

# **BERNARD ANTHONY JOCUNS & ASSOCIATES,**

## **PLLC**

### **JOCUNS LAW BUILDING**

385 West Nepessing Street

Lapeer, Michigan 48446

(810) 245-8900

Fax (810) 245-6846

February 25, 2019

**State Bar of Michigan  
ATTN: Ms. Carrie Sharlow  
306 Townsend Street  
Lansing, Michigan 48933-2012**

Re: Michael Franck Award Nomination (Mary Chartier)

Ms. Sharlow:

Please accept my nomination of State Bar of Michigan Michael Frank Award for Attorney Mary Chartier of East Lansing, Michigan. With diligence, intestinal fortitude and a non-avarice approach to the practice of law, Mary embodies the virtues and spirit of the Michael Frank Award. From saving canines on "Doggie Death Row" to Pro Bono Exonerations, Mary selflessly donates her time to an array of causes void of any ostentatiousness.

Known for teaching other attorneys in great minutia and situational training before ever reaching a courtroom, Mary conveys the importance of the "Big Picture" instead of "Trial by Fire". This is evident in the way she teaches at the Criminal Defense Attorneys of Michigan (CDAM) "A is for Attorney" (class) to the the Hillman Trial Advocacy Program, altruistically guiding other attorneys with courtroom advocacy skills, along with the anatomy of a case. Through her own initiative and insight, Mary taught one of the first Marihuana Law classes in the nation at the Thomas M. Cooley Law School.

Being a trailblazer without pretense, prior to her current law firm, Chartier & Nyamfukudza, P.L.C, Mary was the co-founder of a power woman-owned law firm Alane & Chartier PLC. Attorney Chartier is also one of few attorneys to win three (3) times before the Michigan State Supreme Court in a single year, with two (2) of those cases Pro Bono. Mary is also an initial founder of the Marihuana Law Section of the State Bar of Michigan where she was also a chairperson for the organization. In addition to being the Chairperson of the Criminal Law Section of the Ingham County Bar Association, Mary is also the current the dedicated President of that organization.

Mary's unsolicited acts of kindness are proof positive that she is as great a person as she is an attorney. Recently Mary assisted a man whose family had fallen on hard times by

footing the repair bill for their water heater. Further, Mary became an anonymous sponsor for a legal scholarship. Mary has also given up many weekends to present at the State Bar of Michigan's Young Lawyers Section Annual Meeting & Retreat as well as the Michigan Association of OWI Attorneys (where she is also a Board Member) to name a few. Mary has also been called on by Loyola Law School in California to contribute her skills on a panel and other out of State legal events to offer thorough and engaging presentations, such as the NORML legal committee. It is anything but hyperbole to say that seasoned attorneys and students alike have long benefited from Mary's knowledge and desire to share the same from coast to coast.

Some of Mary's other accomplishments include, but are not limited to the following:

- Serving on an advisory committee for the Michigan Indigent Defense Commission;
- Instrumentally assisting in pardoning two (2) service dogs (Mario & Luigi) for an Iraq War Veteran in Ionia County by writing an Appellate Brief and consulting trial counsel to a victorious result;
- Volunteering over 350 hours to the legal community and public at large in the last calendar year;
- Notably obtaining an acquittal for a man in less than a half hour in February 2017 for a man who had served over nine (9) years in prison (Dennis Tomasik); and
- Continuously helping those that have been unheard or felt powerless, offering hope and feelings of self-worth.

Following the mantra of the great Nelson Mandela, "It always seems impossible until it is done", this nomination personifies the purpose of the Michael Franck Award. Mary is also very genial and civil to all, with having a way of putting her foot down and making a point that is second to none. Brevity is very difficult when it comes to describing the accolades, accomplishments and attributes of such a successful professional and giving human being; especially for an individual that asks for nothing in return.

Very truly yours,

  
Bernard Anthony Joeans, Jr.

## AWARD NOMINATIONS 2019

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### Michael Franck Award

[www.michbar.org/generalinfo/awards](http://www.michbar.org/generalinfo/awards)

This award will be presented to a lawyer who has made an outstanding contribution to the improvement of the profession.

- The recipient must be a member in good standing with the State Bar of Michigan.
- The recipient's contribution may have been made during the past year or by virtue of cumulative effort or service.
- The recipient is selected by the State Bar of Michigan Representative Assembly Nominating and Awards Committee.

Apply Online at [www.michbar.org/programs/award\\_franck](http://www.michbar.org/programs/award_franck)

1. Name of nominee: Mary Chartier

Title: Partner

Firm or organization: Chartier & Nyamfukudza

Address: 1905 Abbot Road; Suite 1, East Lansing, Michigan 48823

Phone: (517) 885-3305

Fax: (517) 885-3363

E-mail: [Mary@cndefenders.com](mailto:Mary@cndefenders.com)

Name of nominator: Bernard A. Jocus

Title: Principal

Firm or organization: Jocus Law Firm

Address: 385 West Nepessing Street; Lapeer, Michigan 48446

Phone: (810) 245-8900

Fax: (810) 245-6846

E-mail: [bernard@bernardjocus.org](mailto:bernard@bernardjocus.org) & [jocusb@gmail.com](mailto:jocusb@gmail.com)

2. Explain the merits of your nomination along with all supporting materials for your nominee where possible. Give specific examples. Please see the nomination letter for specific examples and the enclosed resume & bio.
3. Please provide a complete resume that includes dates of:
  - Service to and on behalf of the State Bar of Michigan
  - Other service to the legal profession
  - Service to the public
  - Any awards the nominee may have received
4. An optional list of news, magazine, radio and TV features about the nominee's accomplishments may be submitted (do not submit actual articles or DVDs).
5. Please provide a letter written by the nominator explaining why the nominee should be considered for the award. The letter should be signed by the nominator and any additional supporters. One dated and signed letter is required.

Complete the contact and nomination information using this document. Provide supplemental information in additional documents.

Submit applications by e-mail, fax, or mail to:

Attention: Ms. Carrie Sharlow  
Representative Assembly  
Awards

State Bar of Michigan

306 Townsend St.

Lansing, MI 48933-2012

(517) 346-6317

Fax: (517) 372-2410

[repassembly@michbar.org](mailto:repassembly@michbar.org)

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**Applications must be  
received no later than  
Saturday, March 2, 2019.**

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**Mary Chartier**  
**Founding Partner**  
**Chartier & Nyamfukudza, PLC**  
**1905 Abbot Road, Suite 1**  
**East Lansing, MI 48823**

## **Biography**

A "pitbull in high heels" and "Mike Tyson in the courtroom" are just a few of the names that clients have given Mary over the years. Mary's advocacy skills are the result of years of experience litigating serious and complex criminal defense cases in federal and state courts around Michigan.

Mary has successfully defended clients in numerous federal and state trials, including winning a full acquittal in a federal drug dealing and money laundering case where every other co-defendant entered a guilty plea and dozens of witnesses testified against the client. In the end, Mary convinced the jury that the government had not met its very high burden of proof, and the client heard "not guilty" across the board. Mary also achieved "not guilty" verdicts in two recent cases – one involving an attempted murder and one involving multiple counts of criminal sexual conduct – in which no offers were made because the government believed their cases were so strong. Another recent victory came after a retrial for a man who had been wrongfully imprisoned for nine years for crimes he did not commit. The jury was only out for 19 minutes before returning their "not guilty" verdicts.

Mary's criminal defense experience is extensive. She has served as lead counsel in numerous cases. She has represented clients accused of white collar crimes, such as health care fraud, mortgage fraud, and money laundering, as well as clients accused of drug dealing, crimes against the United States, bank robbery, criminal sexual conduct, and homicide. She has litigated and won numerous motions, including recently obtaining a dismissal in a felony drug case in which the police illegally entered the client's home.

Mary has also had numerous appellate successes, including winning three cases at the Michigan Supreme Court in one year. One of these successes resulted in the release of a man wrongfully convicted of homicide. She also won the medical marijuana case of *People v Koon* at the Michigan Supreme Court, and she recently convinced the Court of Appeals to reverse the conviction of a man wrongfully convicted of criminal sexual conduct.

She has successfully handled a number of medical marijuana cases throughout the state, and Mary created and taught the nation's first marijuana law class at a law

school. She is a nationally recognized speaker having taught criminal defense, constitutional law, and evidence at conferences held in Cambridge, Orlando, Aspen, and Key West to name just a few. In Michigan, Mary has presented extensively, including at the Michigan Judges Association, the Criminal Defense Attorneys of Michigan, and the highly regarded Hillman Advocacy Program, which provides federal courtroom training to trial lawyers and is sponsored by the United States District Court for the Western District of Michigan.

Mary was received numerous awards, including being named one of Michigan Lawyers Weekly's "Leaders in the Law" in 2018 and one of the top "Women in the Law" in 2013. She also received the Distinguished Barrister's Award in 2018 by the Davis-Dunnings Bar Association. In addition to her legal background, Mary has over seven years of management experience running a multi-million dollar non-profit organization and supervising a staff of over 250 members in two states.

Before working in private practice as a criminal defense litigator, Mary worked at the Michigan Supreme Court for Justice Michael F. Cavanagh, as well as at the Court of Appeals. Mary is truly passionate about defending people who are accused by the government, and she works as an assertive advocate for all her clients.

## Professional Activities

- State of Michigan Attorney Grievance Commission
- National Association of Criminal Defense Lawyers, First Amendment Strike Force
- Institute for Continuing Legal Education, Criminal Law Advisory Board
- Marijuana Law Section, Chairperson, State Bar of Michigan
- Ingham County Bar Association, President-Elect
- Criminal Defense Attorneys of Michigan
- National Association of Criminal Defense Lawyers
- Ingham County Indigent Defense Commission, Training Committee Chairperson
- Hillman Advocacy Federal Training Program, Steering Committee
- Hillman Advocacy Federal Training Program, Instructor and Coach for Criminal Trial Practice and Advanced Criminal Trial Practice
- Federal Bar Association, Western District of Michigan
- Family Defense Attorneys of Michigan
- Michigan Appellate Bench Bar Conference Planning Committee
- Michigan Association of OWI Attorneys, Appellate Unit Chairperson
- National College of DUI Defense
- American Bar Foundation Fellow
- Michigan State Bar Foundation Fellow
- Advocates Guild, Michigan Supreme Court Historical Society
- American Civil Liberties Union, Lansing Lawyers Committee
- Chairperson, State Bar of Michigan Animal Law Litigation Committee
- Chairperson, Criminal Defense Section, Ingham County Bar Association
- Ingham County Bar Association, Mentoring Committee Chairperson and Mentor
- Ingham County Bar Foundation Fellow
- Volunteer Attorney, Western Michigan University Thomas M. Cooley Law School Service to Soldiers Program
- Institute for Continuing Legal Education Presenter and Community Champion
- Women Lawyers Association of Michigan

## Awards and Recognitions

- Attorneys for Animals, Animal Friendly Attorneys™ Inaugural Class, 2018
- Michigan Lawyers Weekly, Leaders in the Law, 2018
- Davis-Dunnings Bar Association, Distinguished Barrister, 2018
- Michigan Lawyers Weekly, Top Women Lawyers, 2013
- Hiawatha Award for Outstanding Appellate Advocacy in *People v Koon*, Michigan Association of OWI Attorneys
- Super Lawyers
- Leading Lawyers
- Best Lawyers

## Presentations

- *Federal Responses to Drug Crimes*, National Business Institute, November 2018
- *Michigan Law Update*, Criminal Defense Attorneys of Michigan Fall Conference, November 2018
- *Stick it to em!*, Ingham County Bar Association Criminal Defense Section June Meeting, June 2018
- *20 Burning Issues in Marijuana Law*, State Bar of Michigan Upper Michigan Legal Institute, June 2018
- Featured Speaker, Criminal Law Training at the 2018 Bench-Bar Conference, February 2018
- *Medical Marijuana Criminal Defense Workshop*, State Bar of Michigan, Marijuana Law Section Annual Conference, September 2017
- *Medical Marijuana and Criminal Defense*, State Bar of Michigan, Solo and Small Firms Section Conference, July 2017
- *Perfecting the Art of Voir Dire – Selecting the Best Jurors for Your Case*, State Bar of Michigan, Young Lawyers Section, Young Lawyer Summit, April 2017
- *20 Hot Topics under the Michigan Medical Marijuana Act (MMMA)*, Continuing Legal Education International, Cannabis Law Conference, April 2017
- Featured Panelist, Environmental Crimes, Eleventh Annual Fidler Institute at Loyola Law School, Los Angeles, California, March 2017
- *Medical Marijuana: Representing Regulated Entities*, Institute for Continuing Legal Education, February 2017
- *Pending Marijuana Law Cases in Michigan's High Courts*, Michigan Cannabis Business Development Group, December 2016
- *SCRAM, BAIID, EtG tests and other bond/sentencing issues. What they are, how they work (and don't work) and how to challenge violations*, Michigan Association of OWI Attorneys, November 2016
- *Initial stages: Marketing Tips, Interview, and Discovery*, Michigan Association of OWI Attorneys, November 2016
- *How Do I Defend My Client When the Courts Keep Changing the MMA?*, State Bar of Michigan Marijuana Law Section Inaugural Conference, October 2016
- *Defending CSC Cases*, Lapeer County Bar Association, October 2016
- *Deposition Tips and Training*, National Institute for Training Advocacy, July 2016
- *Rules of Evidence You Need to Know*, National College of DUI Defense, Harvard Law School in Cambridge, Massachusetts, July 2016
- *Litigating Through the Haze of Marijuana Law*, State Bar of Michigan Upper Michigan Legal Institute, June 2016
- *Litigating Through the Haze of Marijuana Law*, NORML, Aspen, Colorado, June 2016
- *Appeal Proofing Your Case*, Michigan Association of OWI Attorneys, May 2016



- *Criminal Law Update – Collateral Consequences of Criminal Convictions*, Ingham County Bench-Bar Conference, February 2016
- *Representation Agreements, Fees, and Collections – Working with Clients and Thriving in Business*, Ingham County Bar Association, January 2016
- *Medical Marijuana Use and Child Custody Cases*, Family Law Institute, Institute for Continuing Legal Education, November 2015
- *“Up in Smoke”: The Legal Landscape After the Enactment of the Michigan Medical Marijuana Act*, State Bar of Michigan Annual Conference, October 2015
- *Updates on the Michigan Medical Marijuana Act*, Michigan Cannabis Business Development Conference, October 2015
- *The Evolving Issue of Damages in Animal Law Cases*, State Bar of Michigan Annual Conference, October 2015
- *Running Your Criminal Defense Practice*, Institute for Continuing Legal Education Video Series, June 2015
- *Defending OWI Cases – Hearsay, 404b, and Other Evidentiary Issues*, National College for DUI Defense, Orlando, Florida, January 2015
- *Investigating Claims of Sexual Misconduct*, Lansing Community College, April 2014
- *“Up in Smoke”: The Legal Landscape and Marijuana Law*, NORML, Key West, Florida, December 2013
- *Behind the Bench: Tips on the Appellate Process*, State Bar of Michigan, September 2013
- *“Up in Smoke”: The Legal Landscape After the Enactment of the Michigan Medical Marijuana Act*, Davis-Dunnings Bar Association, July 2013
- *“Up in Smoke”: The Legal Landscape After the Enactment of the Michigan Medical Marijuana Act*, Shiawassee County Bar Association, June 2013
- *Evidence for the Defense – Hearsay, 404b, and Other Evidentiary Issues*, NORML, Aspen, Colorado, May 2013
- *Professionalism in Action*, State Bar of Michigan and Western Michigan University Thomas M. Cooley Law School, April 2013
- *The Practical Impact of Medical Marijuana on Child Welfare Cases: Tips for Advising Clients*, Building a Legal Arsenal to Defend Clients, Michigan State Court Administrative Office, Child Welfare Services Division, February 2013
- *“Up in Smoke”: The Legal Landscape After the Enactment of the Michigan Medical Marijuana Act*, Michigan Judges Association Conference, August 2012
- *Exploring Careers in the Law*, Michigan Supreme Court, June 2012
- *Expanding Your Practice – Ten Tips on Client Development*, Ingham County Bar Association Young Lawyers Seminar Series, June 23, 2012
- *Pre-Trial Motions to File at the Beginning of Your Case and to Develop the Issues in Your Case*, Institute for Continuing Legal Education, May 2012

- *Evidence for the Defense: Hearsay for the Truth Issues*, Criminal Defense Attorneys of Michigan Advanced Criminal Defense Practice Conference, Novi, March 2012
- *“Up in Smoke”: The Interplay of Child Custody and the Medical Marijuana Statutes*, Family Law Institute, State Bar of Michigan, Institute for Continuing Legal Education, and the Michigan Judicial Institute, November 2011
- *Exploring Careers in the Law*, Michigan Supreme Court, June 2011
- *Circuit Court Pleas and Sentencing*, Ingham County Circuit Court Appointed Counsel Training, June 2011
- *Judicial Clerkships*, Western Michigan University Thomas M. Cooley Law School, May 2011
- *Medical Marijuana: Legalities and Realities*, ACLU of Michigan, April 2011
- Host and Moderator, *Animal Law Symposium*, State Bar of Michigan, April 2011
- *Criminal Law and Appellate Practice*, University of Michigan Innocence Project, February 2011
- *Update on Legal Issues Involving Medical Marijuana*, Ingham County Bar Association, January 2011
- *Evidentiary Issues and the Right to Present a Defense*, Criminal Defense Attorneys of Michigan Advanced Criminal Defense Practice Conference, Traverse City, November 2010
- *Women’s Leadership Conference*, Michigan State University, November 2010
- *Live, Learn, and Grow, Update on Legal Issues Involving Medical Marijuana*, Mid-Michigan Compassionate Choice, Lansing Community College, October 2010
- *Update on Legal Issues Involving Medical Marijuana*, Compassionate Caregivers of Michigan, August 2010
- *Preserving the Record – Appellate Advocacy and Trial Strategies*, Ingham County Bar Association Bench-Bar Conference, February 2010
- *Legal Update on Animal Law*, Animal Law Symposium, State Bar of Michigan, April 2009
- *Best Practices for Law Firm Management*, Sixth Annual Small Firm and Solo Practice Fair, Western Michigan University Thomas M. Cooley Law School, March 2007
- *Judicial Clerkships*, Western Michigan University Thomas M. Cooley Law School, September 2005
- Thank You Breakfast with Law Clerks, Western Michigan University Thomas M. Cooley Law School, January 2004
- Lunch With a Lawyer, Western Michigan University Thomas M. Cooley Law School, July 2003

## **Publications and Media**

- Panelist, *Criminal Sexual Conduct Cases*, Institute for Continuing Legal Education Webinar, February 2019
- Author, *President's Message*, Ingham County Bar Association Briefs, 2018 - 2019
- Guest to discuss *The Tomasik Exoneration*, State Bar of Michigan's *On Balance* Podcast, Legal Talk Network, January 2018
- Author, Commentary for Michigan Model Criminal Jury Instructions on Evidence, Institute for Continuing Legal Education
- Author, Commentary for Michigan Model Criminal Jury Instructions on Sex Crimes and the Sex Offender Registry Act, Institute for Continuing Legal Education
- *Section 8 – Michigan Medical Marihuana Act's Affirmative Defense Provision*, State Bar of Michigan Bar Journal, August 2016
- Model Criminal Jury Instructions, *Briefs*, December 2013-January 2014
- Interviewed and quoted in Michigan Lawyers Weekly in an article about child protective proceedings entitled, "Suit against judge is a 'wake-up call,'" December 9, 2013
- *People v Koon* case profiled in Mother Jones magazine, March/April issue, "This Car Brakes for Doritos – As legalized pot spreads, what will states do about stoned drivers?"
- Guest to discuss the *State of Michigan v McQueen*, the Michigan Court of Appeals case that held that patient-to-patient sales of marijuana are illegal, Impact 89FM Radio, Michigan State University, August 31, 2011
- *A Dispensary Shuffle?*, City Pulse, May 11, 2011, Interviewed and quoted about Lansing City Council proposed ordinance changes affecting the Michigan Medical Marihuana Act
- Guest to discuss the *First Amendment and the City of Lansing's Profanity Ordinance*, Impact 89FM Radio, Michigan State University, May 4, 2011
- Guest to discuss *Medical Marijuana in the State of Michigan*, Impact 89FM Radio, Michigan State University, April 20, 2011
- *Medical Marijuana: Legalities and Realities*, Lansing ACLU Newsletter, Spring 2011
- *First Amendment and Profanity*, Case summarized in newsletter, Lansing ACLU Newsletter, Spring 2011
- *Medical Marihuana Act discussed at meeting*, Ingham County Legal News, January 27, 2011, Presentation summarized and quoted in legal newspaper, October 2010
- *Lansing firm recognized with 2010 Pro Bono Circle of Excellence by State Bar of Michigan*, Ingham County Legal News, September 2, 2010
- *A Review of Constitutional Law Based on the Phil and Bill Show*, Ingham County Bar Association Briefs, February 2009

## Prior Professional Activities

- Merit Panel Selection Committee, Western District of Michigan, Federal Public Defender, 2015
- Merit Panel Selection Committee, Western District of Michigan, Federal Magistrate Judge, 2014
- Michigan Association of OWI Attorneys, Board Member
- American Bar Association Law Practice Management Education Committee
- Executive Council, State Bar of Michigan, Animal Law Section
- Advisor and Chairperson, State Bar of Michigan Membership Services Committee
- Judge, Michigan Youth in Government Judiciary Program
- Ingham County Bar Association, Meet the Judges Committee Chairperson
- Inns of Court, Michigan State University College of Law
- Board of Directors, American Civil Liberties Union, Lansing
- 55th District Court, Court-to-School Attorney and Speaker
- Phi Delta Phi International Legal Fraternity
- American Bar Association Advisory Panel Member
- Michigan Court Forms Committee, Child Protective Proceedings and Juvenile Guardianship Work Group
- Volunteer Mediator, Resolution Services Center
- Mediation Trainer, Michigan State Court Administrative Office
- Ask A Lawyer, Ingham County Bar Association
- Lansing Area AIDS Network Board Member
- American Bar Association, Women Rainmakers Committee
- American Bar Association, Education Committee
- Ingham County Bar Association, Sponsorship Committee Chairperson

## Legal Education

- **Thomas M. Cooley Law School, Lansing, MI**
  - Juris Doctor, January 2002, *summa cum laude*
  - Rank 1/136 G.P.A. 3.91/4.00
  - Distinguished Student Award from the Thomas M. Cooley Law School Alumni Association
  - Law Review Editor-in-Chief
  - Winner and Best Brief, 2001 National Criminal Procedure Competition
  - Rakow Award for Excellence in Business Law from the Federal District Bar Association of Eastern Michigan
  - Leadership Achievement Award
  - Semi-Finalist and Second Best Oralist, 2001 National Appellate Advocacy Regional Moot Court Competition
  - Highest individual score in the Thomas M. Cooley Intra-School Moot Court Competition
  - Certificates of Merit in Criminal Law, Torts II, Civil Procedure II, Property II, Constitutional Law I, Constitutional Law II, Juvenile Law, Trial Workshop, Advanced Trial Workshop, Moot Court, and Advanced Writing
  - Teaching Assistant for Dean Nussbaumer's Criminal Law class and Professor Bretz's Criminal Procedure class
  - Research Assistant for Dean Cercone in the areas of Civil Procedure and Securities Litigation; Research Assistant for Professor Swedlow in the area of Criminal Procedure
  - Moot Court Executive Board; Mock Trial Board
  - Grade Appeals Board Chairperson; Appeals Magistrate
  - The James E. Burns Memorial Award, Raymond Burr Award, Dean's List, Honor Roll, Honor's Scholarship, and Shane Joseph Johnson Memorial Scholarship.