

CHAIRPERSON'S REPORT

by Patrick A. Karbowski

As the end of my tenure as Chairperson of the Real Property Law Section approaches, it is time to take a look back, and a look forward. Take a look with me and I think you will agree, "It's all good!"

Let's look into the immediate future. In the profound words of James Taylor, "summer's here and I'm for that!" It's not too late for you to get in on the summer fun and benefit from some excellent programming at this year's Summer Conference being held July 18th through the 21st at the Crystal Mountain Resort in Thompsonville, Michigan. Crystal Mountain is a beautiful resort with something for everyone (golf, tennis, waterpark, hiking, cycling, canoeing, fishing, you name it) and is also very close to the beautiful beaches of Lake Michigan and the boundless fun of Traverse City. This year's program is titled "Extreme Development: Michigan Edition" and promises to be yet another in a long line of outstanding summer conferences. See the full conference line up in the "Continuing Legal Education" report in this issue and then sign up today on-line at www.michbar.org/real-property/ (click on "Summer Conference" and then click the link to register on-line). You may also contact Arlene Rubinstein at (248) 644-7378 or at lawA1@aol.com for more information. Many thanks to Melissa Collar, Larry Dudek and all of the speakers for volunteering their time and expertise to ensure the success of the conference. We are especially grateful to our Conference Sponsors, First American Title Insurance Company, Fidelity National Title Insurance Company, LandAmerica (Commonwealth, Lawyers & Transnation Title), Stewart Title Guaranty Company, Stout Risius Ross, Inc., Rose & Westra, Inc., United General Title Insurance Company, Entrust Great Lakes, LLC and Philip F. Greco Title Company.

Looking further into the future, the slate for next season's Homeward Bound Seminar series and Groundbreaker's Breakfast Roundtables has been set, thanks to the efforts of Continuing Legal Education Chair David Nykanen and the many volunteers that work with Dave on the CLE Committee. A full list of the seminars being offered may be found in the Continuing Legal Education report in this issue of the *Review*.

Looking back just a few months, the Section's Winter Conference in Orlando, Florida was a tremendous success, setting a new record for attendance. Once again, thank

you to conference chairs Gregory Gamalski and Ronn Nadis and the speakers for a job well done, and a special thanks to sponsor, Alliant Insurance Services.

In April, the Section joined forces with the International Council of Shopping Centers ("ICSC") to combine the Section's Groundbreaker's Breakfast Roundtable program with the ICSC all-day event focusing on commercial leasing issues. The event and partnership was so successful, the two groups have already solidified plans to repeat the event next year, and hopefully for years to come. Kenneth Posner, on behalf of the Section's Commercial Leasing Committee, and Paul Magy on behalf of ICSC, deserve high marks for putting together an outstanding program.

Over the last year, the Section filed *amicus* briefs in five cases before the Supreme Court and Court of Appeals. The Section was involved in supporting or opposing seven bills that came before the legislature over the past year, and monitored dozens more during the year. Keep up to date on such activities by reading Leslie Banas' article "Legislation Affecting Real Property" in this issue of the *Review*.

After more than a year's worth of meetings between the Section's ad hoc committee on recording issues, representatives of the title insurance industry and the Michigan registers of deeds, I am pleased to report that we appear to be very close to a joint proposal for new legislation designed to minimize the impact of the "gap" that sometimes occurs between the date and time that a document is delivered for recording to the register of deeds, and the date and time that the document is deemed recorded by the register of deeds. While it is always wise not to "count your chickens . . ." I can report with certainty that we would not have reached this stage without the efforts of David Charron, who chaired the Section's ad hoc committee. Thank you, Dave, for taking the lead on this important matter.

This year saw former Section Chair Carol Ann Martinelli step down from her position as long-time Chair of the Section's Pro Bono Committee. Under Carol Ann's direction, the Pro Bono Committee created numerous programs benefiting those in need. I cannot detail here all that Carol Ann has done during her tenure as Pro

Bono Chair, but allow me to mention some of her accomplishments. As Committee Chair, Carol Ann looked for ways to connect Michigan real property practitioners with organizations that might benefit from their skills. So, for example, she launched a major recruiting effort for Habitat for Humanity, resulting in the placement of several Michigan attorneys (including yours truly) onto boards of local Habitat chapters, and providing opportunities for many other attorneys to assist Habitat in a variety of ways. She also launched a mentoring program through which attorneys assisting a variety of non-profit organizations might seek assistance from other seasoned real estate practitioners. Another example was and is a program to create brochures on a variety of topics that provide basic legal information to persons who might not otherwise have access to legal services. This program has been so successful over the years that various legal and social services organizations throughout the state have come to rely on the brochures. Never one to simply rest on her laurels (and obviously one who finishes well), this year Carol Ann began the process of having the brochures translated into several foreign languages. If that was not enough, before stepping down Carol Ann recruited Pro Bono Committee members Kathleen Gurrola and Thomas Kabel to update several of these brochures (thank you, Kate and Tom). In fact, after interviewing several worthy candidates, Kathleen Gurrola was selected to become the new Chair of the Section's Pro Bono Committee. A heartfelt thank you to Carol Ann Martinelli for her years of dedicated service, and a hearty "welcome" to Kathleen Gurrola as the new Chair of the Pro Bono Committee.

It has long been a goal of the Section, and for me personally, to make participation in the Section Council, Committees and programs more accessible. I am pleased to report that this year, the Section made significant headway toward accomplishing this goal. This progress, however, is not the result of the efforts of any one person over the last year, but rather is the result of the efforts of many over several years.

For example, it was several years ago at an Annual Meeting of the State Bar of Michigan that I first discussed with representatives of the Institute of Continuing Legal Education the ways and means (and, most importantly, the timing) for the cooperative presentation of the Homeward Bound Seminar Series by the Section and ICLE. Subsequent (and somewhat sporadic) meetings followed until finally more formal and frequent meetings were held with ICLE to seriously discuss an agreement for the joint presentation of the Homeward Bound Seminars (many thanks to Bill Acker, Arlene Rubinstein and the folks at

ICLE for persevering through the process!). Those years of effort bore fruit this year. The Homeward Bound series is now available to any practitioner in any location with a computer and internet access via the ICLE website at www.icle.org. With this increased access, these seminars are experiencing record-breaking registrations.

The ability to participate in Section Council meetings has been enhanced this year as well. For example, Council members may now fully participate in Council meetings remotely. This means that not only can a Council member participate in the discussions and voting remotely via conference call, but remote attendees can now, via the internet, simultaneously view virtually every document and power point presentation being viewed by the Council during the meeting. This provides greater accessibility and increased opportunity for participation in Council meetings by Council members state-wide.

As I think of the internet and other advances in technology that Section has availed itself of over the last few years, I am reminded that it was not too long ago that then-Chair Vicki Harding tackled the challenge of bringing the Section into the computer age by creating our first listserv. Vicki continues to keep our listserv(s) current and others, such as Arlene Rubinstein and Larry Shoffner, to name only a few, have helped us to put these technologies to even greater use by the Council and by Section members. Let me run through just a few of these technological advances:

- You can find the contact information for any Council member or Committee Chair on the Section's website at www.michbar.org/realproperty/. Click on "Council Information" and "Committees" respectively for a list of members and contact information.
- Information on all of the Section's programs and seminars may be found at the website as well. Go to www.michbar.org/realproperty/ and simply click on the desired program for descriptions and registration information.
- This year, for the first time, you can register on-line for the Section's annual Summer Conference. Simply go to www.michbar.org/realproperty/ and click on "Summer Conference" and look for the link to register on-line. We will be increasing your ability to register on-line for Section programs in the future.
- If you are not yet aware of it, past issues of the *Michigan Real Property Review* (back to the Spring, 2000 issue) are available at our website. Go to www.michbar.org/realproperty/

michbar.org/realproperty/ and click on “Michigan Real Property Review.”

- The Section’s positions on various public policy matters are available for review at by going to the Section’s website and clicking on “Public Policy Reports.” These reports are also available for review at the State Bar of Michigan’s Public Policy Updates Archive at www.michbar.org/publicpolicy.
- Keep informed of opportunities to participate in Section activities and programs by joining the Section’s listserv. Go to www.michbar.org/realproperty/ and click on “listserv.” No long forms or multiple screens to contend with. Simply enter your name and email address and you will begin receiving email notifications of various Section events and opportunities.

Another personal goal of mine has been to enhance the transition process for Section Officers and Committee Chairs. For example, when the vice-chair comes on board, then moves to the chair-elect position, and then on to become Chairperson, I have desired to make each transition as smooth as possible. Thus, for the past few years I have, in both formal and informal ways, attempted to facilitate the transition of Council and Committee leadership, and have attempted to do so in a way that might be replicated in future years. While effective transitions have been rather easy in view of the incredible abilities and motivation of both my predecessors and immediate successors, I am nonetheless pleased to report to you that

as I wind up my term as Chair of the Section, the effective transition of Council and Committee leadership is both a recognized value, and a present reality, of the Section.

An important function of the Section Chair and of the Chairs of the various Section committees is to empower appropriate persons to do the work of the Section, work that arises on virtually a daily basis. This requires a Council and a network of committees comprised of knowledgeable and dedicated members who must plan weeks and sometimes months ahead, and who, from time to time, must be ready to respond on a moment’s notice. I have greatly benefited during my tenure from such membership. So, lest I leave anyone out, let me say thank you to *all* of the many Section members who have responded to the call over the last year, and especially to my colleagues on the Council and the various Committees. I must, however, specifically name one person by expressing my gratitude to Arlene Rubinstein, not only for the years of dedicated service to the Section, but for the help and support shown to me personally this year and for many years. Thank you, Arlene. It has been an honor to work with you throughout these years.

The Real Property Law Section is a vital, thriving organization with a noble mission: “the fair and just administration of Real Property Law.” I have been honored to serve as its Chair over the last year. Because of your efforts I can look back and say, “mission accomplished”; because of your commitment I can look forward and say, “full speed ahead!”