oversight Amendment*** into the new Michigan Constitution, and finally approve the new Constitution in an election.

Theodore A. Golden, M.D.

[www.tagolden.com](http://www.tagolden.com)