

**STATE BAR OF MICHIGAN  
BOARD OF COMMISSIONERS MEETING MINUTES**

President Barnes called the meeting to order at 9:34 a.m. on Wednesday, September 16, 2020 via videoconference.

Commissioners present:

Danielle Mason Anderson  
David C. Anderson  
Dennis M. Barnes, President  
Joseph J. Baumann  
Robert J. Buchanan, President-Elect  
Aaron V. Burrell  
Erika L. Butler  
Hon. Clinton Canady III  
B.D. "Chris" Christenson  
Josephine A. DeLorenzo  
Hon. Shauna L. Dunning  
Thomas H. Howlett  
Lisa J. Hamameh  
Kara R. Hart-Negrich  
James W. Heath, Secretary  
Sarah E. Kuchon

Suzanne C. Larsen  
James W. Low  
E. Thomas McCarthy Jr.  
Valerie R. Newman  
Nicholas M. Ohanesian  
Samantha J. Orvis  
Hon. David A. Perkins  
Barry R. Powers  
Daniel D. Quick, Treasurer  
Chelsea M. Rebeck  
Thomas G. Sinas  
Gregory L. Ulrich  
Dana M. Warnez, Vice President  
Erane C. Washington  
Mark A. Wisniewski  
Ryan Zemke

Commissioner Absent:

Joseph P. McGill

State Bar staff present:

Janet Welch, Executive Director  
Margaret Bossenbery, Executive Coordinator  
Peter Cunningham, Assistant Executive Director and Director, Governmental Relations  
Michelle Erskine, Research Assistant & Event Specialist  
Kathryn Hennessey, General Counsel  
Carrie Sharlow, Administrative Assistant  
Janna Sheppard, Administrative Assistant

State Bar staff in waiting room:

Tatiana Goodkin, Chief Financial Officer

Consent Agenda

The Board received the minutes from the July 24, 2020 Board meeting.  
The Board received the minutes from the August 21, 2020 Board meeting.  
The Board received the minutes from the July 14, 2020 Executive Committee meeting.  
The Board received the minutes from the August 11, 2020 Executive Committee meeting.  
The Board received the recent activities of the president.  
The Board received the recent activities of the executive director.  
The Board received the FY 2020 Financial Reports through July 2020.

The Board received the Client Protection Fund claims.  
The Board received the Unauthorized Practice of Law claims.  
The Board received some Model Criminal Jury Instructions.

Mr. Barnes asked the Board if any items needed to be removed from the consent agenda. There were none. A motion was offered to approve the consent agenda. The motion was seconded and approved.

### **LEADERSHIP REPORTS**

**President and Executive Director's Report:** Dennis M. Barnes, President and Janet K. Welch, Executive Director

Mr. Barnes reported that Mr. McGill contacted him to let him know that his mother passed away this morning. There were no further general business items to report.

**Representative Assembly (RA) Report:** Aaron V. Burrell, Chairperson

Mr. Burrell reported that the calendar is set for the RA meeting tomorrow and that the members will receive a financial update from Mr. Quick and Ms. Welch in preparation for their consideration of a fee increase proposal in 2021, receive a report from the Special Issues Committee on COVID-19, review and discuss two substantive proposals, and elected the next RA clerk from the three members who submitted their names for consideration. He also stated that the Diversity Committee has been empaneled, has met and will continue to meet throughout the upcoming year.

**Young Lawyers Section (YLS) Report:** Ryan Zemke, Chairperson

Mr. Zemke reported that the annual meeting of the YLS is taking place next week via Zoom.

### **COMMISSIONER COMMITTEES**

**Finance:** Daniel M. Quick, Chairperson

Mr. Quick reviewed the FY 2020 financial results through July 2020.

**Audit:** Daniel M. Quick, Chairperson

Mr. Quick stated that the committee conducted interim audit procedures in August and that the year-end procedures will be conducted in October.

**Professional Standards:** James W. Heath, Chairperson

Mr. Heath stated that the committee met before this meeting and reviewed rule and policy changes regarding subrogation agreements that will take plan during the next bar year.

**Communications and Member Services (CAMS):** Dana M. Warnez, Chairperson

Ms. Warnez stated there was nothing from the committee to come before the Board.

**Public Policy:** Robert J. Buchanan, Chairperson

**Court Rules**

**ADM File No. 2020-11: Proposed Amendment of MCR 2.108**

The proposed amendment of MCR 2.108 would provide a timeframe for a responsive pleading when a motion for more definite statement is denied.

A motion was offered and supported to support this amendment. The motion was seconded and approved.

**ADM File No. 2020-14: Amendment of MCR 4.202**

The amendment of MCR 4.202(H) makes the rule consistent with the requirements of MCR 4.201(F)(4) by requiring the court clerk to mail defendant notice of entry of a default judgment. The rule was amended previously to require plaintiff to mail a default judgment to the defendant, unlike MCR 4.201(F)(4), which was not amended. Having two different procedures for matters that are both summary proceedings has caused confusion for courts. This amendment returns the language to its previous status and makes MCR 4.201 and MCR 4.202 consistent again.

A motion was offered and supported to support this amendment. The motion was seconded and approved.

**Recognition of Retiring Board Members:**

Joseph J. Baumann, written and presented by David C. Anderson

Aaron V. Burrell, written and presented by Chelsea M. Rebeck

Hon. Shauna L. Dunnings, written and presented by Hon. Clinton Canady III

Kara R. Hart-Negrich, written and presented by Ryan Zemke

Gregory L. Ulrich, written and presented by James W. Low

**Recognition of President Dennis M. Barnes:**

Mr. Buchanan thanked Mr. Barnes for his years of service to the State Bar of Michigan, especially for his leadership during the past year. Mr. Buchanan recognized the challenges Mr. Barnes faced and the sacrifices he made during the latter part of his term.

Mr. Buchanan stated that a plaque was sent to Mr. Barnes in appreciation for his service as the 85<sup>th</sup> president of the State Bar of Michigan. He also stated that a scrapbook will be sent once it is completed.

Mr. Barnes thanked Mr. Buchanan for his remarks and his commitment to the Bar and offered any assistance necessary in the upcoming year. He thanked the Board for their hard work, support and friendship. Mr. Barnes recognized the work of the section and committee chairs, and the dedication and hard work of the staff.

**Other**

**Comments or Questions from Commissioners**

Hon. Shauna Dunnings recognized Mr. Robert Easterly, the newly elected commissioner for District E, who joined today's meeting.

Mr. Heath thanked everyone for their thoughtfulness during the time he was a caregiver for his father and after he passed away.

**Comments or questions from the public**

There were none.

**Closed Session**

A motion was offered at 11:16 a.m. to go into a closed session to discuss a contract issue. The motion was seconded and approved.

The Board returned to open session at 11:25 a.m. A motion was offered to approve Ms. Welch's contract for an additional year with the current provisions. The motion was seconded and approved.

**Adjournment**

The meeting was adjourned at 11:30 a.m.