MICHIGAN
BAR JOURNAL
JULY/AUGUST 2025

THE MORAL VALUE OF COMPANION ANIMALS

ARE THEY SOMETHING OR SOMEONE?

- Farmed and forgotten: Farmed animals and the gaps in animal protection laws
- The future of animal law
- Introducing the State Bar of Michigan's AI report
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OF INTEREST

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JULY/AUGUST 2025 • VOL. 104 • NO. 07

OFFICIAL JOURNAL OF THE STATE BAR OF MICHIGAN
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The Michigan Bar Journal (ISSN 0164-3576) is published monthly except August for $60 per year in the United States and possessions and $70 per year for foreign subscriptions by the State Bar of Michigan, Michael Franck Building, 306 Townsend St., Lansing, MI 48933-2012. Periodicals postage paid at Lansing, MI and additional mailing offices. POSTMASTER: Send address changes to the Michigan Bar Journal, State Bar of Michigan, Michael Franck Building, 306 Townsend St., Lansing, MI 48933-2012.

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DUTY TO REPORT AN ATTORNEY'S CRIMINAL CONVICTION

All Michigan attorneys are reminded of the reporting requirements of **MCR.9120(A)** when a lawyer is convicted of a crime

WHAT TO REPORT:
A lawyer's conviction of any crime, including misdemeanors. A conviction occurs upon the return of a verdict of guilty or upon the acceptance of a plea of guilty or no contest.

WHO MUST REPORT:
Notice must be given by all of the following:
1. The lawyer who was convicted;
2. The defense attorney who represented the lawyer; and
3. The prosecutor or other authority

WHEN TO REPORT:
Notice must be given by the lawyer, defense attorney, and prosecutor within 14 days after the conviction.

WHERE TO REPORT:
Written notice of a lawyer's conviction must be given to **both**:

Grievance Administrator
Attorney Grievance Commission
PNC Center
755 W. Big Beaver Road, Suite 2100
Troy, MI 48084

Attorney Discipline Board
333 W. Fort St., Suite 1700
Detroit, MI 48226

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SEPTEMBER 19, 2025
NOVEMBER 21, 2025
JANUARY 23, 2026
MARCH 6, 2026 (IF NEEDED)
APRIL 24, 2026
JUNE 12, 2026
JULY 24, 2026
SEPTEMBER 18, 2026

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MEMBER SUSPENSION FOR NONPAYMENT OF DUES

This list of active attorneys who are suspended for nonpayment of their State Bar of Michigan 2023-2024 dues is published on the State Bar's website at michbar.org/generalinfo/pdfs/suspension.pdf.

In accordance with Rule 4 of the Supreme Court's Rules Concerning the State Bar of Michigan, these attorneys are suspended from active membership effective Feb. 15, 2025, and are ineligible to practice law in the state.

For the most current status of each attorney, see our member directory at directory.michbar.org.

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September 19, 2025

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CIRCUIT 52
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CIRCUIT 53
Vacancy

CIRCUIT 54
Vacancy

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Mark Toaz

CIRCUIT 56
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CIRCUIT 57
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INTEREST RATES FOR MONEY JUDGMENTS

Subsection 6 of Section 6013, and Subsection 2 of Section 6455 of Public Act No. 236 of 1961, as amended, (M.C.L. Sections 600.6013and 600.6455) state the following:

Sec. 6013(6) Except as otherwise provided by subsection (5) and subject to subsection (11), for complaints filed on or after Jan. 1,1987, interest on a money judgment recovered in a civil action shall be calculated at six-month intervals from the date of filing the complaint at a rate of interest which is equal to 1% plus the average interest rate paid at auctions of five-year United States Treasury notes during the six months immediately preceding July 1 and Jan. 1, as certified by the state treasurer, and compounded annually, pursuant to this section.

Sec. 6455 (2) Except as otherwise provided in this subsection, for complaints filed on or after Jan. 1, 1987, interest on a money judgment recovered in a civil action shall be calculated from the date of filing the complaint at a rate of interest which is equal to 1% plus the average interest rate paid at auctions of five-year United States Treasury notes during the six months immediately preceding July 1 and Jan. 1 as certified by the state treasurer and compounded annually pursuant to this section.

Pursuant to the above requirements, the state treasurer of the State of Michigan hereby certifies that 4.083% was the average high yield paid at auctions of five-year U.S. Treasury notes during the six months preceding July 1, 2025.

TIME PERIOD	INTEREST RATE	TIME PERIOD	INTEREST RATE
7/1/2025	4.083%	1/1/2007	4.701%
1/1/2025	4.016%	1/1/2006	4.815%
7/1/2024	4.359%	7/1/2005	4.221%
1/1/2024	4.392%	1/1/2005	3.845%
7/1/2023	3.762%	7/1/2004	3.529%
1/1/2023	3.743%	1/1/2004	3.357%
7/1/2022	2.458%	7/1/2003	3.295%
1/1/2022	1.045%	1/1/2003	2.603%
7/1/2021	0.739%	7/1/2002	3.189%
1/1/2021	0.330%	1/1/2002	4.360%
7/1/2020	0.699%	7/1/2001	4.140%
1/1/2020	1.617%	1/1/2001	4.782%
7/1/2019	2.235%	7/1/2000	5.965%
1/1/2019	2.848%	1/1/2000	6.473%
7/1/2018	2.687%	7/1/1999	5.756%
1/1/2018	1.984%	1/1/1999	5.067%
7/1/2017	1.902%	7/1/1998	4.834%
1/1/2017	1.426%	1/1/1998	5.601%
7/1/2016	1.337%	7/1/1997	5.920%
1/1/2016	1.571%	1/1/1997	6.497%
7/1/2015	1.468%	7/1/1996	6.340%
1/1/2015	1.678%	1/1/1996	6.162%
7/1/2014	1.622%	7/1/1995	5.953%
1/1/2014	1.452%	1/1/1995	6.813%
7/1/2013	0.944%	7/1/1994	7.380%
1/1/2013	0.687%	1/1/1994	6.128%
7/1/2012	0.871%	7/1/1993	5.025%
1/1/2012	1.083%	1/1/1993	5.313%
7/1/2011	2.007%	7/1/1992	5.797%
1/1/2011	1.553%	1/1/1992	6.680%
7/1/2010	2.339%	7/1/1991	7.002%
1/1/2010	2.480%	1/1/1991	7.715%
7/1/2009	2.101%	7/1/1990	8.260%
1/1/2009	2.695%	1/1/1990	8.535%
7/1/2008	3.063%	7/1/1989	8.015%
1/1/2008	4.033%	1/1/1989	9.105%
7/1/2007	4.741%	7/1/1988	9.005%

IN MEMORIAM

RAYMOND JAMES ANDARY, JR., P75227, of Mount Clemens, died May 31, 2025. He was born in 1982, graduated from Wayne State University Law School, and was admitted to the Bar in 2011.

LAVONNE BANNISTER JACKSON, P42804, of Southfield, died June 19, 2025. She was born in 1954, graduated from Detroit College of Law, and was admitted to the Bar in 1989.

RICHARD W. BARKER, P10436, of Midland, died June 6, 2025. He was born in 1930, graduated from University of Michigan Law School, and was admitted to the Bar in 1955.

HON. ULYSSES W. BOYKIN, P11082, of Detroit, died May 10, 2025. He was born in 1945 and was admitted to the Bar in 1971.

PHILLIP S. BROWN, P35055, of Detroit, died April 20, 2025. He was born in 1955, graduated from Thomas M. Cooley Law School, and was admitted to the Bar in 1983.

HON. MICHAEL F. CAVANAGH, P11739, of Lansing, died May 20, 2025. He was born in 1940, graduated from University of Detroit Mercy School of Law, and was admitted to the Bar in 1966.

HENRY J. CLARK, JR., P51334, of Fort Worth, Texas, died June 11, 2025. He was born in 1967, graduated from Wayne State University Law School, and was admitted to the Bar in 1994.

HON. MARTIN E. CLEMENTS, P11968, of Lake Orion, died June 1, 2025. He was born in 1938, graduated from University of Detroit Mercy School of Law, and was admitted to the Bar in 1968.

CONSTANCE E. CUMBEY, P25520, of Lake Orion, died June 9, 2025. She was born in 1944, graduated from Detroit College of Law, and was admitted to the Bar in 1975.

CHARLES H. EARL, JR., P22983, of Warren, died March 17, 2025. He was born in 1946, graduated from Detroit College of Law, and was admitted to the Bar in 1973.

THEODORE H. FRIEDMAN, P27021, of Southfield, died May 17, 2025. He was born in 1942, graduated from Detroit College of Law, and was admitted to the Bar in 1976.

GILBERT M. FRIMET, P13735, of Southfield, died April 11, 2025. He was born in 1931and was admitted to the Bar in 1955.

MARK W. GRIFFIN, P14379, of Ann Arbor, died May 22, 2025. He was born in 1929, graduated from University of Michigan Law School, and was admitted to the Bar in 1953.

DAVID M. HALL, P14544, of Holland, died May 31, 2025. He was born in 1944 and was admitted to the Bar in 1971.

RICHARD B. JENKS, P27925, of Dearborn, died June 17, 2025. He was born in 1952, graduated from Wayne State University Law School, and was admitted to the Bar in 1977.

THOMAS M. KHALIL, P15938, of Detroit, died June 11, 2025. He was born in 1944, graduated from Wayne State University Law School, and was admitted to the Bar in 1970.

DON LEDUC, P16496, of Lansing, died May 24, 2025. He was born in 1942, graduated from Wayne State University Law School, and was admitted to the Bar in 1968.

JOHN L. LENGEMANN, P16553, of Imlay City, died July 7, 2025. He was born in 1941, graduated from Wayne State University Law School, and was admitted to the Bar in 1968.

MARK LISS, P42441, of Royal Oak, died May 24, 2025. He was born in 1957, graduated from University of Detroit Mercy School of Law, and was admitted to the Bar in 1989.

THOMAS S. MALEK, P17017, of Shelby Township, died April 4, 2025. He was born in 1940, graduated from Wayne State University Law School, and was admitted to the Bar in 1968.

GEORGE R. LUBIENSKI, P16832, of Dearborn, died June 1, 2025. He was born in 1934, graduated from Wayne State University Law School, and was admitted to the Bar in 1956.

LESTER A. OWCZARSKI, P25791, of Lansing, died April 27, 2025. They were born in 1944, graduated from University of Detroit Mercy School of Law, and were admitted to the Bar in 1976.

ROBERT E. PARKER, P18653, of Howell, died June 28, 2025. He was born in 1938 and was admitted to the Bar in 1973.

ROBERT J. QUAIL, III, P23742, of Beverly Hills, died February 27, 2025. He was born in 1943, graduated from University of Detroit Mercy School of Law, and was admitted to the Bar in 1974.

DANIEL J. REID, P30965, of Detroit, died June 28, 2025. He was born in 1952 and was admitted to the Bar in 1980.

ROBERT V. REID, JR., P24497, of Aiken, S.C., died June 5, 2025. He was born in 1947, graduated from Detroit College of Law, and was admitted to the Bar in 1974.

DONALD F. RYMAN, P19816, of Buchanan, died June 8, 2025. He was born in 1928 and was admitted to the Bar in 1959.

DONALD S. SCULLY, P20172, of Dearborn, died May 8, 2025. He was born in 1936, graduated from Detroit College of Law, and was admitted to the Bar in 1969.

KATHLEEN K. SHANNON, P54261, of Traverse City, died May 26, 2025. She was born in 1963 and was admitted to the Bar in 1996.

TIMOTHY J. SULLIVAN, P21156, of Bloomfield Hills, died June 13, 2025. He was born in 1942, graduated from University of Detroit Mercy School of Law, and was admitted to the Bar in 1968.

RICHARD L. WAGNER, JR., P26344, of Pearl Beach, died May 15, 2025. He was born in 1949, graduated from Detroit College of Law, and was admitted to the Bar in 1976.

JAMES WECHSLER, P22084, of West Bloomfield Township, died July 12, 2025. He was born in 1941, graduated from Wayne State University Law School, and was admitted to the Bar in 1967.

RANDALL P. WHATELY, P32012, of Plymouth, died May 1, 2025. He was born in 1952 and was admitted to the Bar in 1980.

TIMOTHY L. WILLIAMS, P23039, of Brighton, died June 5, 2025. He was born in 1948, graduated from Wayne State University Law School, and was admitted to the Bar in 1973.

DAVID J. WOOD, P22519, of Farmington Hills, died May 14, 2025. He was born in 1929, graduated from Wayne State University Law School, and was admitted to the Bar in 1957.

In Memoriam information is published as soon as possible after it is received. To notify us of the passing of a loved one or colleague, please email barjournal@michbar.org.

NEWS & MOVES

ARRIVALS & PROMOTIONS

MICHAEL D. CALVERT has joined the Bloomfield Hills office of Plunkett Cooney.

ZAKARY A. DRABCZYK has joined Gruel Mills Nims and Pylman PLLC as an Associate.

JOANNE FAYCURRY AND SAMUEL MCKIM have joined the Troy office of Dickinson Wright.

TIMOTHY M. KAUFMANN has joined the Flint office of Plunkett Cooney.

RYAN C. PLECHA has joined Butzel.

ZACHARY J. PLECHATY has joined Dickie McCamey & Chilcote PC.

ROGER B. SAYLOR has joined Kensington Vanguard National Land Services to lead Michigan operations and deliver title and escrow services across the state.

TIFFANY VANDERKOLK has joined the Muskegon office of Warner Norcross + Judd LLP.

LEADERSHIP

SHELDON LARKY has been appointed as a member of the West Bloomfield Township Zoning Board of Appeals.

OTHER

The **53RD DISTRICT COURT** is now an official MiFILE Court.

PRESENTATIONS & PUBLICATIONS

BUTZEL is partnering with MEMA OE Suppliers to present the 20th Annual Light Vehicle Terms and Conditions Update on Thursday, September 18, 2025, at the MSU Management Education Center in Troy.

REGINALD A. PACIS, with Butzel, was featured during a "Community Conversation on Civil Rights and Immigration Law" on Wednesday, May 14.

Have a milestone to announce? Send your information to News & Moves at newsandmoves@michbar.org.

LEGAL NOTICE

NOTICE OF APPOINTMENT OF INTERIM ADMINISTRATOR

The Macomb County Circuit Court has ordered that:

Attorney **Gregory A. Buss,** P28004
12900 Hall Road, Suite 322
Sterling Heights, MI 48313
586.228.0066

is hereby appointed Interim Administrator to serve on behalf of:

Attorney **Keith D. Cermak**, P11756
12900 Hall Road, Suite 322
Sterling Heights, MI 48313
586.228.0077

Ordered by Macomb County Circuit Court on June 11, 2025.
Case no. 2025-002372-PZ

NOTICE OF APPOINTMENT OF INTERIM ADMINISTRATOR

The 6th Circuit Court has ordered that:

Attorney **Keela P. Johnson,** P72861
101 W. Big Beaver Road, 10th floor
Troy, MI 48084
248.457.7087

is hereby appointed Interim Administrator to serve on behalf of:

Attorney **Elaine Stypula**, P60643
28175 Haggerty Road
Novi, MI 48377
248.231.5600

Ordered by 6th Circuit Court on July 15, 2025.
Case no. 2025-246262-PZ

NOTICE OF APPOINTMENT OF INTERIM ADMINISTRATOR

The 30th Circuit Court has ordered that:

The State Bar of Michigan
Attorney **April J. Alleman,** P81156
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Ordered by 30th Circuit Court on June 3, 2025.
Case no. 25-002796-PZ

FROM THE PRESIDENT

JOSEPH PATRICK MCGILL

Upholding justice under threat

THE CRITICAL IMPORTANCE OF JUDICIAL SAFETY AND SECURITY

In democratic societies, the rule of law is the cornerstone of civil order and human rights. At the heart of this principle is an independent judiciary—judges and judicial officers who interpret and apply the law without fear, favor, or interference. However, in recent years, threats to the safety and security of members of the judiciary have intensified both in frequency and in gravity. This troubling trend underscores the urgent need to treat judicial security as a fundamental component of a functioning democracy.

THE ROLE OF THE JUDICIARY IN A DEMOCRATIC SOCIETY

The judiciary is entrusted with upholding the Constitution, interpreting statutes, resolving disputes, and safeguarding individual rights. Judges are expected to remain impartial and to rule based solely on the law and the facts presented to them. This impartiality, however, can often put them at odds with powerful individuals or institutions, criminal enterprises, political movements, and even the public when rulings are unpopular.

Because of this, judicial independence is not only a professional expectation but a structural necessity. The public must have confidence that judges are not coerced, bribed, or intimidated into their decisions. This independence, however, becomes hollow if judicial officers are not physically safe.

> The dignity and stability of government in all its branches, the morals of the people and every blessing of society, depends so much upon an upright and skillful administration of justice, that the judicial power ought to be distinct from both the legislative and executive, and independent upon both, that so it may be a check upon both, as both should be checks upon that.[1]

Adams's words serve as a timeless reminder that a judiciary free from influence or intimidation is not merely desirable—it is essential to the functioning of democracy itself. In the absence of adequate safety and protection, the independence he envisioned is imperiled, and with it, the public's trust in the entire system of justice.

RISING THREATS TO JUDICIAL SAFETY

The threats facing judges are varied and growing. They include physical violence, cyberattacks, doxing, stalking, and threats both in person and online. Judges involved in high-profile cases—particularly those dealing with organized crime, political corruption, domestic terrorism, or hot-button social issues—are especially vulnerable.

One of the most chilling reminders of this vulnerability was the 2020 attack on U.S. District Judge Esther Salas's family, in which a disgruntled litigant fatally shot her son and critically injured her husband at their home.[2] Judge Salas has since become a national advocate for judicial security reform. Her story is not isolated; judges across jurisdictions—from municipal courts to federal benches—have reported increasing levels of harassment and threats.

The threat to judicial safety is not always tied to controversial rulings or high-profile cases. Sometimes, it is the randomness of violence that underscores the need for greater protection. In 2015, U.S. District Judge Terrence Berg of Michigan was shot in the leg during an attempted robbery outside his Detroit home.[3] Although the attack was not related to his judicial duties, it served as a sobering reminder that judges, by virtue of their public service, can become targets even in the ordinary course of daily life.

The incident sparked calls for broader security measures and greater

awareness of the personal risks faced by those who serve on the bench. Judge Berg's experience highlighted the reality that threats to the judiciary need not be case-specific to be dangerous—and that comprehensive safety strategies must account for both targeted and incidental threats.

In 2023, the U.S. Marshals Service tracked more than 4,500 threats and inappropriate communications directed at federal judges.[4] State judges, who often lack comparable protection, face similar threats with fewer resources.

THE CHILLING EFFECT ON JUDICIAL INDEPENDENCE

When judges are threatened, democracy itself is threatened. Threats and intimidation not only endanger lives but also erode the independence of the judiciary. Judges may feel compelled to recuse themselves from cases for personal safety reasons, which can delay justice and increase the burden on the court system. In the worst cases, threats may exert subtle or overt pressure on judicial decisions.

Even the perception that a judge might be influenced by threats undermines public trust in the legal system. If litigants believe that intimidation works, it sets a dangerous precedent.

ADDRESSING THE MODERN DIMENSIONS OF THREAT

Technology has added new dimensions to the threats judges face. Personal information—addresses, phone numbers, emails, and even family members' details—can be harvested and disseminated with ease. Social media platforms have become fertile ground for harassment and incitement.

Doxing, the malicious publication of private information online, is a particularly insidious threat. Yet many judicial officers lack the tools or legal authority to remove such information promptly.

Cybersecurity vulnerabilities compound the risk. Judges often communicate electronically, manage sensitive case files, and operate from home offices. Any breach could expose them to reputational harm and physical danger.

THE PATCHWORK OF PROTECTION

Judicial protection policies vary widely across jurisdictions, creating a patchwork of measures that are inconsistent and often inadequate. Federal judges benefit from the protective services of the U.S. Marshals Service, including threat assessments, courthouse security, and in some cases, home security improvements.[5]

State and local judges—who handle the vast majority of cases in the American legal system—often lack comparable support.

LEGISLATIVE AND INSTITUTIONAL RESPONSES

In 2022, Congress passed the Daniel Anderl Judicial Security and Privacy Act, authorizing federal protections and protocols to limit access to judges' personal information.[6] Several states have followed suit, crafting laws to allow judges to remove or obscure personal information from public records and commercial data aggregators.

Judicial councils and bar associations have also mobilized around these issues. In Michigan, the State Bar of Michigan is championing passage of the Judicial Protection Act, which would permit a state or tribal judge to request that a public body or private person not publicly disclose personal information about them and about their immediate family.[7] This would ensure that state-level judges in Michigan have the same protection currently provided by federal law to their federal colleagues.

The proposed legislation was introduced in both the House (HB 4397)[8] and Senate (SB 82)[9], and it already has passed the Senate.[10] It also is expected to also win support in the House. The measure is supported by the State Bar of Michigan, State Court Administrative Office, Michigan Judges Association, Michigan District Judges Association, and the Michigan Probate Judges Association. HB 4397 and SB 82 reflect Michigan's recognition that judicial privacy is integral to judicial independence. If enacted, they could serve as a model for similar legislation nationwide.

THE ROLE OF THE LEGAL COMMUNITY

Bar associations and legal organizations are uniquely positioned to champion judicial security. Through legislative advocacy, professional development, and public engagement, the legal community can help ensure the judiciary remains protected and respected.

Attorneys and court personnel must also be proactive in recognizing threats and cooperating with security professionals to protect the courts and their personnel.

PROTECTING JUDICIAL FAMILIES

The threats judges face often extend to their families. A secure home environment, school safety plans for children, and awareness training for family members are critical components of judicial security. Programs offering physical protection and emotional support to family members must be prioritized.

THE PSYCHOLOGICAL TOLL

Judicial service under threat can result in mental health impacts, including anxiety, hypervigilance, and burnout. Confidential access to counseling, peer support, and trauma resources is essential to maintaining a healthy and effective judiciary.

REAFFIRMING OUR COMMITMENT TO JUSTICE

Protecting judges is a constitutional necessity. Judicial officers must be able to serve without fear or coercion. Ensuring their safety reinforces the public's trust in the courts and strengthens the rule of law.

As John Adams so eloquently noted, the "dignity and stability" of our institutions rest upon a judiciary that is skilled, upright, and independent.[11] Without adequate security, that independence is at risk.

CONCLUSION

The rising threats against judges are not merely personal—they are systemic. Judicial safety is foundational to judicial independence, which in turn upholds the rule of law and democratic governance. In an age of political polarization, technological vulnerability, and increasing public hostility, protecting those who administer justice is both a moral imperative and a civic duty.

Michigan's legislative efforts demonstrate that progress is possible when we collectively acknowledge the magnitude of the threat and act decisively. From courthouse security to digital privacy, and from federal protections to local implementation, the call to action is clear: secure the judiciary, secure democracy.

As threats to judicial officers grow more complex and aggressive, our response must be equally sophisticated, coordinated, and unwavering. Ensuring the safety of the judiciary is a collective responsibility—one that demands the engagement of the entire legal community and the broader public. The sanctity of the rule of law depends on it.

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Farmed and forgotten: Farmed animals and the gaps in animal protection laws

BY MARGARET MARSHALL

"To a man whose mind is free there is something even more intolerable in the sufferings of animals than in the sufferings of man. For with the latter it is at least admitted that suffering is evil and that the man who causes it is a criminal. But thousands of animals are uselessly butchered every day without a shadow of remorse. If any man were to refer to it, he would be thought ridiculous. And that is the unpardonable crime.[1]"

Today, we as a society differ vastly on so many viewpoints. Our differences even extend to the food we eat. While a majority of the global population eat some form of meat in their diet, there has been an increasing number of people who have foregone meat and opt for a plant-based diet.[2] While the viewpoints of those who eat meat and those who do not may vary, we should all be able to fundamentally agree that the mistreatment and suffering of sentient beings is wrong. Yet, unlike companion animals, farmed animals are routinely mistreated and subject to abuse that would never be tolerated with other animals. Sadly, Michigan laws and federal laws have overlooked and exempted farmed animals. As attorneys and advocates, we have the power to recognize and change the shortcomings of our current laws.

It is the purpose of this article to discuss the plight of farmed animals with the hope that we, as individuals from all different walks of life,

with different dietary preferences and varying viewpoints, will care enough to alleviate their suffering.

OUR LEGAL SYSTEM AND FARMED ANIMALS — WHO ARE WE TRYING TO PROTECT?

Animals are sentient beings with the capacity to feel pain, fear, joy, and sorrow. Yet, animals, especially farmed animals, lack legal standing in all 50 U.S. states and are still considered property by our legal system.[3] To this day, animals' status as chattel still plays a role in how our state and federal animal protection laws are written and how these laws are interpreted by the judiciary.

This year, in the United States, more than 9 billion land animals will be raised and slaughtered for food,[4] with 20 million animals being raised for food in Michigan alone.[5] In the United States, 99% of farmed animals live the entirety of their lives on factory farms, where some of the worst suffering occurs.[6] Far removed from the rolling pastures that so many picture when they think of traditional farms, animals on factory farms are subjected to a life indoors, living in extreme confinement where they often have so little space they are unable to turn around or lie down.[7] Despite the cruelties that animals on factory farms face every day, we, as a society, have largely ignored their plight — especially in our legal system.

Currently, all 50 U.S. states have animal cruelty laws, and a handful of states, including Michigan, have laws pertaining to the transport and slaughter of farmed animals.[8] This is in addition to two key federal laws that regulate farmed animal transportation and slaughter.[9] Unfortunately, these laws fall far short when it comes to protecting farmed animals. Exemptions for farmed animals are routine, as are provisions providing for policing by the very entities that have the most to gain by violating the statute's provisions.

CURRENT ANIMAL PROTECTION LAWS — WHY ARE THEY PROBLEMATIC?

Transportation Laws

Annually, a staggering 20 million farmed animals die during transport, often due to heat stress, freezing temperatures, or trauma.[10] Neither Michigan law nor federal law provides farmed animals with adequate protections during the transport process, and thus, animals continue to suffer and die.

Michigan's transportation law specifically covers transporting animals within its borders and states that "No railroad company, in the carrying or transportation of animals, shall permit (the animals) to be confined in cars for a longer period than 36 consecutive hours without unloading the (animals) for rest, water, and feeding, for a period of at least 5 consecutive hours...."[11]

On its face, this law only applies to animals transported by rail car. While rail car may have been the primary means of transportation in 1931 when this law was passed, today, it is rarely used.[12] Trucks and trailers are the most common form of transportation today and are not regulated under this statute.[13]

Another troubling aspect is the length of animal confinement — 36 hours.[14] This far exceeds the United States' federal transportation law requirement of 28 hours and is *three times* as long as the 12 hours recommended by many experts.[15] Additionally, the statute contains an express provision that states: "when animals shall be carried in cars in which they can and do have proper food, water, space, and opportunity for rest, the foregoing provisions in regard to their being unloaded shall not apply."[16] Therefore, animals may be confined well past the 36-hour mark, increasing their risk of injury and death.[17] Not only do long periods of confinement increase the risk to the health of animals, but they also increase the risk to human health.[18] Studies have found that long-distance transport where large numbers of animals are confined in cramped quarters increases the risk of the spread of infection, such as E. coli and salmonella, which can be passed on to humans.[19]

Finally, lack of oversight and punishment for those who violate Michigan's transportation law remain an issue. The penalty for violating the law is minimal. An owner or custodian of the animals will only be fined between $100 and $500 for each violation of the law.[20] Certainly, such minimal fines are not an effective deterrent for large corporations. Indeed, this level of fine makes it more cost effective to violate the law than to adhere to it.

The federal transportation law, known as the Twenty-Eight Hour Law, requires vehicles transporting certain animals across state lines for slaughter to stop every 28 hours to allow animals exercise, food, and water.[21] This law originally only covered animals transported by rail; however, after immense pressure from nonprofit organizations, in 2006 the U.S. government conceded that the law also protects animals transported by truck.[22] While this is a step in the right direction, the law still has a number of flaws.

Similar to Michigan law, the Twenty-Eight Hour Law does not apply when animals "have food, water, space, and the opportunity for rest," which leaves animals vulnerable to injury and death and increases the risk of zoonotic diseases that can be transmitted to humans.[23] This law additionally does not extend its protections to birds, despite these animals being the most farmed animals in the United States.[24]

Finally, enforcement is perhaps the most glaring issue with the Twenty-Eight Hour Law. The punishment for violating this law is identical to that of Michigan law.[25] From 2006 to 2019, only *one single* violation was reported to the Department of Justice.[26] This blatant lack of enforcement has allowed for flagrant situations of animal suffering to go unchecked, including an instance where 152 pigs died during transport and an incident where animals were transported for over 40 hours without food, water, or rest.[27]

Slaughter laws

Another area where farmed animals experience immense suffering

is during the slaughter process. Both state and federal slaughter laws mandate that certain farmed animals must be slaughtered using a "humane" method. However, state and federal laws do little to ensure that farmed animals are protected prior to slaughter and also lack enforcement mechanisms.

Humane Slaughter of Livestock Act states, "No slaughterer, packer or stockyard operator shall shackle, hoist or otherwise bring livestock into position of slaughter by any method which shall cause injury or pain."[28] According to this law, "any person who violates any provision of this act shall be guilty of a misdemeanor."[29]

Similar to transportation laws, Michigan's humane slaughter law does not afford protections to poultry, which leaves these animals vulnerable.[30] Even more unsettling is the fact that according to currently available records, since the law passed in 1962, not a single individual or corporation has been charged with violating Michigan's Humane Slaughter Act.[31] This is especially troublesome given that there has been a history of documented incidents in our state where farmed animals were brought to slaughter in an inhumane manner, including one as recent as September of 2023.[32] This incident, observed by a USDA employee at a facility in Coldwater, Michigan, involved a facility employee "hitting hogs excessively" prior to slaughter.[33] Upon learning this, People for the Ethical Treatment of Animals (PETA requested that the Branch County Prosecuting Attorney bring charges, but no individual or corporation was ever charged in this case.[34] PETA noted that this was not the facility's first incident; in 2018, the facility was cited twice for violations of the federal Humane Methods of Slaughter Act when employees "took multiple shots with bolt guns to stun pigs."[35] Again, no charges were ever brought for the two 2018 incidents.[36]

Clearly, Michigan's humane slaughter law has afforded few protections for farmed animals, and, unfortunately, the federal Humane Methods of Slaughter Act (HMSA) does little more to alleviate animal suffering. The HMSA, like Michigan's slaughter law, requires that animals be stunned unconscious and rendered insensible to pain before slaughter.[37] This law applies only to USDA federally inspected facilities, meaning state-inspected and small custom-exempt slaughterhouses are not covered by this law.[38] Moreover, the HMSA includes a provision that excludes all poultry from protections under the Act and additionally contains a ritual slaughter exemption which permits killing animals by severing their carotid arteries, in accordance with kosher, halal, and other religious practices—despite the fact that such practices may cause unnecessary suffering to the animals, as they remain fully conscious during the process.[39]

The lack of enforcement mechanism within the HMSA is perhaps the most glaring issue with this law. The United States Department of Agriculture Food Safety and Inspection Services (USDA FSIS) is charged with enforcing the HMSA, and there have been significant lapses in oversight.[40] If a USDA inspector observes a violation of the HMSA while at a facility, they are limited to merely halting slaughter operations by withholding future inspections of the facility, as is required by the Federal Meat Inspection Act (FMIA).[41] Generally, a facility needs only to submit a written corrective action plan to the USDA to regain their ability to restart slaughter operations, meaning that even in instances where extreme acts of cruelty have been witnessed, the facility will receive little to no punishment.[42] The only time criminal charges may be brought for violations of the federal HMSA is for a violation of § 1907 that deals with practices involving nonambulatory livestock, although this provision is rarely if ever prosecuted.[43]

Welfare Laws

Even though most of a farmed animal's life takes place pre-slaughter, there are currently no federal animal welfare laws that cover the treatment of farmed animals before slaughter.[44] Therefore, it is up to each state to implement anti-cruelty laws to ensure that farmed animals are protected. In Michigan, the animal cruelty statute has two relevant sections that could extend protections to farmed animals: the prohibition of intentional infliction of pain and suffering; and the duty to provide care.[45]

The prohibition of intentional infliction of pain on an animal is codified in MCL 750.50b and prohibits an individual to:

(a) Knowingly kill, torture, mutilate, maim, or disfigure an animal.

(b) Commit a reckless act knowing or having reason to know that the act will cause an animal to be killed, tortured, mutilated, maimed, or disfigured.

(c) Knowingly administer poison to an animal, or knowingly expose an animal to any poisonous substance, with the intent that the substance be taken or swallowed by the animal.

Additionally, Michigan's duty to provide care statute, MCL 750.50, states that:

(2) An owner, possessor… or person having the charge or custody of an animal shall not do any of the following:

(a) Fail to provide an animal with adequate care.

(b) Cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked, or beaten.

While these laws may seem like they would shield farmed animals from suffering, both these laws contain exemptions that limit the statutes' application to farmed animals that read: "This section does not prohibit the lawful killing of livestock or a customary animal husbandry or farming practice involving livestock."[46]

Customary practice exemptions raise significant barriers to the enforcement of criminal laws. To mount a case, a prosecutor must prove beyond a reasonable doubt that the way a defendant mistreated or neglected an animal victim was not a customary practice — without any statutory guidance as to what a customary practice is. This raises barriers in enforcement, as law enforcement has no way of knowing what practices qualify as customary because the law does not provide guidance or else creates inconsistencies in investigations

as well as putting prosecutors in the position of having the burden of disproving a defense theory that has no clear boundaries.

Ultimately, these exemptions in Michigan's cruelty laws — and in those of many other states — leave farmed animals vulnerable and create ambiguity and uncertainty that hinders law enforcement and prosecutors from enforcing these laws.

CONCLUSION: WHAT CAN BE DONE TO PROTECT FARMED ANIMALS?

Both federal and state laws do little to ensure that farmed animals are protected from suffering. So, what can we, as attorneys and advocates, do to help alleviate this suffering?

First, oversight remains one of the biggest issues at both the federal and state levels. As discussed above, both federal and state slaughter and transportation laws are rarely enforced, allowing cruelty to go unchecked. Demanding greater oversight and stricter punishments for violations of animal protection laws is one avenue for increasing the protections for farmed animals. The U.S. government has shown that it is willing to listen to public concerns and extend the reach of its animal protection laws, as it did with the Twenty-Eight Hour Law.

Further, statutory exemptions for customary farming practices create significant barriers in enforcing criminal laws due to a lack of statutory guidance. We must make lawmakers aware that these exemptions are impeding the purpose of the law, which is to provide protections to animals — farmed animals included.

Public pressure is vital in ensuring that cruelty is made known and that officials take action, including commencing criminal proceedings against those that violate the law. PETA attempted this in Coldwater, and such attempts must continue. Admittedly, this is difficult, as cruelty often goes unseen behind the doors of factory farms and is often discovered only after the USDA publishes a violation report, or else an undercover investigation is conducted at a facility and made public. However, when these violations come to light, it is important that the public supports enforcement action.

Ultimately, today's animal protection laws largely leave farmed animals vulnerable to suffering. However, we have the capacity to create change and create a kinder, more humane future for all beings. Collectively, our voices can ensure that farmed animals are not forgotten.

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The moral value of companion animals: Are they something or someone?

BY ANGIE VEGA

Seeing dogs and cats in holiday pictures sent to friends and family is not unusual. From celebrating their birthdays and making them part of important family events to paying for specialized food and veterinary care and acquiring health insurance, companion animals have gone from being pets or even best friends to being considered cherished family members.

Throughout history, humans and their companion animals have had a range of relationships. For instance, humans used to have dogs and cats for utilitarian purposes, where they would live outside and provide some sort of service to their master, such as herding animals, hunting pests or food, or guarding the home. There might have been affection toward one another. Nevertheless, it was fair to expect their lives to be cut short at any moment due to diseases or other animals. Today, this relationship looks very different. The bond between humans and nonhuman animal companions has significantly evolved and is stronger than ever.[1] Companion animals are treated by the average family as full family members, where they provide companionship and happiness. In addition, studies have shown that having a pet can improve mental health, reduce stress, and lead to a longer, healthier life.[2] They are different from many other animals in that we live with them, give them a name, and do not eat them.[3] In today's world, it is not uncommon for people to consider their companion animals as valued members of their fam-

ily. This phenomenon occurs in most families with a pet, and families in the United States[4] and the United Kingdom[5] are no exception.

The significance of companion animals in our lives has been steadily growing. The evolving needs and dynamics of society have profoundly impacted our relationship with these beloved animals. Busy schedules, smaller families, and moving to urban areas are some of the factors that have led humans to be closer to their companion animals.[6] The advance of veterinary medicine and technology is a critical factor as well. Dogs and cats are living longer than ever.[7] Parasite control treatments allow us to have a relationship with animals without worrying that they will make us sick. In addition, many of yesterday's deadly diseases are treatable today. It can be asserted that when someone welcomes a dog or a cat into their family, they do so with the expectation of forming a deep and enduring bond. This assumption is based on the understanding that the animal will likely have a relatively long lifespan, allowing ample time to create a strong and meaningful connection. As that bond develops and grows stronger, it becomes more difficult to watch them endure pain. Studies even show that humans grieve their nonhuman animal companions like they grieve close family members.[8] Indeed, the choice to welcome an animal into the family is far from random. People make this decision because animals bring genuine happiness and a profound sense of purpose, but also under the understanding that their responsibility toward their new nonhuman family member will extend over the long haul.

It is no secret that people love their animals — not like they love a valuable piece of jewelry, but as family members. For instance, in 2022, around 94% of people with companion animals in the United States[9] and the United Kingdom[10] considered them part of the family. But how about the law? Does the legal system value companion animals in the same way society does? The U.S. and the U.K. legal systems have evolved differently in many aspects. However, when it comes to the legal treatment of animals, both countries, as with the vast majority of other countries, classify them as property. A chattel, just like a toaster, a phone, or a computer.[11] At first glance, this may not seem problematic and may even seem logical to many. After all, legal systems are built around the notions of persons and property. However, the strict interpretation of this classification poses some deeper issues, particularly to those that highly regard their nonhuman animals within the context of their family.

When a companion animal is harmed by the intentional or negligent conduct of a third person, the "owner" of the companion animal can file a lawsuit against the tortfeasor for the harm or loss suffered by that person. The same principle applies in both the United States and the United Kingdom. The goal is to put the injured party in the same position they would have been in if the tort had not occurred, to make the plaintiff whole. This area of the law has been developed through case law. The remedies in torts are damages, which provide financial compensation to the plaintiff for their losses. This is with the goal of compensating the plaintiff, not punishing the defendant.

Let's illustrate this issue. Imagine your beloved seven-year-old mutt dog, Benny, is beaten up by your neighbor because he went onto his property. You have been together for many years, and even though he may not be as energetic and may even have some health issues, your love for him is ever-growing. You take him to the vet regularly to ensure he is healthy. You go for walks together, watch TV, and cuddle at night. Benny means the world to you! You love him unconditionally, and he gives you happiness and purpose in return. Benny does not die immediately. However, he undergoes extensive treatment and stays in the hospital for many days. You become anxious and stressed. Focusing at work becomes almost impossible to accomplish. You cannot sleep, wondering how Benny must be feeling. You wonder whether he is confused, in pain, and probably thinking you abandoned him. Your life is turned upside down by the thought of losing him. Ultimately, Benny passes due to his injuries. You are devastated. You thought you had at least a few more years to experience fond moments together. However, he has been abruptly taken away from you. Certainly, Benny cannot be brought back to life, and you cannot bear the thought of welcoming another dog into your home. To you, Benny was indeed irreplaceable.

If Benny were a human family member, you would have a number of claims available to recover for your emotional injuries, depending on where you are. Unfortunately, the value of companion animals is yet to be reflected in the legal system. As property, the current valuation of companion animals (including Benny) is based on their market value. This is the commercial value they had prior to the injury or death. Just what you would have been able to recover if someone had damaged or destroyed an item of personal property. The remedy for trespass to chattels or conversion of personal property or goods is special or economic damages; to the law, Benny is not more than that. How about the emotional distress, pain, and suffering or, in other words, the emotional damages suffered by their families? Are they taken into account when calculating damages suffered? The short answer for both countries is — most likely not.[12]

To some, it may seem like the right approach. Ultimately, economic damages are readily ascertainable and predictable. However, in tort law, the purpose of damages is to compensate plaintiffs for their loss. The value of a dog like Benny is not economic. It is sentimental! The reality is that very few people are concerned with the economic value of their dogs and cats, and unless an animal is purebred, has special training, or represents some commercial utility, they most likely have a nominal value at best. In turn, bringing a civil lawsuit will likely represent high attorney fees and court costs, compared with the possibility of being awarded the purchase or adoption fee of the companion animal at most. What does this mean? It means that under the current

system, companion animal owners are not being compensated for their actual loss but rather for a loss they do not bear. Moreover, the actions of tortfeasors lack significant deterrents, allowing them to harm other people's companion animals without real consequence.

Sentimental injuries are indeed more challenging to determine. That is why they are compensated in limited circumstances, such as in personal injury cases and wrongful death. However, this difficulty is not a valid reason to ignore them. On the contrary, the relationship people build with their companion animals is so unique and relevant that it should guarantee that they can recover for their emotional damages. Ultimately, we live with our companion animals; they take part in our daily lives and are distinguished from other animals. They depend on us, and we emotionally rely on them as well. It is a task for the legal system to determine a way to provide compensation, allowing plaintiffs to recover for their injuries, which are predominantly emotional in companion animal cases.

Some areas of the law have started to reflect the value of companion animals in today's society — more specifically, divorce cases, trusts law, and even the law of judicial liens. Some states in the U.S. have even started to enact hot car laws (more than half of the 50 U.S. states) to protect animals in hot cars,[13] similar to laws that protect children. However, the development in the area of torts remains rather dull. While the United Kingdom and the United States continue to deny recovery based on dated arguments, such as the long-standing principle that companion animals are property and that allowing recovery of general damages would open the floodgates of litigation, other countries have legally recognized that today's modern family is multispecies, in which animals play the role of beloved family members.[14]

As other areas of the law continue to evolve to recognize the significance of the relationship between humans and their nonhuman family members, it is time for a reform that allows compensation of damages truly suffered as opposed to mere fair market value, which, interestingly, is nothing but unfair. Perhaps, a law is more appropriate to move forward in tort law, where the circumstances of recovery and limitations are clearly delineated. In that way, there is a system in place that provides adequate compensation and avoids the possibility of unrestrained damages. This would be not just a win for plaintiffs but also a small win for companion animals whose place within the family ought to be legally recognized.

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The future of animal law

BY DAVID FAVRE

The social status of animals within human society has been evolving for decades in the United States, and therefore it is a fair question to ask: What direction is foreseeable for animals within the law in the future? Here, we can think of the future in the terms of three or so decades.

As animals have always been treated differently in law depending upon which community they share with humans, there is not just one path forward to think about. Perhaps four different streams are flowing forward in time; some may intermingle, some or not so much. Consider the rabbit. A rabbit may live in the community of wildlife, as a companion animal, human food, or exhibition. One legal rule does not apply to all those circumstances.

COMPANION ANIMALS

These animals who share a home with humans are on the fast track for enhanced visibility and protection in the legal system. In all states, they may presently be the financial beneficiary of an owner's trust at the death of the owner.[1] In five states, the "best interest of the animal" may be taken into account by a judge when deciding custody of a companion animal during the property settlement for a divorce.[2] They already receive the full protection of the criminal anti-cruelty laws in all states.[3] Note that this revolutionary change in legal status is occurring at the state level, without any action at the federal level.

In the future, many more states are expected to amend divorce laws to accept the new view of companion animals, that they are part of the human family, not just property. In the middle term of the future, the issue of damages for harm to a companion animal needs to be addressed. In a large majority of states, recovery for intentional harm to a loved companion animal starts and stops with market value; some states, but not a majority, also allow reasonable veterinary cost in excess of market value.[4] Yet, the very real loss of love and companionship with the loss of companion animal is not yet

recognized in the world of torts. Legal personhood for companion animals already has one foot in the jurisprudential door, and the future will see a widening of that opening.

INDUSTRIAL AGRICULTURE

This is both one of the most pressing animal issues but is also the most difficult with which to deal. The eating of meat is a long existent cultural, social reality. To feed that public demand, our capitalist economic system has evolved into billion-dollar global corporations.[5] This level of money assured a level of political power such that dislodging the existing methods of raising meat animals (and dairy) will be very difficult. How we raise our agricultural animals can have visibility at the state level, as California Prop 12, "which set new conditions for raising hogs, veal calves and egg-laying chickens whose meat or eggs are sold in California," has made clear.[6] However, it is not yet a national issue, something on the national news feeds, something that presidential candidates discuss. But at some point that will be the case. Only when agricultural animal wellbeing becomes a national issue will the political will be generated to face and change our existing invisible food chain of meat. For the United States, it might well be the case that agricultural animal wellbeing becomes an issue with the rise of international treaties on the matter.

CONSTITUTIONAL LAW

Constitutional change will occur first at the state level, and maybe in the distant future at the federal level. The push for both better welfare and legal rights for animals will ultimately need to create a clearer basis for legislative action within state constitutions. This is not impossible to contemplate for the west coast states and New England. This will clarify that animals are more than personal property in the eyes of the law. While I have previously proposed the category name of "Living Property,"[7] there may be a number of different phrases planted in a state constitution. Such an amendment might mention why the amendment is happening with phrases such as "animals are sentient beings" or "animals possess their own living interests deserving of consideration."

Such an amendment will not replace existing cruelty laws or details of living conditions, rather, it is a recasting of the breath of our society such that the legal system can be comfortable in acknowledging the reality of non-human animals as individuals whose interests may be accounted for within the legal system, by both the legislature and the courts.

TREATY LAW

The fourth path available and necessary to travel is at the international level. There is no treaty existing now which has individual animal wellbeing as a primary focus. There are many treaties which deal with wildlife, but they are in an ecological context, not animal wellbeing.[8] If the issues of industrial agriculture animals such as pigs and chickens are to be fully addressed, given the reality that it is now a global market, then a treaty is the only way to reduce/eliminate animal wellbeing as a key point of capitalist competition.[9] If there are global standards for animal wellbeing, then capitalism can do its work in providing economically efficient products to the consumer without the creation of cruel conditions. This assumes that general agreement on what the standards should be can be reached by a significantly large group of nations. This may take some time, as presently animals in some nations simply do not have sufficient visibility or social/political concern for the acceptance of restraints on capitalism. A starter treaty for this topic has been recently drafted and is available for consideration.[10]

CONCLUSION

At one level the future is unknowable, but if we in the United States continue to have a healthy stable society, the concerns about animals will continue to be actively pursued both within the legal system of Michigan and on a national basis. In twenty years, someone should write a follow-up to this article so progress for the animals can be acknowledged.

Professor David Favre was for twenty years located within the Detroit College of Law and then since 1997 at Michigan State University College of Law.

ENDNOTES

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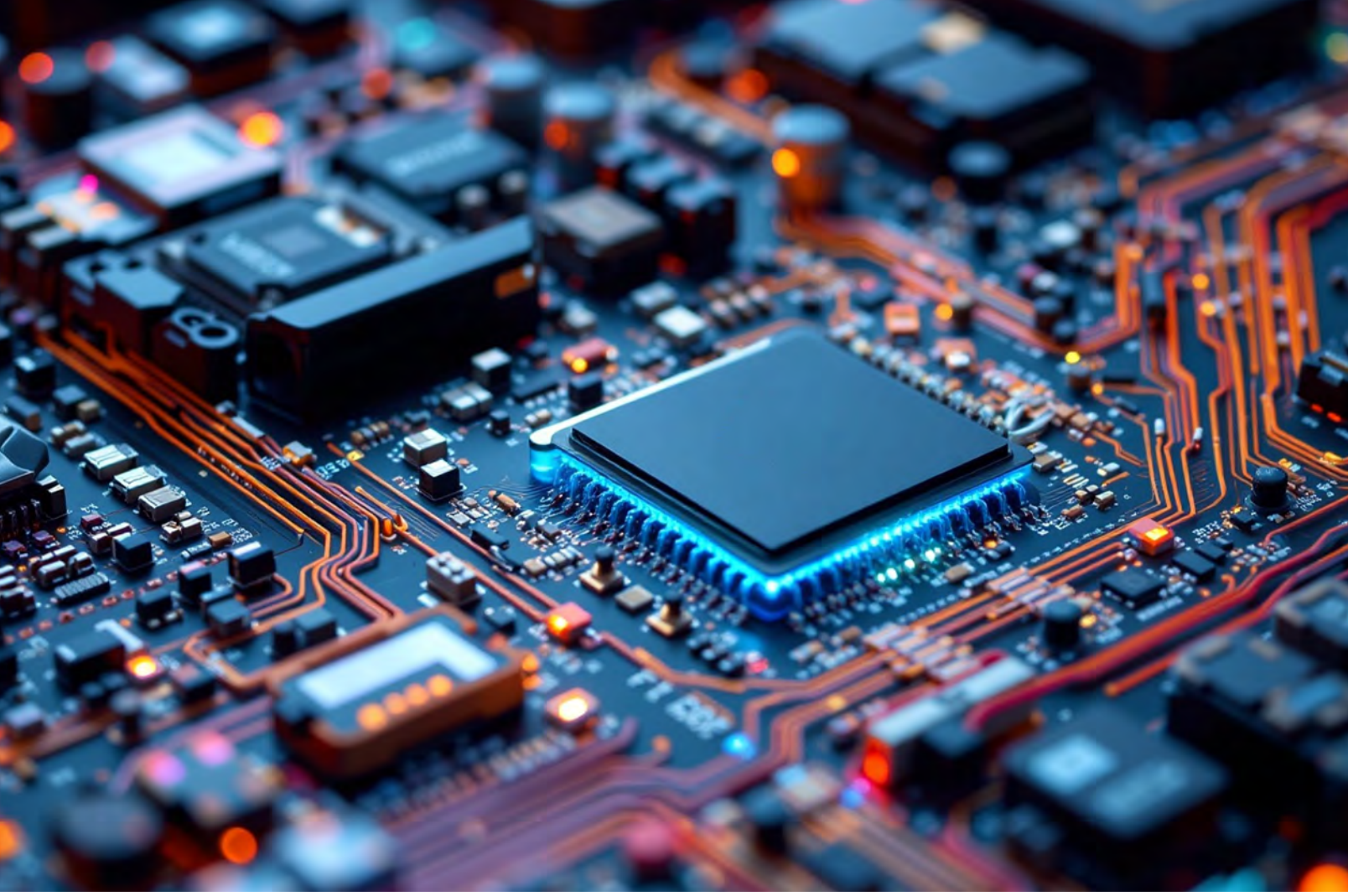

Introducing the State Bar of Michigan's AI report

BY ROBINJIT K. EAGLESON, J.D.

Artificial intelligence (AI) has emerged as one of the most powerful and transformative technologies of the 21st century, with the potential to revolutionize industries and fundamentally reshape society. It has even begun to modernize one of the oldest careers in the world that has roots tracing back to ancient civilizations[1] — the practice of law. Recent reports and analyses highlight the pervasive influence of AI, not only in automating tasks but also in driving innovation, enhancing productivity, and creating new opportunities across various areas.

With this advancement comes the need to fully understand what is ahead of us and how AI will continue to impact the practice of law. Due to this increasing need, the State Bar of Michigan has published a report titled "Transforming the Legal Profession in the Age of AI."[2] Drafted by the Board of Commissioner's AI Workgroup, it is a comprehensive special report assessing not only the benefits and risks of using AI but also provides forward thinking and considerations in all aspects when using AI in the legal field.

The areas it covers are as follows:

- Practice management: AI tools assist lawyers in automating manual processes, allowing lawyers to become more efficient and productive while also meeting their professional and ethical responsibilities. This section examines current AI tools such

as e-discovery, contract analysis, and predictive analytics and how they are being used.
- Ethics: A lawyer's ethical responsibilities when using AI do not cease when using an AI tool and therefore it is imperative to keep those responsibilities in the forefront when utilizing any type of technology. This section explores duties of competence, diligence, confidentiality, transparency, and supervision under Michigan's Rules of Professional Conduct.
- Unauthorized practice of law: The questions surrounding AI and unauthorized practice of law continue, but the underlying goal remains the same: protection of the public. This section discusses how AI intersects with practicing law without a license and the broader public policy.
- Access to justice: AI tools must be evaluated continuously to determine its efficacy and impact on closing access to the justice gap. This section proposes using AI to expand legal help to underserved populations.
- Public policy: Regulation surrounding AI is determinate on state and federal government, but lawyers and the Bar must continue to remain involved and vigilant in monitoring legislation and legal developments.

AI is rapidly transforming the legal world by automating routine tasks, enhancing legal research, and providing predictive analytics, leading to increased efficiency and potential cost savings for law firms and clients. While AI is not expected to replace lawyers entirely, it is poised to augment their capabilities, allowing them to focus on more complex, strategic, and client-facing work.

A more detailed look at how AI tools are changing the legal landscape includes automation of routine tasks. AI-powered tools automate tasks like document review, contract analysis, and legal research, significantly reducing the time and effort required for these processes. For example, AI can quickly scan through thousands of documents to identify relevant information, saving lawyers hours of manual work. This automation frees lawyers to focus on higher-value tasks such as strategic planning, client communication, and complex legal analysis.

AI can also analyze vast amounts of legal data, including case law, statutes, and regulations, to identify relevant precedents and arguments more efficiently than traditional methods. It can summarize large volumes of documents and generate drafts of legal documents, saving lawyers significant time and effort. AI also helps lawyers discover relevant resources and tools, continuously streamlining the research process.

Predictive AI is a tool that uses historical data and machine learning to forecast legal outcomes, such as litigation results or jury behavior. This capability allows lawyers to assess the likelihood of success in a case and develop more effective strategies.

By automating these tasks and improving research, AI can significantly increase the efficiency of legal work, potentially leading to cost savings for both law firms and clients. Firms can leverage AI to compete by automating tasks, predicting matter outcomes, and expanding their practice areas.

Further, AI-powered tools can help make legal information and assistance more accessible to individuals who may not have the resources to hire a lawyer. For example, legal aid groups and nonprofits are using AI-based virtual assistants to provide preliminary legal advice to underserved communities.[3] AI-powered chatbots can also help individuals navigate legal processes, such as challenging parking tickets or filing consumer protection claims.

While AI offers numerous benefits, it also raises various concerns, such as bias in algorithms and the potential for job displacement. It is crucial to address these challenges to ensure that AI is used responsibly, professionally, and ethically in the legal field. Ensuring data privacy and security is also essential when implementing AI-powered tools. Law schools, legal professionals, and the courts must all adapt to the changing landscape and develop the skills and knowledge needed to work with AI effectively.

There are several key takeaways for lawyers from this report:
- Competence is non-negotiable. Attorneys must stay current on AI technologies, supervising and scrutinizing outputs. AI should supplement, not replace, human judgment.
- Ethics stay central: Lawyers must ensure confidentiality, clearly inform clients if AI will be used, and reflect any efficiency gains in billing.
- AI for the underserved: AI promises to revolutionize casework and streamline access for those previously underserved.
- Policy shifts ahead: The report urges the State Bar to lead in reshaping AI regulation while balancing innovation and protection.

Lawyers may ask why this report matters. It serves as a go-to AI guide — what is allowed, what is restricted, and what lawyers must know. For law firms and firms-in-training, it offers a blueprint to integrate AI ethically into workflows such as contract drafting, research, and client communication. For access and advocacy, it outlines proactive ways AI can democratize legal services, particularly in areas lacking affordable representation. It further sets the stage for statewide policy dialogue around AI oversight and governance when discussing regulatory development.

The State Bar of Michigan's AI report is more than a paper; it's a call to action. In June 2025, Michigan's legal community took a bold step: acknowledging AI's transformative power while committing to professional, legal, and ethical deployment.

The State Bar published this special report to help Michigan lawyers understand AI's rapidly expanding role, from practical applications to ethical considerations, and beyond. The report takes a deep dive into AI and how it's reshaping legal practice. It is

a timely and essential resource for attorneys across the state and beyond. AI is no longer a futuristic concept; it is a reality that is rapidly transforming the world around us. To harness its potential for positive societal and economic impact in the legal field, collaboration among courts, law firms, organizations, and the public at large is crucial. Establishing clear regulations, ensuring proper use, promoting ethical AI design, investing in workforce reskilling, and fostering a culture of responsible AI will be essential to ensure AI benefits humanity while mitigating its risks.

Whether a lawyer is a solo attorney, a litigator in a large firm, or an advocate for social justice, this document equips the legal field with the knowledge and strategies they need. Want a breakdown of recommended policy or procedural changes? Or a guide on implementing AI tools responsibly in a law practice? The State Bar of Michigan's "Transforming the Legal Profession in the Age of AI" report has got you covered.

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Lawyers' professional independence protects our fundamental freedoms

BY KENNETH M. MOGILL

"The first thing we do, let's kill all the lawyers."
Henry VI, Part 2, Act IV, Scene 2

As lawyers, we are central to maintaining the rule of law in society and, in turn, our basic freedoms. The inconvenience to would-be dictators of a class of professionals committed to values beyond personal gain is why Shakespearean bad guy Dick the Butcher wanted to "kill all the lawyers." Lawyers' commitment to the rule of law — a commitment kept through our exercise of independent professional judgment — is key to the survival of our legal system from one generation to the next.

The uniqueness of our role is reflected in several significant ways: Ours is the only profession mentioned in the U.S. Constitution;[1] the Michigan Rules of Professional Conduct (like their counterparts in almost all other states) bar external ownership, control, or direction of our decision-making;[2] and, unlike other professions, ours is self-regulating. Not only are we self-regulating, our state Constitution places our authority to regulate ourselves in the judicial branch, not the executive branch.[3]

While the term "professional independence" is bandied about a lot, its meaning is often far from self-evident. As one author has put it:

IN PERSPECTIVE

KENNETH M. MOGILL

> The term turns out to be elusive, in part, because it has multiple meanings; in part, because the various meanings are vague and not well elaborated; and, in part, because the various meanings seem to be inconsistent with each other or internally contradictory.[4]

Of particular relevance in times of political crisis, it has been stressed that "[a]n independent legal profession is a cornerstone of the rule of law. The independence of the bar from political retaliation and influences means that people are free to live their lives subject only to the law and . . . [l]awyers are free to assist people without fear of persecution or retribution."[5]

The Michigan Rules of Professional Conduct refer to the concept multiple times, but it is not defined.[6] Moreover, the notion of professional independence can appear to be at odds with a lawyer's agency and fiduciary duties to their clients.[7]

In many respects, professional independence is properly understood as "independence from the pressures and influences of others who might compromise lawyers' loyalty to clients."[8] It is, therefore, unsurprising that professional independence is intertwined with the rules regarding conflicts of interest.[9]

On a broader level, the idea of professional independence reflects the belief that "society is best served when lawyers are independent in the sense of 'stand(ing) somewhat apart' from the client, both to better serve the client and 'to serve other, larger, and more diffuse interests than the client immediately recognizes.'"[10] MRPC 2.1, which expressly allows lawyers to encourage clients to consider values beyond immediate self-interest, illustrates this belief.[11] The apparent tension between a duty of zealous advocacy and consideration of broader interests is largely resolved by the fact that, in addition to being our clients' advocates, we are also officers of the court and public citizens.[12]

Of the many ways to understand professional independence, one is through its application on a day-to-day basis — asking one's client the hard questions the client would rather not address, giving a client candid advice they don't want to hear, or being persistent in making a record for appellate review while litigating before an unsympathetic trial judge. At other times, though, it can be as significant as risking one's job for doing what is right in the face of pressure to act otherwise.

Ultimately, the concept is perhaps best understood through historic examples. In 1735, Andrew Hamilton agreed to defend publisher John Peter Zenger for seditious libel after two other lawyers had been disbarred for challenging the trial judge's authority.[13] In doing so, Hamilton successfully argued — in defiance of the judge's instruction to the jury — the enduring principle that truth is a defense to libel. In 1770, John Adams famously chose to represent British soldiers accused of murder in the Boston Massacre, making the point that, regardless of who was to govern the colonies, those in control had to do so by the rules.[14]

In 1953, during the time of the so-called Red Scare, Macomb County lawyer and, later, circuit court Judge Kenneth Sanborn risked his professional career to represent Air Force Lt. Milo Radulovich, who had been deemed a security risk and stripped of his commission because of his father's and sister's alleged communist sympathies despite no claim that he had ever acted improperly.[15] The case gained national attention when Edward R. Murrow highlighted it on his popular *See It Now* television program. The resulting outcry led to reinstatement of Radulovich's commission.[16]

In 1973, in what became known as the Saturday Night Massacre, Attorney General Elliott Richardson and Deputy Attorney General Donald Ruckelshaus, appointees of President Richard Nixon, resigned from their jobs rather than acquiesce to presidential overreach. Nixon had ordered them to fire Watergate Special Prosecutor Archibald Cox after Cox refused to drop a subpoena for White House tapes. As a result, the tapes eventually saw the light of day, a disclosure that was both the beginning of the end of Nixon's presidency and a powerful reaffirmation of the importance of an independent bar.[17]

Regrettably, we have also seen the importance of professional independence through lawyers' failures. Records released in the 1980s revealed that during the litigation of *Korematsu v. United States*,[18] Solicitor General Charles Fahy "failed to tell the Court of relevant reports minimizing the danger posed by Japanese Americans living on the west coast."[19] Fahy's silence — he acceded to the Army in the face of clear contradictory evidence — affected the lives of the approximately 120,000 Japanese Americans who were interned for the duration of the war. Many of those interned lost their homes and businesses, even though not one was ever found to have acted disloyally.[20]

In this moment, we are experiencing unprecedented threats to the profession. Lawyers' and judges' responses to these threats are al-

lowing us to observe first hand how deeply professional independence is linked to maintaining the rule of law. As U.S. District Judge Beryl Howell said in the course of striking down an executive order attacking Perkins Coie LLP:

> No American President has ever before issued executive orders like the one at issue in this lawsuit targeting a prominent law firm with adverse actions to be executed by all Executive branch agencies but, in purpose and effect, this action draws from a playbook as old as Shakespeare, who penned the phrase: "The first thing we do, let's kill all the lawyers."[21]

Striking down a similar executive order directed at Jenner & Block LLP, U.S. District Judge John D. Bates stressed the multiple ways professional independence is essential to maintaining a democracy:

> That this order targets lawyers magnifies its threat to the Constitution in other ways, too. Lawyers and the firms they comprise are not, it goes without saying, immune from the legitimate exercise of state power. But neither is the Constitution blind to lawyers' importance in upholding our democracy. Indeed, at least four constitutional amendments afford counsel-specific protection in view of the foundation[al] nature of the right to counsel. This is because [t]he right to sue and defend in the courts is the right conservative of all other rights, and lies at the foundation of orderly government. Our society has entrusted lawyers with something of a monopoly on the exercise of this foundational right—on translating real-world harm into courtroom argument. Sometimes they live up to that trust; sometimes they don't. But in all events, their independence is essential lest they shrink into nothing more than parrots of the views of whatever group wields governmental power at the moment.[22]

That is, "In our constitutional order, few stars are as fixed as the principle that no official can prescribe what shall be orthodox in politics. And in our constitutional order, few actors are as central to fixing that star as lawyers."[23]

Howell's and Bates's opinions were reiterated by U.S. District Judge Richard J. Leon in an opinion striking down a comparable executive order issued against WilmerHale:

> The cornerstone of the American system of justice is an independent judiciary and an independent bar willing to tackle unpopular cases, however daunting. The Founding Fathers knew this! Accordingly, they took pains to enshrine in the Constitution certain rights that would serve as the foundation for that independence. Little wonder that in the nearly 250 years since the Constitution was adopted no Executive Order has been issued challenging these fundamental rights. Now, however, several Executive Orders have been issued directly challenging these rights and that independence. One of these Orders is the subject of this case. For the reasons set forth below, I have concluded that this Order must be struck down in its entirety as unconstitutional. Indeed, to rule otherwise would be unfaithful to the judgment and vision of the Founding Fathers![24]

The executive orders against Perkins Coie, Jenner & Block and WilmerHale are not isolated instances. Rather, they are of a piece with the Justice Department's highly unusual intrusion on the prosecutorial independence of Southern District of New York U.S. Attorney Danielle Sassoon in connection with the Department's corruption case against New York City Mayor Eric Adams. That intrusion eventually led Sassoon and a half dozen other Justice Department attorneys to resign rather than agree to dismiss the charges against Adams.[25] The department's stated reasons for dismissing the case were "explicitly political; [(acting Deputy Attorney General Emil)] Bove had argued that the investigation would prevent Mr. Adams from fully cooperating with Mr. Trump's immigration crackdown."[26] A prosecutor has broad discretion to bring or dismiss a criminal case, but that decision must be based on the law and facts of the case, not on political considerations.

Sassoon's letter to Attorney General Pam Bondi explained why she could not comply with Bove's order, describing it as "inconsistent with my ability and duty to prosecute federal crimes without fear of favor and to advance good-faith arguments before the courts."[27] By refusing to go along with Bove, Sassoon and the others stood up for the principle that government lawyers represent the United States, not the president. In a startling response to Sassoon's refusal, Bove told her "that the prosecutors who had worked on the case against Mr. Adams . . . would be investigated by the attorney general and the Justice Department's internal investigative arm."[28] Bove also appears to have threatened collective punishment of lawyers in the Department's Public Integrity Section unless one of them agreed to sign the government's motion to dismiss.[29]

During the same timeframe, both Defense Secretary Peter Hegseth and the Equal Employment Opportunity Commission ([EEOC)] initiated actions to undermine lawyers' independence. Hegseth summarily fired the Judge Advocate Generals of the Army, Navy and Air Force.[30] In response, columnist David French wrote, "Dismissing JAG officers doesn't change the rules, but it can degrade the quality of the legal advice that commanders receive. If military lawyers are afraid to provide good-faith advice for fear that it will anger the nation's political leadership, then the chances that American forces will make a catastrophic mistake skyrocket."[31]

For its part, the EEOC launched investigations of 20 major law firms, challenging their hiring practices going back to 2019 for claimed racial and gender discrimination based on a notion of unlawful discrimination that turns existing law on its head.[32]

The American Bar Association has also responded forcefully to

governmental attacks on lawyers and their professional independence. In a March 3, 2025, statement, ABA President William R. Bay stated:

> We will not stay silent in the face of efforts to remake the legal profession into something that rewards those who agree with the government and punishes those who do not. Words and actions matter. And the intimidating words and actions we have heard must end. They are designed to cow our country's judges, our country's courts and our legal profession. Consistent with the chief justice's report, these efforts cannot be sanctioned or normalized.
>
> There are clear choices facing our profession. We can choose to remain silent and allow these acts to continue or we can stand for the rule of law and the values we hold dear .... We acknowledge that there are risks to standing up and addressing these important issues. But if the ABA and lawyers do not speak, who will speak for the organized bar? Who will speak for the judiciary? Who will protect our system of justice? If we don't speak now, when will we speak?[33]

In June 2025, the ABA filed suit against the president and numerous executive branch agencies. Citing well-settled First Amendment law prohibiting the government from making "threats aimed at punishing or suppressing disfavored speech" and from "subjecting individuals to 'retaliatory actions' after the fact for having engaged in protected speech," the suit sought broad declaratory and injunctive relief against the administration's attacks on lawyers and law firms.[34]

In a "Special Statement on Unprecedented Threats to Rule of Law" emailed to all members of the State Bar of Michigan following the issuance of the ABA's March statement, the leaders of the State Bar echoed the ABA position. The Michigan Bar leaders stressed that "Our democracy depends on lawyers being able to provide representation to others as a means of ensuring that legal rights are properly asserted" and that a "strong and independent judiciary" is "able to decide cases based on the law and facts, rather than outside pressures. Efforts to undermine judicial independence — whether through threats to judicial security, calls for removal based on case outcomes, or actions that erode the public's trust in the courts — pose risks to the proper functioning of our justice system."[35]

Both the ABA statement and the State Bar leaders' statement also note that judicial independence, like lawyers' independence, is key to maintaining the rule of law in society. Bates underscored the significance of this interrelationship in his opinion in Jenner & Block:

> Next, there is the interdependence of bench and bar. "An informed, independent judiciary presumes an informed, independent bar." *Legal Servs. Corp. v. Velazquez*, 531 U.S. 533, 545 (2001). So limitations on lawyers' speech must be examined with care, as such limitations threaten not only the lawyers and their clients but also the ability of a coequal branch of government to function. Cf. Penson, 488 U.S. at 82 (noting that a lawyer's failure "deprived the court of the assistance of an advocate" of its own). Official attempts to "draw lines around" lawyers' advocacy and thereby "exclude from litigation those arguments and theories [the President] finds unacceptable but which by their nature are within the province of the courts to consider" threaten a deep and irreparable rift in the constitutional order because they seek "to insulate the Government's [acts] from judicial inquiry." Legal Servs. Corp., 531 U.S. at 546. When the government draws legal scrutiny, its response must be to defend itself in court, not to intimidate those who would force it to do so.[36]

Bates' comments recall Alexander Hamilton's observation in *The Federalist No. 78* that "[t]here is no liberty, if the power of judging be not separated from the legislative and executive powers ... the complete independence of the courts of justice is particularly essential in a limited constitution."[37] It is a truism that Hamilton's observation has been repeatedly validated by lived experience.

It is, in fact, difficult to imagine judges committed to judicial independence if, prior to taking the bench, the principle of professional independence had not been ingrained in them as lawyers.

Ultimately, the concept of professional independence imposes on us as lawyers the sometimes heavy responsibility to know when to say "no" and when to do or say what is unpopular in service to what is ethical and just. In this sense, professional independence is what civil rights leader Bayard Rustin referred to as our duty to "speak the truth to power."

Outside of the constitutional convention one day, Benjamin Franklin was asked, "Well, Doctor, what have we got, A Republic or a Monarchy?" Franklin famously replied, "a Republic, if you can keep it."[38] By its very nature, a democracy is inherently vulnerable; it is, therefore, entirely predictable that a democratic society will at some point in time experience an existential challenge. The Founders would almost certainly have been surprised that we have avoided such a crisis for 250 years. When such a crisis arises, however, because of our role in society, we as lawyers must each make a choice. As stressed in the ABA and State Bar leaders' statements, we must decide whether to speak up or remain silent.

Threats to the rule of law do not arise in a vacuum. They are invariably the product of a particular combination of social, political, cultural, and economic conditions at a given moment in time. Each of us has agency to decide how we will respond, and our individual decisions to act or remain silent may well turn on our individual beliefs as to the overall fairness of the law. Maintaining

the rule of law, therefore, may ultimately depend not just on our respective views of professional independence but also on whether a critical mass of us view the law as sufficiently responsive to people's needs to be worth fighting to preserve.

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ENDNOTES

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3. Const 1963, Art VI, § 1.
4. Green, *Lawyers' Professional Independence: Overrated or Undervalued*, 46 Akron L Rev 599, 601 (2013).
5. Zer-Gutman & Wald, *Is the Legal Profession Too Independent?*, 105 Marquette L Rev 341, 350 (2021).
6. See MRPC 1.0, 1.7 (Comment), 1.8(f), 2.1 and 5.4 (Title and Comment).
7. Michaels, *Lawyer Independence: From Ideal to Viable Legal Standard*, 61 Case Western Reserve L Rev 85, 88 (2010).
8. Green, *supra* n 4 at 608.
9. See MRPC 1.7-1.9.
10. Green, *supra* n 4 at 604, n 16, citing Archibald Cox, *The Conditions of Independence of the Legal Profession*, in "The Lawyer's Professional Independence, Present Threats/Future Challenges 53, 55 (John B. Davidson, ed., 1985). See also Green & Pearce, "*Public Service Must Begin at Home": The Lawyer as Civics Teacher in Everyday Practice*, 50 William & Mary L Rev 1207, 1212 (2009).
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16. *Id.*
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18. *Korematsu v. US*, 323 US 214; 65 S Ct 193; 89 L Ed 194 (1944), abrogated by *Trump v. Hawaii*, 585 US 667 (2018).
19. *Katyal Speaks of SG "Mistakes" in Japanese Internment Cases*, The BLT: The Blog of Legal Times (posted May 23, 2011). See also Russo, *Confession of Error: The Solicitor General's Mistakes During the Japanese-American Internment Cases*, The Justice Blog (May 20, 2011).
20. When the truth of what the government had known came out decades later, Korematsu successfully petitioned for a writ of *coram nobis* to vacate his conviction for having been present in an exclusionary zone. See *Korematsu v. US*, 584 F Supp 1406, 1420 (ND Cal 1984).
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37. The Federalist No. 78 (Hamilton) (Carey & McClellan eds, 1990), 402.
38. Miller, *"A republic if you can keep it": Elizabeth Willing Powel, Benjamin Franklin, and the James McHenry Journal*, Library of Congress Blogs <https://blogs.loc.gov/manuscripts/2022/01/a-republic-if-you-can-keep-it-elizabeth-willing-powel-benjamin-franklin-and-the-james-mchenry-journal/> (posted January 6, 2022).

PLAIN LANGUAGE

The mighty vertical list

BY JOSEPH KIMBLE

Perhaps no other technique does more to make legal drafting clear and readable than the vertical list.[1] Equally important is the use of more structural parts and subparts, with their attendant headings and subheadings. I've touted the value of these techniques in this column before (November 2020, January 2022, April 2023), but they are worth revisiting.

Here I'll concentrate only on vertical lists, with examples that are mostly from *Essentials for Drafting Clear Legal Rules*, the book that Bryan Garner and I published last year. He and I have been involved in rewriting five sets of federal court rules,[2] and the examples are from that work. The book is available free online. Just search for the title.

Not This:	**But This:**
In any action in which there are unusually large numbers of defendants, the court, upon motion or of its own initiative, may order that service of the pleadings of the defendants and replies thereto need not be made as between the defendants and that any cross-claim, counterclaim, or matter constituting an avoidance or affirmative defense contained therein shall be deemed to be denied or avoided by all other parties and that the filing of any such pleading and service thereof upon the plaintiff constitutes due notice of it to the parties.	If an action involves an unusually large number of defendants, the court may, on motion or on its own, order that: (A) defendants' pleadings and replies to them need not be served on other defendants; (B) any crossclaim, counterclaim, avoidance, or affirmative defense in those pleadings and replies to them will be treated as denied or avoided by all other parties; and (C) filing any such pleading and serving it on the plaintiff constitutes notice of the pleading to all parties.
Old Fed. R. Civ. P. 5(c).	Current rule 5(c)(1).

Not This:	**But This:**
Such notice shall identify the law enforcement or Federal intelligence agency and any member of such agency on behalf of which and the period of time in which the defendant claims the actual or believed exercise of public authority occurred.	The notice must contain the following information: (A) the law-enforcement agency or federal intelligence agency involved; (B) the agency member on whose behalf the defendant claims to have acted; and (C) the time during which the defendant claims to have acted with public authority.
Old Fed. R. Crim. P. 12.3(a)(1).	Current rule 12.3(a)(2).

Not This:	**But This:**
If by reason of death, sickness or other disability the judge before whom a jury trial has commenced is unable to proceed with the trial, any other judge regularly sitting in or assigned to the court, upon certifying familiarity with the record of the trial, may proceed with and finish the trial.	Any judge regularly sitting in or assigned to the court may complete a jury trial if: (1) the judge before whom the trial began cannot proceed because of death, sickness, or other disability; and (2) the judge completing the trial certifies familiarity with the trial record.
Old Fed. R. Crim. P. 25(a).	Current rule.

"Plain Language," edited by Joseph Kimble, has been a regular feature of the *Michigan Bar Journal* for 41 years. To contribute an article, contact Prof. Kimble at Cooley Law School, 300 S. Capitol Ave., Lansing, MI 48933, or at kimblej@cooley.edu. For an index of past columns, visit www.michbar.org/plainlanguage.

Now a few specific points. First, you may need to restructure the sentence to put the list at the end, where it belongs.

Not This:	**But This:**
If, in order to enable the court to enter judgment or to carry it into effect, it is necessary to take an account or to determine the amount of damages or to establish the truth of any averment by evidence or to make an investigation of any other matter, the court may conduct such hearings or order such references as it deems necessary and proper	The court may conduct hearings or make referrals . . . when, to enter or effectuate judgment, it needs to: (A) conduct an accounting; (B) determine the amount of damages; (C) establish the truth of any allegation by evidence; or (D) investigate any other matter.
Old Fed. R. Civ. P. 55(b)(2).	Current rule.

Second, even provisions that don't at first seem to lend themselves to a list may be converted into one with a little ingenuity.

Not This:	**But This:**
(d) Juvenile Adjudications. Evidence of juvenile adjudications is generally not admissible under this rule. The court may, however, in a criminal case allow evidence of a juvenile adjudication of a witness other than the accused if conviction of the offense would be admissible to attack the credibility of an adult and the court is satisfied that admission in evidence is necessary for a fair determination of the issue of guilt or innocence.	**(d) Juvenile Adjudications.** Evidence of a juvenile adjudication is admissible under this rule only if: (1) it is offered in a criminal case; (2) the adjudication was of a witness other than the defendant; (3) an adult's conviction for that offense would be admissible to attack the adult's credibility; and (4) admitting the evidence is necessary to fairly determine guilt or innocence.
Old Fed. R. Evid. 609(4).	Current rule.

Third, the vertical list is especially helpful for avoiding ambiguity caused by a modifier that follows a series — a trailing modifier.

Not This:	**But This:**
Every order . . . is binding only upon the parties to the action, their officers, agents, servants, employees, and attorneys, and upon those persons in active concert or participation with them *who receive actual notice of the order by personal service or otherwise*. [The italicized clause seems not to modify all the items in the series, although it was supposed to.]	The order binds only the following who receive actual notice of it by personal service or otherwise: (A) the parties; (B) the parties' officers, agents, servants, employees, and attorneys; and (C) other persons who are in active concert or participation with anyone described in Rule 65(d)(2)(A) or (B). [The cross-reference would be better as simply *in (A) or (B)*.]
Old Fed. R. Civ. P. 65(d).	Current rule 65(d)(2).

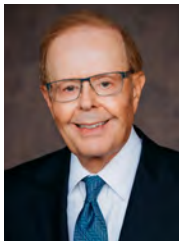
The mighty vertical list — use it liberally in your drafting.

This article originally appeared in The Clarity Journal*, No 90, 2025.*

ENDNOTES

1. For the science behind the value of lists, see Mika, *Lists in Legal Drafting: How Brain Science Can Help Student Drafters Produce Documents That Are Easier to Read and Comprehend*, 21 Scribes J Legal Writing 75 (2023–2024) <https://www.scribes.org/wp-content/uploads/2024/08/Scribes_vol21_09_Lists_in_Legal_Drafting.pdf> [https://perma.cc/MSE5-TD5U] (all websites accessed June 13, 2025).

2. See Kimble, *Redrafting All the Federal Court Rules: A 30-Year Odyssey*, 107 Judicature 24 (no 3, 2024), available at <https://judicature.duke.edu/articles/redrafting-all-the-federal-court-rules-a-30-year-odyssey/> [https://perma.cc/25M7-5H6B].



Joseph Kimble taught legal writing for 30 years at Cooley Law School. His fourth and latest book is *Essentials for Drafting Clear Legal Rules* (with Bryan Garner). He is a senior editor of *The Scribes Journal of Legal Writing*, editor of the Redlines column in *Judicature*, and a drafting consultant on all federal court rules. He led the work of redrafting the Federal Rules of Civil Procedure, Federal Rules of Evidence, and Michigan Rules of Evidence. In 2023, he won a Roberts P. Hudson Award from the State Bar of Michigan. Last year, he won the Golden Pen Award from the Legal Writing Institute.

BEST PRACTICES

Take your ego out of it! Practice tips for the next generation of our profession

BY JAMES P. FREGO

Our law schools generally do a fine job teaching students two things: "the law" as it is structured in several key areas and how to spot issues (a.k.a. how to think like an attorney).

Where we are lacking, however, is in teaching the next generations of our profession some of the real nuts and bolts of what it means to have a career in the law. The following topics might provide some growth opportunities, especially for young attorneys and their practices.

In a nutshell, much of this article can be summarized by one simple piece of advice: Take your ego out of it!

UNDER-PROMISE AND OVER-PERFORM

Resist the urge to brag early on about all the wonderful things you will do for a client. *Wait.* Defer gratification until the end of the case, rather than seek it at the beginning.

Example: You have a potential client in your office who suffered a personal injury. In your experience, you feel their case might get them as much as $10,000, after your contingency fee and the medical bills are paid.

If you say up front, "I think you can get $10,000 for this case," you've boxed yourself into a corner. You'd better deliver! If the client retains and in the end they receive $9,000 as their share of a settlement, many clients will wonder (sometimes aloud): "What did my attorney do to cost me that extra $1,000? Did they overcharge me? Is *that* why I only received $9,000?".

However, things might have been different if you changed your approach up front and instead said this at the initial client meeting: "Every case is different, and there are lots of variables. The other side is going to claim you did X, Y and Z … and because of that they will say you shouldn't get much, if anything. But we've handled cases like this before, and have had some success. We believe we can have success on your case as well." *Then* if the client receives that same $9,000 in settlement, they will be singing your praises (and likely recommending you to others).

COMMUNICATIONS

Regardless of the size of your firm, try to channel the royal family and use plural, rather than individual, references in your communications. You will sound much stronger and come across more professionally as well.

For instance, when you make statements like: "I intend to …" or "My client will …" or "Respond to me by …" these phrases all express singularity but also show weakness. They indicate you are a solitary actor, and solitary actors are much less menacing than large groups like an entire law firm.

Instead, try these similar phrases: "*We intend to …*" or "*Our client will …*" or "*Respond to us by …*" The other party has no idea whether you are acting alone, perhaps with your spouse as your only support staffer, or if you are affiliated with dozens of others in this matter. Size (and the unknown) expresses strength for your position.

"Best Practices" is a regular column of the Michigan Bar Journal edited by George Strander of the Michigan Bar Journal Committee. To contribute an article, contact Mr. Strander at gstrander@yahoo.com

HOW YOU TREAT SUPPORT STAFF IS IMPORTANT

Whether you are a bit player in a large law firm or a solo practitioner, support staff is essential to your practice. This includes the support staff of your opposition and the court with whom you may come in contact, as well as those from your own office. From your secretary to your paralegal, receptionists, and even the copy person — each provides a critical service necessary for your continued success.

When the tide comes in on your income streams, consider sharing some of that extra revenue with those folks who helped make it all possible. Bonuses are appreciated by everyone, and sharing the spoils of a good quarter will only encourage your staff in the future. It also has the additional effect of making them feel more like members of a team — *your* team.

Another way you can strengthen your bond with the support staff is to give them credit for positive results you get, while taking the blame yourself for negative results. If good things are happening on your cases, there will be plenty of positives for you as the attorney. Why not spread that around to engender good feelings of accomplishment with key people in your office? After all, it is unlikely that anyone will think, *The legal secretary is the real reason they won that case*, but if your job is typing, filing and making copies, imagine the wonderful feeling of having your boss proclaim publicly: "We wouldn't have won this without you! *Thank you!* "

There are so many other simple and easy ways to express gratitude for your staff, not the least of which is to encourage them to have a private life and family, and to BE THERE for their family events. Consider giving someone the afternoon off to go see their child's soccer match or school play. If needed, encourage them to bring a child into the office for a few days if their daycare has fallen through. Going to work with a parent, and seeing/experiencing what Mom or Dad does every day, makes the parent look like a hero in the eyes of a child. And who wouldn't want that?

GET BACK INTO COURT

Four years after the COVID closures, some courts in Michigan are *still* not fully open. Respected and well-intentioned people are saying: "We might never fully reopen. This method of Zoom or telephone hearings is just easier for many of us."

"Easy" may be true, but our present convenience means we are robbing up-and-coming attorneys of the opportunity to work on and master critical skills that most any practitioner should master, and we must consider how an absence of in-person hearings affects our practice as a whole.

Zoom or telephone hearings lack the gravitas of having to dress up, drive to court, face your opposition and convince a neutral party of the legitimacy of your arguments. New attorneys hone skills like listening, changing arguments on the fly, client control, preparing for court, and answering pointed questions when hearings are done in person. Also, when hearings are held over a computer or telephone screen, distractions abound that lead to a lessening of the overall quality of practice.

Simply put, there is no replacement for "eyeballing" a person as they testify. Older practitioners will say that, over time, one develops a "sixth sense" for when someone in front of them is telling the truth or hiding something. This disappears on a Zoom call, where unknown actors may be coaching the witness off-camera or there may be disruptions like phones ringing, dogs barking, or other conversations happening in the background.

RELATIONSHIPS MATTER

If your practice focuses on just a few areas of the law, you will see the same people over and over again. Judges, court clerks, paralegals and especially other attorneys (both opposition attorneys and those practicing in the same area as you). These people matter. In fact, if you continue practicing in that same area of the law, you may run into these same individuals hundreds of times over your legal career, both personally and professionally. Nurture those relationships.

After decades of practice, many attorneys know *who* to call in a tight situation for advice, assistance, or simply for a favor. The legal practice can be a very small world. Young attorneys you might see down at court today, making their first few (painful) oral arguments, may well grow into significant contributors at firms you find yourself dealing with years from now. It always helps to be on a first-name basis with them, such that one can pick up the phone and ask for help whenever it is needed most (or answer a call from them, who may be equally in need).

YOUR REPUTATION IS EVERYTHING

Finally, and importantly, remember that your reputation is important.

The first ethics classes we took in law school taught an important lesson that too many have seemingly forgotten: Our *first* duty as attorneys is to the Bar itself, and *then* to our clients. Many ethical rules point to this, such as the prohibition against offering knowingly perjured testimony or the duty of candor to the court.

The simple truth is that no single client, and no single case, is worth your reputation. In our zeal to "win," sometimes this truth can become cloudy. But it is at the cornerstone of any truly successful practice. Your reputation with the court and with other attorneys is the basis on which you will often be judged when your work or actions are placed under scrutiny.

CONCLUSION

The practice of law is a profession. While law schools often don't teach a class on what it means to be a professional, the school of hard knocks does.

Every member of the Bar has endured a learning curve, and every lawyer has made mistakes over the years. We should never stop trying to better ourselves, and each one of us has room to improve areas of our practice. It is in learning from our mistakes, and learning from the mistakes of others, that we can truly grow. And that is where we, as individuals and as a profession, need to remember to "Take your ego out of it!"

James Frego is the founder and assistant managing partner of Frego & Associates — The Bankruptcy Law Office. Certified as a specialist in consumer bankruptcy law, Mr. Frego has been practicing law for 34 years, of which the last 26 have been exclusively in consumer bankruptcy (where he and his firm have handled over 30,000 bankruptcy cases). He has lectured at several local and national seminars, written articles for the Bar Journal and other publications, and provided mentorship to scores of attorneys in the last 25 years.

LIBRARIES & LEGAL RESEARCH

An ode to the annotated code

BY JANE MELAND

Recently, I've been thinking about the annotated code. As both a legal research instructor and a library director, I regularly reflect on legal research resources, but lately, the annotated code has caught my attention more than others. I worry that this essential source for legal research is being overlooked.

Throughout my career, which spans over 20 years, the annotated code has been a stalwart of legal research. I refer to it as a "gold standard" and describe it to students as a "hybrid of primary and secondary sources" designed to help researchers save time and accurately apply statutory law. But even with this high praise, I still find students are ambivalent about its utility in legal research.

It's not hard to see where this ambivalence might be coming from. Newer research tools provide quick answers, making it easy to overlook a source that requires a slower, more thoughtful approach. Some might attribute that ambivalence to a particular generation of researchers. However, regardless of generation, most of us have become accustomed to finding quick answers and expecting the correct answer to appear among the top 10 results on a list (or on the first page of Google).

Yet, many legal issues, particularly in statutory research, don't lend themselves to a quick Google search approach. Therefore, my goal with this article is to reexamine the annotated code, explore its ongoing usefulness, and, hopefully, generate some enthusiasm for the underrated annotated code.

WHAT IS THE ANNOTATED CODE?

Most legal research textbooks define a statutory code, whether annotated or not, as a collection of current statutes of general and permanent application arranged by subject.[1] Thus, all statutory codes share some common characteristics. They include the current text of the laws, including any amendments. They are organized into a subject matter hierarchy, and they include historical notes that aid the researcher in tracking the historical development of the statutes. All these features enable researchers to easily access and navigate a jurisdiction's statutory law.

These features lay the groundwork for statutory research, but interpreting what a statute actually means — and how it applies in practice — requires more than just finding its text. In many situations, researchers must consult case law to fully understand the application and meaning of a statute. This is where the annotated code distinguishes itself as the "gold standard" source for statutory research. One of the key characteristics of the annotated code is the inclusion of abstracts from interpretive judicial decisions, commonly known as annotations.

These case annotations serve as important extrinsic aids in determining the meaning and legislative intent of statutory law.[2] Selected for their relevance by a code's editors,[3] they represent the cases deemed the best for discerning the meaning and application of a statute. Their inclusion in the annotated code is deliberate and designed to make research more efficient for busy law students and attorneys.

In addition to the case annotations, annotated codes integrate other interpretive sources, such as cross-references and notes to relevant secondary sources, administrative code sections, administrative decisions and legislative history materials.

Thus, the annotated code represents an amalgamation of complementary sources that serves as a one-stop shop for researching statutory law. The annotated code eliminates the need to spend time sifting through separate sources and determining their relevance to the research. For the most part, the editors have taken care of that for the researcher.

In a world where time is money, the annotated code enables attorneys to work smarter and more efficiently.[4]

COMMON MISCONCEPTIONS ABOUT THE ANNOTATED CODE

Despite the many benefits of an annotated code, why does it continue to be underappreciated? I think there are several reasons for this, including reflexive use of search bars, a preference for simplicity, and students' preference for case law.[5]

One of the main reasons researchers may tend to disregard the annotated code is that it requires a methodical multistep approach to research — an approach overshadowed by quick Google-like searches and generative (GAI) technologies that many have come to rely on. Many of us have become so accustomed to using search bars that we reflexively start typing when we see one. But this shortcut mindset can be counterproductive when working with statutes because the annotated code rewards a slower, more deliberate approach — which, ironically, can save time in the long run.

Additionally, while the annotated code is functionally a primary source, the added cross-references to secondary sources can sometimes confuse researchers about whether the annotated code is a primary or secondary source. In legal research, the goal is to locate primary sources that directly address the legal issue as quickly and efficiently as possible. However, editorial enhancements — such as case notes, commentary, and references to treatises — can cause some researchers to overlook the fact that the statutory text itself constitutes binding law.[6] This may lead some researchers to seek out more simplistic, less efficient sources as they focus on finding primary law.

For law students, codes may be overlooked because of the heavy emphasis on studying case law in law school.[7] This focus often downplays the role of statutory law in legal research, leading students to shy away from statutory-based research tools.

HOW WILL ARTIFICIAL INTELLIGENCE (AI) IMPACT THE ANNOTATED CODE?

I'm certainly not a futurist or an expert on GAI tools; however, given my basic understanding of how GAI works, I believe the annotated code will continue to be a valuable and necessary tool in statutory research.

One of the drawbacks of GAI for legal research is that it can "hallucinate," meaning it erroneously describes or even invents sources. The GAI technology is not malicious; it just doesn't know any better. It is trained to identify patterns in language, so the answer it provides is based on a likelihood that the next word or phrase will be correct according to the data it has trained on. It does not understand that a case is a unique thing. It simply sees a case as a string of words. Additionally, GAI's conversational style may not be a good fit for statutory research, where precision of language is vital to accurately understanding the meaning of the law. As one author put it, "in law 'almost correct' is a liability, not an improvement. A single hallucination [or miswording] can turn an accurate statement … into a misleading one."[8]

As attorneys and law students continue to integrate GAI tools into their legal research, whether these tools are part of platforms like Westlaw and Lexis or are stand-alone sources like ChatGPT, there will be a need to verify the results. Reliable and accurate sources, such as the annotated code, will remain essential. Just as researchers verify statutory language when referenced in a secondary source, they must apply the same diligence with GAI.

While I expect GAI tools will continue to impact the way we do research, I think the integration of AI in legal research will evolve incrementally. If anything, I expect some form of annotated code will exist, since the need to consult interpretive judicial decisions will always be a key to comprehensive statutory research.

CONCLUSION

I hope my ode to the annotated code inspired and/or reassured you; that is, I inspired you to give it a second look or reassured you that it still holds relevance in a world of ever-evolving research technologies.[9]

Jane Meland is the assistant dean and library director for the John F. Schaefer Law Library at Michigan State University College of Law. She has been with MSU since 2002 and has worked as a librarian since 1997. Jane has a JD from the University of Detroit Mercy School of Law and a master's in library and information science from Wayne State University. She is a member of the State Bar of Michigan.

ENDNOTES

1. Olson, Metzmeier, & Whiteman, *Legal Research in a Nutshell* (West Academic Publishing: 15th ed, 2024), p 87.
2. Berring & Edinger, *Finding the Law* (West Group: 11th ed, 1999), p 138.
3. For the purposes of this article, "the editors" refers to the editors at Thomson West Publishing and LexisNexis, who are the leading publishers of annotated codes at the federal and state levels.
4. As a reminder, federal annotated codes include: the *United States Code Annotated* (published by Thomson West) and the *United States Code Service* (published by LexisNexis), and Michigan annotated codes include: the *Michigan Compiled Laws Annotated* (published by Thomson West) and *the Michigan Compiled Laws Service* (published by LexisNexis).
5. These observations are my own, based on professional experience rather than empirical study.
6. Perhaps the solution for me as a research instructor is emphasizing that the annotated code is the primary law and the annotations are just added enhancements.
7. See Berring, *supra* n 2 at 135, and Olson, Kirschenfeld, & Mattson, *Principles of Legal Research* (West Academic Publishing: 3rd ed, 2020).
8. Nam Nguyen, *Hallucinations in RAG Systems: When Almost Is Not Quite Enough (ft. a Walk in the Library)*, Legaltechnologyhub.com <https://www.legaltechnologyhub.com/contents/hallucination-in-rag-systems-when-almost-is-not-quite-enough-ft-a-walk-in-the-library/?utm_medium=email&_hsenc=p2ANqtz-9kEL6yQS7WseaCXnXKTEMQOomwWr6iAJjr9Wl7E3JUqPCTT14LLiyCmlZhfa8B_MG7Ayz2PBnyintwygtHyFmmYOBHxg&_hsmi=356205773&utm_content=356205773&utm_source=hs_email> (published April 10, 2025) (accessed May 7, 2025).
9. Special thanks to Daryl Thompson for providing astute feedback and editing suggestions.

PRACTICING WELLNESS

Understanding the stages of change

BY THOMAS GRDEN

As a younger man, I struggled to make it through the Catholic Mass without acting disruptively. The old stand/sit/kneel dance kept me somewhat engaged, and as I've matured, I've come to appreciate the space for meditation that rituals tend to provide. Even now, I am seldom able to hold my attention on the priest for his entire 10-15 minute homily (enormous respect to my spiritual cousins, the evangelicals, who remain engaged with hour-long sermons regularly), so naturally, when I was a child, there was an almost zero chance I walked out of church each week knowing what the message was. Yet occasionally, I caught lightning in a bottle, and one such week has stuck with me into adulthood. The homily began with the priest reminiscing on his own childhood and his pastor's habit of repeating the same sermons for weeks at a time. One day, he finally worked up the nerve to ask his pastor why and was told, "I'll stop repeating myself when the congregation takes the message to heart."

In keeping with that theme, way back in September of 2022, I wrote about the process of change — why it's difficult, why it's uncomfortable, and why it's ultimately necessary for the health of the legal profession. Given the grim results of recent American Bar Association surveys, it's time to revisit that discussion. In 2023, the ABA's Profile of the Legal Profession noted that barely half of the respondents signaled a belief that their workplace was supportive of their mental health needs.[1] More alarmingly, attorney suicidal ideation was reported to be nearly double that of the general population, and if it weren't for the encouraging influx of women into the profession (who now make up more than half of all law students and more than half of all first-year associates), that number would be far more than double, as men were reported to experience suicidal ideation at a rate of 9.1%, versus 7.8% for women.[2]

At this point, most respectable journalists would be touting a pie-in-the-sky policy overhaul to fix the problem of lawyer well-being, but, unfortunately, I am neither respectable nor a journalist. Instead, I subscribe to 20th-century philosopher Michael Joseph Jackson's "Man in the Mirror" thesis, and if you too want to "take a look at yourself and make a change," hopefully you'll find the following primer on the stages of change useful.[3]

The stages of change, as developed by DiClemente and Prochaska as a facet of their transtheoretical model, describe the various processes that a person undergoes on their way to lasting, meaningful change.[4] Therapists use this model regularly to tailor the most appropriate interventions for their clients, but it is so effective that it has become ubiquitous amongst other professions that also seek to influence human behavior. Take, for example, the myriad of anti-tobacco commercials aimed at reducing teen nicotine consumption. These are aimed at people in the **precontemplation** stage of change. Truthfully, every advertisement qualifies as a precontemplative intervention. People in this stage of change have not yet recognized that a problem behavior exists, and so the goal becomes rais-

"Practicing Wellness" is a regular column of the Michigan Bar Journal presented by the State Bar of Michigan Lawyers and Judges Assistance Program. If you'd like to contribute a guest column, please email contactljap@michbar.org.

ing awareness of the issue. The cruel irony lies in the idea that a person who refuses to acknowledge a problem is generally not open to persuasion, as they see no need to take steps to mitigate the issue. In concrete terms, a Venn diagram comparing people who read the Practicing Wellness column and people who are precontemplative regarding lawyer well-being would look like two externally tangent circles.

Precontemplation is, in my opinion, the most difficult stage to exit. It not only involves an awareness of our own behavior but also requires acknowledgment that the behavior is harming either ourselves or other people and willingness to take accountability. Ambivalence is the enemy of change, but it can be combated through decisional balance, more colloquially known as the pro/con list. This is a helpful tool to use when logic and reasoning are unimpeded by intense emotion, stress, or a mind-altering substance. The key is to critically question each pro and con for each item on your list, asking yourself, "Why is this on the list?" and "What need does this fulfill?" This is a great way to utilize decisional balance to improve your own motivation.

Once the problem has been acknowledged, the next stage is known as **contemplation**. People in this stage are willing to identify the problem, but not yet willing to do anything about it. The most common reasons for resistance include lack of readiness, lack of confidence or, as is the case with every politician who has ever lived, lack of desire because they have determined the problem is still more beneficial than the solution. If you happen to be a legal stakeholder and have ever thought to yourself, "Maybe I don't need to make my associates miserable just because I was," but you haven't actually done anything yet, consider yourself firmly in contemplation. The best way forward is to find ways to continue strengthening your resolve, which usually involves seeking outside support.

Once the tipping point has been reached and you begin to feel compelled to make a change, the next stage is **preparation**. This involves making a plan regarding what your path to change will be, and that plan should include intermediate goals that are both attainable and measurable. It's also important to identify potential barriers to progress and make a plan on how to deal with them. Once the plan is in place, the **action** stage begins. While implementing the plan, it's important to also continue to utilize support systems put in place during other stages, honestly evaluate the plan, identify points of failure and positively reinforce successes. Finally, the **maintenance** stage is all about reinforcing the new behavior and establishing a greater sense of self-efficacy to give your behavioral change the best chance of becoming a permanent one.

Incorporating a positive new habit or stopping a destructive one can feel like a monumental effort. Listening to your discomfort to start the change process and then managing it during the process can be absolutely grueling. If the stressors or barriers to making a positive change are too overwhelming, reach out to the State Bar of Michigan Lawyers and Judges Assistance Program to find out which resources are available to you.

Thomas J. Grden is a clinical case manager with the State Bar of Michigan Lawyers and Judges Assistance Program.

ENDNOTES

1. *Profile of the Legal Profession,* American Bar Association (2023), p 97 <https://www.americanbar.org/content/dam/aba/administrative/news/2023/potlp-2023.pdf> (accessed May 13, 2025).
2. *Id.* at p 94.
3. Michael Jackson, *Man in the Mirror*, Bad (1988).
4. Prochaska & DiClemente, *The transtheoretical approach* in *Handbook of Psychotherapy Integration* (Oxford: Norcross & Goldfried Eds, 2nd ed, 2005), pp 147-171.

State Bar of Michigan

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ORDERS OF DISCIPLINE & DISABILITY

DISBARMENT AND RESTITUTION

Michael Orrin King, Jr., P 71345, Grand Rapids. Disbarment, Effective May 15, 2025[1]

After proceedings conducted pursuant to MCR 9.115, Kent County Hearing Panel #1 found, by default, that respondent committed professional misconduct during his representation of three clients in separate matters, and by failing to meaningfully participate in the Grievance Administrator's requests for investigations brought by those former clients.

Based on respondent's default and the evidence presented by the Grievance Administrator, the panel found that respondent neglected a legal matter entrusted to him, in violation of MRPC 1.1(c) [Counts One, Three, Five]; failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3 [Counts One, Three, Five]; failed to keep a client reasonably informed about the status of the matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4 [Counts One, Three, Five]; failed to take reasonable steps to protect a client's interests upon termination of representation, in violation of MRPC 1.16(d) [Counts One, Three, Five]; engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b) [Count One]; engaged in conduct in violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4) [All Counts]; engaged in conduct that is prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1) [All Counts]; engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2) [All Counts]; engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3) [All Counts]; knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2) [Counts Two, Four, Six]; and failed to answer the Request for Investigation in conformity with MCR 9.113(A) and (B)(2), and in violation of MCR 9.104(7) [Count Six].

The panel ordered that respondent be disbarred, and that he pay restitution in the total amount of $10,300.00. Costs were assessed in the amount of $2,234.48.

1. Respondent has been continuously suspended from the practice of law in Michigan since February 27, 2025. See Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued March 3, 2025.

NOTICE OF REPRIMAND WITH CONDITION (BY CONSENT)

Jonathan D. Abrahams, P 46642, Farmington Hills, Michigan Reprimand, Effective June 13, 2025.

Respondent and the Grievance Administrator filed a Stipulation for Consent Order of Discipline in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by Tri-County Hearing Panel #104. Respondent pled no contest to the factual allegations set forth in paragraphs 1-19 and 27-51, and to the allegations of professional misconduct set forth in subparagraphs 52(c), (d), (f), (h), and (k) of the formal complaint, namely that during his representation of a family who had been in an automobile accident in Florida, he failed to inform the clients that he was not licensed to practice in Florida, failed to adequately communicate with the automobile insurance company or his clients, failed to inform his client of developments or settlement offers, and missed critical correspondence and requests for independent medical exams, which ultimately led the insurance company to close the PIP claims and later reduce the value of the third-party claims.

Based on respondent's no contest plea and the stipulation of the parties, the panel found that respondent failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3; failed to keep the client reasonably informed about the status of a matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); failed to make reasonable efforts to expedite litigation consistent with the interests of the client, in violation of MRPC 3.2; and engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2).

In accordance with the stipulation of the parties, the panel ordered that respondent be reprimanded and required him to comply with a condition relevant to the established misconduct. Costs were assessed in the amount of $1,235.76.

SUSPENSION WITH CONDITIONS (BY CONSENT)

Jon H. Berkey, P 10728, La Jolla, CA Suspension - 90 Days, Effective June 25, 2025

Respondent and the Grievance Administrator filed a Second Amended Stipulation for Consent Order of Discipline pursuant to MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by Tri-County Hearing Panel #14. The second amended stipulation contained respondent's admissions to the factual allegations and allegations of professional misconduct set forth in the third amended formal complaint. Specifically, that respondent committed professional misconduct when he misused his IOLTA, failed to provide a valid address to the State Bar of Michigan, engaged in the unauthorized practice of law while living in California, falsely advertised regarding his ability to practice law in California, and provided false statements to the Grievance Administrator.

Based on respondent's admissions and the second amended stipulation of the parties, the panel found that respondent held his own funds into his IOLTA in an amount more than reasonably necessary to pay financial institution service charges or fees, in violation of MRPC 1.15(f) [Count One]; practiced law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, in violation of MRPC 5.5(a) [Count Three]; used a form of public communication that was misleading, in violation of MRPC 7.1 [Count Two]; engaged in advertisement and communications that omitted facts necessary to make the statement considered as a whole not materially misleading, in violation of MRPC 7.1(a) [Count Four]; used a firm name that implied a partnership or other association that was not accurate by using the plural of "attorney" in his letterhead, in violation of MRPC 7.5(d) [Count Four]; knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2) [Counts One and Five]; violated or attempted to violate the Rules of Professional Conduct, in violation of MRPC 8.4(a) [Counts One and Three]; and engaged in conduct that violates the standards or rules of professional conduct adopted by the Supreme Court, in violation of MCR 9.104(4) [Counts One, Two, and Three].

In accordance with the second amended stipulation of the parties, the hearing panel ordered that respondent's license to practice law in Michigan be suspended for 90 days and that he be subject to conditions relevant to the established misconduct. Total costs were assessed in the amount of $1,985.13.

1. On December 12, 2023, Ms. Rosinski filed an appearance on respondent's behalf, and represented respondent until September 25, 2024, the date Ms. Rosinski's motion to withdraw was granted.

2. The third amended formal complaint also contains five counts alleging that respondent committed professional misconduct by misusing his IOLTA, failing to provide a valid address to the State Bar of Michigan, engaging in the unauthorized practice of law while living in California, false advertising regarding his ability to practice law in California, and providing false statements to the Grievance Administrator.

3. While respondent has not previously been the subject of a formal disciplinary proceeding that resulted in the entry of an order of discipline, we have received evidence that respondent has twice been admonished by the Com-

ORDERS OF DISCIPLINE & DISABILITY (CONTINUED)

mission. We conclude that these admonishments must be characterized as a "prior disciplinary offense," an aggravating factor set forth in ABA Standard 9.22(a), rather than as a mitigating factor under ABA Standard 9.32(a). See MCR 9.115(J)(3). However, because the discipline proposed is nonetheless appropriate, we will accept the parties' stipulation for consent order of discipline.

SUSPENSION AND RESTITUTION WITH CONDITIONS (BY CONSENT)

Joseph Bernwanger, P 71895, Ferndale, Michigan Suspension - 60 Days, Effective May 22, 2025

Respondent and the Grievance Administrator filed a Stipulation for Consent Order of Discipline pursuant to MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by Tri-County Hearing Panel #65. The stipulation contained respondent's admissions to all of the factual allegations and allegations of professional misconduct set forth in a two count formal complaint. Regarding Count One, respondent admitted that he committed professional misconduct in his handling of a client's Chapter 13 bankruptcy matter by failing to file a required Certification Regarding Domestic Support Obligations, which resulted in the bankruptcy petition being closed without a discharge. Respondent later filed a second Chapter 13 bankruptcy petition for the same client, but failed to inform his client of critical court dates. The second bankruptcy petition was also dismissed due to missed meetings and nonpayment, and respondent did not disclose the actual reasons for the dismissal or take any further action on his client's behalf. Respondent's client learned that his original bankruptcy case was dismissed when he consulted with new counsel. Regarding Count Two, respondent admitted to failing to answer the request for investigation stemming from the above client matter.

Based upon respondent's admissions as set forth in the parties' stipulation, the panel found that respondent neglected a legal matter, in violation of MRPC 1.1(c) [Count One]; failed to seek the lawful objectives of a client, in violation of MRPC 1.2(a) [Count One]; failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3 [Count One]; failed to keep a client reasonably informed about the status of a matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a) [Count One]; failed to explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b) [Count One]; knowing failure to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2) [Count Two]; engaged in conduct that violates the standards or rules of professional conduct, in violation of MRPC 8.4(a) and MCR 9.104(4) [Count Two]; engaged in conduct prejudi-

cial to the Two]; engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2) [Counts One and Two]; engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3) [Counts One and Two]; and failed to answer a Request for Investigation in conformity with MCR 9.113(A) and MCR 9.113(B)(2), in violation of MCR 9.104(7).

In accordance with the stipulation of the parties, the hearing panel ordered that respondent's license to practice law in Michigan be suspended for 60 days, that he pay restitution totaling $500, and that he be subject to conditions relevant to the established misconduct. Total costs were assessed in the amount of $1,945.90.

SUSPENSION WITH CONDITION (BY CONSENT)

Sean W. Drew, P 33851, Niles, Michigan Suspension - 30 Days, Effective May 21, 2025

Respondent and the Grievance Administrator filed an Amended Stipulation for Consent Order of Discipline pursuant to MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by Kent County Hearing Panel #2. The amended stipulation contained respondent's admissions to the factual allegations and allegations of professional misconduct set forth in the formal complaint. Specifically, that respondent commingled his personal and/or business funds with client funds and improperly paid business and/or personal expenses out of the IOLTA, and that he failed to answer the request for investigation regarding the aforementioned misconduct.

Based upon respondent's admissions as set forth in the parties' amended stipulation, the panel finds that respondent failed to safeguard client property, in violation of MRPC 1.15(d)1 [Count One]; commingled his personal funds with client funds, in violation of MRPC 1.15(d) [Count One]; having received notification that an instrument presented against the trust account was presented against insufficient funds or that any other debit to such account would create a negative balance in the account, whether or not the instrument or other debit was honored, failed to, upon receipt of a request for investigation from the Grievance Administrator, provide the Grievance Administrator, in writing, within 21 days after issuance of such request, a full and fair explanation of the cause of the overdraft and how it was corrected, in violation of MRPC 1.15A(f) [Count Two]; failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2) [Count Two]; engaged in conduct that is prejudicial to the administration of justice, in violation of MCR 9.104(1) and MRPC 8.4(c) [Counts One and Two]; engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2) [Counts One and Two]; engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3) [Counts One and Two]; and failed to answer a Request for Investigation, in violation of MCR 9.104(7) and MCR 9.113(B)(2) [Count Two].

In accordance with the amended stipulation of the parties, the hearing panel ordered that respondent's license to practice law in Michigan be suspended for 30 days and that he be subject to a condition relevant to the established misconduct. Total costs were assessed in the amount of $1,344.90.

1. Although the formal complaint failed to include the applicable subsection of MRPC 1.15, the language and conduct at issue falls under MRPC 1.15(d).

2. Respondent's license to practice law has been continuously suspended since September 28, 2024. See Notice of Suspension and Restitution With Conditions, *Grievance Administrator v Sean W. Drew*, 23-103-GA, issued October 4, 2004

3 As stated in the amended stipulation, respondent completed this seminar on March 11, 2025, and thus has fulfilled this condition

4 Although the formal complaint failed to include the applicable subsection of MRPC 1.15, the language and conduct at issue falls under MRPC 1.15(d).

SUSPENSION

Luther W. Glenn, Jr., P 38683, Detroit, Michigan Suspension - 30 Days, Effective June 26, 2025

Based on the evidence presented at hearings held in this matter in accordance with MCR 9.115, Tri-County Hearing Panel #15 found that respondent committed professional misconduct when he failed to answer three requests for investigation served on him by the Grievance Administrator, and although he appeared for a sworn statement pursuant to a subpoena and provided

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testimony regarding the requests for investigation, he failed to provide written answers to either the requests for investigation or a request for additional information.

Specifically, the hearing panel found respondent failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2) [Counts One through Four]; engaged in conduct that is prejudicial to the administration of justice, in violation of MCR 9.104(1) and MRPC 8.4(c) [Counts One through Four]; engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure or reproach, in violation of MCR 9.104(2) [Counts One through Four]; engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3) [Counts One through Four]; and failed to answer a Request for Investigation, in violation of MCR 9.104(7) and MCR 9.113(B)(2) [Counts One and Two].

The Panel ordered that respondent's license to practice law in Michigan be suspended for 30 days. Costs were assessed in the amount of $3,702.25

REPRIMAND

Jerry R. Hamling, P 37922, Rochester Hills, Michigan Reprimand - Effective October 17, 2024

The Grievance Administrator filed a Notice of Filing of Judgment of Conviction in accordance with MCR 9.120(B)(3), showing that respondent was convicted by guilty plea of falsifying business records, a misdemeanor, in the State of New York, in violation of PL 175.05.00, in the matter of *People of the State of New York Jerry Hamling and Affinity Human Resources,* Case No. 771/2018.

After proceedings conducted pursuant to MCR 9.120, Tri-County Hearing Panel #54 found that respondent committed professional misconduct when he violated a criminal law of a state or of the United States, an ordinance, or tribal law pursuant to MCR 2.615, in violation of MCR 9.104(5). The hearing panel ordered that respondent be reprimanded.

The Grievance Administrator filed a timely petition for review. After review proceedings in accordance with MCR 9.118, on April 21, 2025, the Board affirmed the hearing panel's imposition of a reprimand. Total costs were assessed in the amount of $2,333.05.

1. Amended to correct effective date of reprimand, which is October 17, 2024, pursuant to the hearing panel's September 25, 2024, order of reprimand.

2. The alleged crime occurred in 2014, respondent was arrested in 2018, and the plea was accepted in 2020.

3. The indictment alleged that Parkside Construction avoided paying $7.8 million in insurance costs by hiding payroll from the New York State Insurance Fund. It was alleged that respondent directed Affinity Human Resources, LLC, the payroll processing company that he owned and that processed Parkside's payroll, to treat Parkside's three constituent companies as a separate entity rather than an alter-ego, thereby knowingly causing an omission in Parkside's payroll records. Parkside allegedly then submitted the underreported payroll with the intent of obtaining workers' compensation insurance premiums at a reduced rate. Respondent testified, however, that the payroll records were merely internal business records, and were never submitted to any outside entity. He also testified that the application for workers' compensation insurance was submitted by Parkside prior to his active involvement with the day-to-day operations of Affinity.

4. Under New York Criminal Procedure Law Section 65.05, a conditional discharge is a sentence that is imposed by the court that does not involve imprisonment or probation supervision.

5. Respondent entered his guilty plea at the same time as counsel for Affinity entered the company's guilty plea to the class E felony for knowingly and intentionally submitting false statements which underreported the construction company's actual payroll, with the intent of obtaining workers' compensation insurance premiums at a rate less than would have been covered by the State Insurance Fund

6. Standard 5.1 provides, in relevant part:

Failure to Maintain Personal Integrity

Absent aggravating or mitigating circumstances, upon application of the factors set out in Standard 3.0, the following sanctions are generally appropriate in cases involving commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, or in cases with conduct involving dishonesty, fraud, deceit, or misrepresentation:

Disbarment is generally appropriate when: a lawyer engages in serious criminal conduct, a necessary element of which includes intentional interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft; or the sale, distribution or importation of controlled substances; or the intentional killing of another; or an attempt or conspiracy or solicitation of another to commit any of these offenses; or a lawyer engages in any other intentional conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously adversely reflects on the lawyer's fitness to practice.

Suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements listed in Standard 5.11 and that seriously adversely reflects on the lawyer's fitness to practice.

Reprimand is generally appropriate when a lawyer knowingly engages in any other conduct that involves dishonesty, fraud, deceit, or misrepresentation and that adversely reflects on the lawyer's fitness to practice law.

7. New York Penal Law 175.05 states that "[a] person is guilty of falsifying business records in the second degree when, with intent to defraud, he . . . [p]revents the making of a true entry or causes the omission thereof in the business records of an enterprise."

See *In re Mozer,* 60 AD2d 202 (NY 1978) (attorney convicted of a misdemeanor, causing a false entry to be made in the minutes of a meeting of a union, and, taking into consideration his previously unblemished record, public censure was appropriate); *Matter of Micale,* 217 AD3d.

8. (NY 2023) (attorney suspended from the practice of law for a period of three months based upon her conviction of the misdemeanor of falsifying business records in the second degree); *In re Corbo,* 76 AD2d 434 (NY 1980) (attorney who pleaded guilty to having offered a false instrument for filing in the second degree, a misdemeanor, was censured, taking into consideration certain mitigating circumstances); *In re Karp,* 122 AD2d 964 (NY 1986) (attorney convicted of misdemeanor for willfully submitting a false document to the IRS was publically censured); *In re Katcher,* 259 AD2d 128 (NY 1999) (attorneys who pled guilty to reduced charge of class A misdemeanor of fourth degree computer tampering after having been indicted for felonies of unlawful duplication of computer-related material, possession of such material, and third degree grand larceny, were publically censured where they had no prior disciplinary history, they were candid in acknowledging their guilt and expressing remorse, and they submitted character letters); *Matter of Rudgayzer,* 80 AD3d 151 (NY 2010) (even though attorney's offering of a false instrument for filing constituted a "serious crime" under New York law, attorney suspended from the practice of law for two months because there was only one aggravating factor and several mitigating factors); *In re Wong,* 241 AD2d 297 (NY 1998) (one-year suspension imposed on attorney who was convicted of fifth degree insurance fraud for paying someone to dispose of his car, filing two false claims, and only acknowledging his misconduct after learning that police knew car had never been stolen).

9. The Panel also considered whether suspension could be warranted under ABA Standard 5.12, but again concluded that Respondent's conduct did not "seriously adversely reflect" on respondent's fitness to practice law.

Standard 9.32(e); the fact that respondent received other penalties and sanctions in New York, ABA Standard 9.32(k); and the genuine remorse reflected in respondent's testimony to the panel, ABA Standard 9.32(l).

The panel does want to address the pending disciplinary proceedings in New York. Respondent was suspended for two years in that matter, pending appeal, which is still ongoing. The Panel did accept the disciplinary report into evidence and reviewed it. The panel notes that, had the Grievance Administrator waited until the appeal process was over in New York, and the suspension was upheld, it could have brought this matter as a reciprocal discipline proceeding and the New York suspension would have been relevant. However, it did not do so. The panel is not commenting on, nor criticizing, the Grievance Administrator's decision to bring this as a judgment of conviction proceeding instead of awaiting the outcome of the disciplinary proceedings in New York. Counsel for the Grievance Administrator articulated the reasons for doing so, chiefly, that the proceedings in New York are taking a very long time to conclude. Nonetheless, those proceedings have not concluded, and the panel is left to conduct its own analysis without any weight that a reciprocal discipline would have afforded.

REPRIMAND (BY CONSENT)

Michael J. Kosta, P 51312, Grand Rapids, Michigan Reprimand - Effective May 21, 2025

Respondent and the Grievance Administrator filed a Stipulation for Consent Order of Reprimand, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by Tri-Valley Hearing Panel #3. The stipulation contained respondent's admission that he was convicted by guilty plea of operating a motor vehicle while intoxicated, a misdemeanor, in violation of MCL/PACC Code 257.6251-A, in *People v Michael Joseph Kosta,* 58th District Court, Case No. HL-23-003828-OD, and that the conviction constituted professional misconduct.

Based on respondent's conviction, admission, and the parties' stipulation, the panel found that respondent committed professional misconduct when he engaged in conduct that violated a criminal law of a state or of the United States, an ordinance, or tribal law, in violation of MCR 9.104(5).

In accordance with the stipulation of the parties, the hearing panel ordered that respondent be reprimanded. Costs were assessed in the amount of $773.26.

1. The panel notes that the facts of this case do not fall within the literal scope of ABA Standard 5.13 because this case does not involve fraud or dishonesty. The panel nonetheless accepts the parties' stipulation to apply the standard, because Standard 5.13 satisfies the otherwise unmet need for a benchmark that applies to this level of criminality by an attorney

ORDERS OF DISCIPLINE & DISABILITY (CONTINUED)

SUSPENSION WITH CONDITIONS

Daniel J. Lehman, P 66126, Farmington Hills, Michigan Suspension - 30 Days, Effective May 8, 2025

The Grievance Administrator filed a combined Notice of Filing of Judgment of Conviction and Formal Complaint against respondent. The notice, filed in accordance with MCR 9.120(B)(3), stated that respondent was convicted of domestic assault, a misdemeanor, in violation of West Bloomfield Ordinance Sec. 15-51, in the matter titled *Township of West Bloomfield v Daniel Joseph Lehman,* 48th District Court Case No. 21-WB01579-D01-OM. The formal complaint alleged that respondent, while on probation for his criminal matter, was involved in a domestic altercation and consumed alcohol, resulting in his arrest and guilty plea to a probation violation on March 29, 2022, and that respondent failed to report his domestic violence conviction to the Grievance Administrator and Attorney Discipline Board.

After proceedings conducted pursuant to MCR 9.115 and MCR 9.120, Tri-County Hearing Panel #62 found that respondent engaged in conduct that violates a criminal law of a state or of the United States, an ordinance, or tribal law pursuant to MCR 2.615, in violation of MRPC 8.4(b) and MCR 9.104(5); and engaged in conduct prejudicial to the administrator of justice, in violation of MCR 9.104(1) and MRPC 8.4(c). The panel also found respondent's conduct violated MCR 9.104(2)-(4).

The panel ordered that respondent's license to practice law in Michigan be suspended for 30 days and that he be subject to conditions relevant to the established misconduct. Respondent filed a timely petition for review and was granted an automatic stay by virtue of MCR 9.115(K). After review proceedings were held in accordance with MCR 9.118, the Board affirmed the hearing panel's decision in its entirety. Total costs were assessed in the amount of $2,883.88.

1. These two standards hold, as follows:

5.2 Failure to Maintain Personal Integrity - 5.12 Suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements listed in Standard 5.11 and that seriously adversely reflects on the lawyer's fitness to practice.

6.2 Abuse of the Legal Process - 6.22 Suspension is generally appropriate when a lawyer knows that he or she is violating a court order or rule, and causes injury or potential injury to a client or a party, or causes interference or potential interference with a legal proceeding.

2. Respondent proffered cursory arguments in his brief in support of his petition for review, that the panel erred in finding misconduct under MCR 9.104(5) and MRPC 8.4(c) because respondent was not convicted of the criminal offense. The evidence submitted in the record including the pictures of respondent's wife and the testimony of Officer Stephens is sufficient proof of the conduct for the panel to both find misconduct under MCR 9.104(5) and MRPC 8.4(c) and consider the nature of the conduct as to sanction. There is no Board precedent for the proposition that a conviction is required for a panel to conclude that a respondent engaged in criminal conduct. See *Grievance Administrator v Peter E. O'Rourke,* 93-191-GA (ADB 2020); *Grievance Administrator v Carl Weideman,* 05-79-GA (ADB 2007).

3. The original charge, domestic violence, second offense, was amended to include disorderly conduct. Respondent pled guilty to disorderly conduct on June 21, 2022, and the charge of domestic violence was dismissed. On July 26, 2023, the case was reopened and dismissed with prejudice. See Respondent's Brief, filed November 16, 2023.

ORDER OF REINSTATEMENT

Daniel J. Lehman, P 66126

On April 9, 2025, the Attorney Discipline Board entered an Order Affirming Hearing Panel Order of 30-Day Suspension With Conditions in this matter, suspending respondent from the practice of law in Michigan for 30 days, effective May 8, 2025.

On June 5, 2025, respondent filed an affidavit pursuant to MCR 9.123(A), attesting that he has fully complied with all requirements of the Board's order and will continue to comply with the order until and unless reinstated. The Grievance Administrator informed the Board's staff that they have no objection to respondent's affidavit pursuant to MCR 9.123(A); and the Board being otherwise advised;

Now therefore, it is ordered that respondent, **Daniel J. Lehman, P 66126,** is reinstated to the practice of law in Michigan, effective July 1, 2025.

DISBARMENT AND RESTITUTION

Kenneth B. Morgan, P 34492, Farmington Hills, Michigan Disbarment, Effective September 18, 2029[1]

After proceedings conducted pursuant to MCR 9.115, Tri-County Hearing Panel #60 found that respondent committed professional misconduct during his representation of clients and their business, which included missing court deadlines, failing to respond to motions, neglecting to produce discovery materials, and failing to inform his clients of court sanctions, which ultimately resulted in the dismissal of his clients' claims; and by failing to answer a request for investigation. Because respondent failed to file an answer to the formal complaint, a default was entered by the Grievance Administrator on November 18, 2024.

Based on respondent's default and the evidence presented by the Grievance Administrator, the panel found that respondent committed professional misconduct when he: failed to represent a client competently, in violation of MRPC 1.1(a) [Count One]; neglected a legal matter entrusted to him, in violation of MRPC 1.1(c) [Count One]; failed to seek the lawful objectives of a client through reasonably available means, in violation of MRPC 1.2(a) [Count One]; failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3 [Count One]; failed to keep a client reasonably informed about the status of a matter and comply with reasonable requests for information, in violation of MRPC 1.4(a) [Count One]; entered into an agreement for, charged, or collected an illegal or clearly excessive fee, in violation of MRPC 1.5(a) [Count One]; upon termination of representation, failed to take reasonable steps to protect a client's interests, such as surren-

dering papers and property to which the client is entitled, in violation of MRPC 1.16(d) [Count One]; failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2) [Count Two]; engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, in violation of MRPC 8.4(b) [Count One]; engaged in conduct prejudicial to the proper administration of justice, in violation of MCR

9.104(1) and MRPC 8.4(c) [Counts One and Two]; engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2) [Counts One and Two]; engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3) [Counts One and Two]; engaged in conduct that violates the Michigan Rules of Professional Conduct, in violation of MCR 9.104(4) and MRPC 8.4(a) [Counts One and Two]; and, failed to answer the Request for Investigation in conformity with MCR 9.113(A) and (B)(2), in violation of MCR 9.104(7) [Count Two].

The Panel ordered that respondent be disbarred, effective September 18, 2029, and that he pay restitution in the total amount of $73,830.00. Costs were assessed in the amount of $1,832.46.

1. Respondent's license to practice law in Michigan has been continuously suspended since March 19, 2024. See Notice of 180-Day Suspension issued on March 22, 2024, in *Grievance Administrator v Kenneth B. Morgan,* 23-88-RD; 23-89-GA, and Notice of Suspension and Restitution issued on September 25, 2024, in *Grievance Administrator v Kenneth B. Morgan,* 24-7-GA. The panel ordered that the disbarment in the present matter run consecutively to the five-year suspension ordered in 24-7-GA.

2. Respondent has been continuously suspended from the practice of law in Michigan since March 19, 2024. See *Grievance Administrator v Kenneth B. Morgan,* 23-88-RD; 23-89-GA, Notice of Suspension issued March 22, 2024.

ORDER OF REINSTATEMENT

On November 5, 2024, the Attorney Discipline Board entered an Order Reducing Suspension from 180 Days to 179 Days and Affirming Condition in this matter suspending respondent from the practice of law in Michigan for 179 days, effective December 4, 2024.

On May 27, 2025, respondent filed an affidavit pursuant to MCR 9.123(A), attesting that she has fully complied with all requirements of the Board's order and will continue to comply with the order until and unless reinstated. The Grievance Administrator did not file an objection to respondent's affidavit pursuant to MCR 9.123(A); and the Board being otherwise advised;

Now therefore, it is ordered that respondent, **Catherine A. Jacobs, P 32996,** is reinstated to the practice of law in Michigan, effective June 3, 2025.

ORDER OF REINSTATEMENT

On February 4, 2025, Kent County Hearing Panel #3 entered an Order of Suspension (By Consent) in this matter, suspending respondent's license to practice of law in Michigan for 60 days, effective February 26, 2025. On April 28, 2025, respondent filed an affidavit pursuant to MCR 9.123(A), attesting that he has fully complied with all requirements of the panel's order and will continue to comply with the order until and unless reinstated. The Grievance Administrator did not file an objection to respondent's affidavit pursuant to MCR 9.123(A); and the Board being otherwise advised;

Now therefore, it is ordered that respondent, **Dennis J. Malecki, P 80291,** is reinstated to the practice of law in Michigan, effective May 8, 2025.

ORDER OF REINSTATEMENT

On April 30, 2024, the Attorney Discipline Board entered an order affirming the hearing panel's order of suspension, affirming one condition, and vacating a second condition. As a result, respondent's license to practice of law in Michigan was suspended for 100 days, effective May 29, 2024. On May 8, 2025, respondent filed an affidavit pursuant to MCR 9.123(A), attesting that he has fully complied with all requirements of the panel's order. The Board's staff was informed by counsel that the Administrator has no objection to respondent's reinstatement; and the Board being otherwise advised;

Now therefore, it is ordered that respondent, **Andrew A. Paterson, P 18690,** is reinstated to the practice of law in Michigan, effective May 13, 2025.

FROM THE COMMITTEE ON MODEL CRIMINAL JURY INSTRUCTIONS

The Committee on Model Criminal Jury Instructions solicits comment on the following proposal by November 1, 2025. Comments may be sent in writing to Christopher M. Smith, Reporter, Committee on Model Criminal Jury Instructions, Michigan Hall of Justice, P.O. Box 30052, Lansing, MI 48909-7604, or electronically to MCrimJI@courts.mi.gov.

PROPOSED

The Committee proposes a new preliminary instruction, M Crim JI 1.10 (Referring to Jurors By Number) that would direct jurors not to draw any inferences from the use of juror numbers in lieu of names. This instruction is entirely new.

[NEW] M Crim JI 1.10
Referring to Jurors by Number

During jury selection and throughout trial, the lawyers and I will refer to you by number rather than by name. The use of juror numbers is for administrative purposes only. You must not allow this procedure to influence your decision in any way. Your decision must be based solely on the evidence presented.

The Committee on Model Criminal Jury Instructions solicits comment on the following proposal by November 1, 2025. Comments may be sent in writing to Christopher M. Smith, Reporter, Committee on Model Criminal Jury Instructions, Michigan Hall of Justice, P.O. Box 30052, Lansing, MI 48909-7604, or electronically to MCrimJI@courts.mi.gov.

PROPOSED

The Committee proposes amending M Crim JI 3.17 (Single Defendant-Single Count), M Crim JI 3.18 (Multiple Defendants-Single Count), M Crim JI 3.20 (Single Defendant-Multiple Counts-More Than One Wrongful Act), and M Crim JI 3.22 (Multiple Defendants-Multiple Counts-More Than One Wrongful Act) to present the possible verdicts in a consistent sequence, with "not guilty" appearing as the first option. Deletions are in ~~strikethrough~~, and new language is underlined.

[AMENDED] M Crim JI 3.17
Single Defendant-Single Count

You may return a verdict of not guilty or guilty of the alleged crime [, or guilty of a less serious crime~~,~~] ~~or not guilty~~.

[AMENDED] M Crim JI 3.18
Multiple Defendants-Single Count

You must return a separate verdict for each defendant. This means that, for each individual defendant, you may return a verdict of not guilty or guilty of the alleged crime [, or guilty of a less serious crime~~,~~] ~~or not guilty~~.

[AMENDED] M Crim JI 3.20
Single Defendant-Multiple Counts-More Than One Wrongful Act

(1) The defendant is charged with ___ counts, that is, with the crimes of _____and _____. These are separate crimes, and the prosecutor is charging that the defendant committed [both / all] of them. You must consider each crime separately in light of all the evidence in the case.

(2) You may find the defendant not guilty or guilty of all or [any one / any combination] of these crimes [, or guilty of a less serious crime~~,~~] ~~or not guilty~~.

[AMENDED] M Crim JI 3.22
Multiple Defendants-Multiple Counts-More Than One Wrongful Act

(1) The defendants are each charged with ___ counts, that is, with the crimes of _____ and _____. These are separate crimes, and the prosecutor is charging that each defendant committed [both / all] of them. You must consider each crime separately in light of all the evidence.

(2) You must return a separate verdict for each defendant. For each defendant, you may return a verdict of not guilty or guilty of one or more of the alleged crimes [, or guilty of a less serious crime~~,~~] ~~or not guilty~~. Remember that you must consider each defendant separately.

The Committee on Model Criminal Jury Instructions solicits comment on the following proposal by November 1, 2025. Comments may be sent in writing to Christopher M. Smith, Reporter, Committee on Model Criminal Jury Instructions, Michigan Hall of Justice, P.O. Box 30052, Lansing, MI 48909-7604, or electronically to MCrimJI@courts.mi.gov.

PROPOSED

The Committee proposes amending the following instructions to eliminate an unnecessary element: M Crim JI 16.1 (First-degree Premeditated Murder), M Crim JI 16.4 (First-degree Felony Murder), M Crim JI 16.5 (Second Degree Murder), M Crim JI 16.6 (Element Chart First-degree Premeditated Murder and Second-degree Murder), M Crim JI 16.7 (Element Chart First-degree Felony Murder and Second-degree Murder), M Crim JI 16.8 (Voluntary Manslaughter), M Crim JI 16.10 (Involuntary Manslaughter), M Crim JI 16.11 (Invol-

untary Manslaughter – Firearm Intentionally Aimed), and M Crim JI 17.3 (Assault with Intent to Murder). The proposal primarily serves as a response to *People v Spears*, 346 Mich App 494 (2023), lv den ___ Mich ___ (December 13, 2024) (Docket No. 165768). Additionally, M Crim JI 16.8 has been modified for greater consistency with M Crim JI 16.9, and M Crim JI 16.11 has been modified to remove duplicative language and to reflect statutory involuntary manslaughter's status as a cognate lesser included offense of murder, see MCL 750.329; *People v Smith*, 478 Mich 64 (2007). Deletions are in ~~strikethrough~~, and new language is underlined.

[AMENDED] M Crim JI 16.1
First-Degree Premeditated Murder

(1) The defendant is charged with the crime of first-degree premeditated murder.[1] To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].[2]

(3) Second, that the defendant intended to kill [*name deceased*].[3]

(4) Third, that this intent to kill was premeditated, that is, thought out beforehand.

(5) Fourth, that the killing was deliberate, which means that the defendant considered the pros and cons of the killing and thought about and chose [his / her] actions before [he / she] did it. There must have been real and substantial reflection for long enough to give a reasonable person a chance to think twice about the intent to kill. The law does not say how much time is needed. It is for you to decide if enough time passed under the circumstances of this case. The killing cannot be the result of a sudden impulse without thought or reflection.

~~[(6) Fifth, that the killing was not justified, excused, or done under circumstances that reduce it to a lesser crime.]~~[4]

Use Notes

1. Second-degree murder is a lesser included offense of first-degree murder and should be instructed upon if supported by the evidence. *People v Cornell*, 466 Mich 335, 358 n13; 646 NW2d 127 (2002). Use M Crim JI 16.5 for this purpose. Manslaughter is also a lesser included offense of murder and should be instructed upon if supported by the evidence. *People v Mendoza*, 468 Mich 527; 664 NW2d 685 (2003). See M Crim JI 16.9 and 16.10. In lying-in-wait or poisoning cases, use M Crim JI 16.2 or 16.3, respectively. The Time and Place (Venue) instruction can be found at M Crim JI 3.10.

2. Where causation is an issue, see the special causation instructions, M Crim JI 16.15-16.23.

3. This is a specific intent crime.

4. ~~Paragraph (6) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter. Justification or excuse instructions may be inserted here, but they are more commonly given at a later time.~~

[AMENDED] M Crim JI 16.4
First-Degree Felony Murder

(1) The defendant is charged with first-degree felony murder. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].

(3) Second, that the defendant had one of these three states of mind: [he / she] intended to kill, or [he / she] intended to do great bodily harm to [*name deceased*], or [he / she] knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions.

(4) Third, that when [he / she] did the act that caused the death of [*name deceased*], the defendant was committing [(or) attempting to commit / (or) helping someone else commit] the crime of [*state felony*]. For the crime of [*state felony*], the prosecutor must prove each of the following elements beyond a reasonable doubt: [*state elements of felony*].

~~[(5) Fourth, that the killing was not justified, excused, or done under circumstances that reduce it to a lesser crime.]~~*

[*Use (6<u>5</u>) or (7<u>6</u>) where factually appropriate:*]

(6<u>5</u>) To establish an attempt<u>,</u> the prosecutor must prove beyond a reasonable doubt that the defendant intended to commit the crime of [*state felony*] and that [he / she] took some action toward committing that crime~~,~~ but failed to complete it. It is not enough to prove that the defendant made preparations for committing the crime. Things like planning the crime or arranging how it will be committed are just preparations; they do not qualify as an attempt. In order to qualify as an attempt, the action must go beyond mere preparation, to the point where the crime would have been completed if it had not been interrupted by outside circumstances. To qualify as an attempt, the act must clearly and directly be related to the crime of [*state felony*] and not some other objective.

(7<u>6</u>) The defendant must have been either committing or helping someone else commit the crime of [*state felony*]. To help means to perform acts or give encouragement, before or during the commission of the crime, that aids or assists in its commission. At the time of giving aid or encouragement, the defendant must have intended the commission of the [*state felony*].

~~**Use Note**~~

~~* Paragraph (5) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter. Justification or excuse instructions may be inserted here, but they are more commonly given at a later time.~~

[AMENDED] M Crim JI 16.5
Second-Degree Murder

(1) [The defendant is charged with the crime of / You may also consider the lesser charge of] second-degree murder.[1] To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].[2]

(3) Second, that the defendant had one of these three states of mind: [he / she] intended to kill, or [he / she] intended to do great bodily harm to [*name deceased*], or [he / she] knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions.[3]

~~[(4) Third, that the killing was not justified, excused, or done under circumstances that reduce it to a lesser crime.][4]~~

Use Notes

1. Where there is a question as to venue, insert M Crim JI 3.10, Time and Place (Venue).
2. Where causation is an issue, see the special causation instructions, M Crim JI 16.15-16.23.
3. Second-degree murder is not a specific intent crime. *People v Langworthy*, 416 Mich 630; 331 NW2d 171 (1982).
4. ~~Paragraph (4) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter. Justification or excuse instructions may be inserted here, but they are more commonly given at a later time.~~

[AMENDED] M Crim JI 16.6
Element Chart—First-Degree Premeditated and Second-Degree Murder

First-Degree Premeditated Murder	Second-Degree Murder
(1) victim's death	(1) same
(2) death caused by defendant	(2) same
~~[(3) death not justified or excused or mitigated to manslaughter]*~~	~~[(3) same]*~~
(3~~4~~) defendant actually intended to kill victim, and	(3~~4~~) defendant actually intended to kill victim, *or* defendant intended to do great bodily harm to victim, *or* defendant knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions
(4~~5~~) defendant premeditated victim's death, *and*	
(5~~6~~) defendant deliberated victim's death	

Use Note

This chart may be distributed to jurors when first-degree premeditated and second-degree murder are the only potential verdicts, *or* when jurors request further clarification of the differences between the two offenses. To avoid undue reliance on the charts, the committee recommends that they only be distributed when written copies of all instructions are also distributed to jurors. This chart is intended for the supplemental guidance of the jury, rather than as a substitute for the comprehensive murder definitions contained in M Crim JI 16.1, 16.4, and 16.5.

~~*Paragraph (3) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter.~~

AMENDED] M Crim JI 16.7
Element Chart—First-Degree Felony and Second-Degree Murder

First-Degree Felony Murder	Second-Degree Murder
(1) victim's death	(1) same
(2) death caused by defendant	(2) same
~~[(3) death not justified or excused]*~~	~~[(3) same]*~~
(3~~4~~) defendant actually intended to kill victim, or defendant intended to do great bodily harm to victim, or defendant knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions	(3~~4~~) same
(4~~5~~) defendant was committing or attempting to commit a specified felony at the time of the act causing victim's death	

Use Note

This chart may be distributed to jurors when first-degree felony and second-degree murder are the only potential verdicts, *or* when jurors request further clarification of the differences between the two offenses. To avoid undue reliance on the charts, the committee recommends that they only be distributed when written copies of all instructions are also distributed to jurors. This chart is intended for the supplemental guidance of the jury, rather than as a substitute for the comprehensive murder definitions contained in M Crim JI 16.1, 16.4, and 16.5.

~~*Paragraph (3) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter.~~

[AMENDED] M Crim JI 16.8
Voluntary Manslaughter

(1) ~~[~~The defendant is charged with the crime of ~~_____ / You may also consider the lesser charge of*]~~ voluntary manslaughter.[1] To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].

(3) Second, that the defendant had one of these three states of mind: [he / she] intended to kill, or [he / she] intended to do great bodily harm to [*name deceased*], or [he / she] knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions.

~~[(4) Third, that the defendant caused the death without lawful excuse or justification.]~~

Use Note

~~*~~1. If instructions on voluntary manslaughter are being given as a lesser offense to murder, use M Crim JI 16.9.

[AMENDED] M Crim JI 16.10
Involuntary Manslaughter

(1) [The defendant is charged with the crime of ~~_____~~/ You may also consider the lesser charge of] involuntary manslaughter. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].

[*Use (3) when gross negligence is alleged:*]

(3) Second, in doing the act that caused [*name deceased*]'s death, the defendant acted in a grossly negligent manner.[1]

[*Use (4) when the act requires an intent to injure:*][2]

(4) Second, in doing the act that caused [*name deceased*]'s death, the defendant intended[3] to injure [*name deceased*]. The act charged in this case is assault and battery. The prosecution must prove the following beyond a reasonable doubt: First, that the defendant committed a battery on [*name deceased*]. A battery is a forceful or violent touching of the person or something closely connected with the person. The touching must have been intended by the defendant, that is, not accidental, and it must have been against [*name deceased*]'s will. Second, that the defendant intended to injure [*name deceased*].

~~[(5) Third, that the defendant caused the death without lawful excuse or justification.]~~[4]

Use Notes

1. For a definition of *gross ntegligence*, see M Crim JI 16.18.
2. An unlawful act ~~which~~ that is committed with the intent to injure is not limited to an assault and battery. The applicable elements of that offense are set forth in this instruction because assault and battery is the most common type of unlawful act needed to support a charge of involuntary manslaughter.
3. This is a specific intent variant of the crime.
4. ~~Paragraph (5) may be omitted if there is no evidence of excuse or justification.~~

[AMENDED] M Crim JI 16.11
Involuntary Manslaughter-Firearm Intentionally Aimed

(1) ~~[~~The defendant is charged with the crime of ~~_____ / You may also consider the lesser charge of~~] involuntary manslaughter. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*]~~,~~ ~~that is, [*name deceased*] died as a result of [*state alleged act causing death*]~~.

(3) Second, that death resulted from the discharge of a firearm.1 ~~[A firearm is an instrument from which (shot / a bullet) is propelled by the explosion of gunpowder.]~~

(4) Third, at the time the firearm discharged ~~went off~~, the defendant was intentionally aiming or pointing it at [*name deceased*].

~~(5) Fourth, at that time, the defendant intended to point the firearm at [*name deceased*].~~[1]

~~[(6) Fifth, that the defendant caused the death without lawful excuse or justification.]~~[2]

Use Note

1. ~~This is a specific intent crime.~~ *Firearm* is defined in MCL 750.222(e) as "any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive."
2. ~~Paragraph (6) should be given only if there is a claim by the defense that the killing was excused or justified.~~

[AMENDED] M Crim JI 17.3
Assault with Intent to Murder

(1) The defendant is charged with the crime of assault with intent to murder. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant tried to physically injure another person.

(3) Second, that when the defendant committed the assault, [he / she] had the ability to cause an injury, or at least believed that [he / she] had the ability.

(4) Third, that the defendant intended1 to kill the person [he / she] assaulted ~~[, and the circumstances did not legally excuse or reduce the crime]~~.*[2]

Use Notes

*1. This is a specific intent crime.

2. Where appropriate, give special instructions on particular defenses (see chapter 7), on mitigation (M Crim JI 17.4), and transferred intent (M Crim JI 17.17).

The Committee on Model Criminal Jury Instructions solicits comment on the following proposal by November 1, 2025. Comments may be sent in writing to Christopher M. Smith, Reporter, Committee on Model Criminal Jury Instructions, Michigan Hall of Justice, P.O. Box 30052, Lansing, MI 48909-7604, or electronically to MCrimJI@courts.mi.gov.

PROPOSED

The Committee proposes amending the following instructions to eliminate an unnecessary element: M Crim JI 16.1 (First-degree Premeditated Murder), M Crim JI 16.4 (First-degree Felony Murder), M Crim JI 16.5 (Second Degree Murder), M Crim JI 16.6 (Element Chart First-degree Premeditated Murder and Second-degree Murder), M Crim JI 16.7 (Element Chart First-degree Felony Murder and Second-degree Murder), M Crim JI 16.8 (Voluntary Manslaughter), M Crim JI 16.10 (Involuntary Manslaughter), M Crim JI 16.11 (Involuntary Manslaughter – Firearm Intentionally Aimed), and M Crim JI 17.3 (Assault with Intent to Murder). The proposal primarily serves as a response to *People v Spears*, 346 Mich App 494 (2023), lv den ___ Mich ___ (December 13, 2024) (Docket No. 165768). Additionally, M Crim JI 16.8 has been modified for greater consistency with M Crim JI 16.9, and M Crim JI 16.11 has been modified to remove duplicative language and to reflect statutory involuntary manslaughter's status as a cognate lesser included offense of murder, see MCL 750.329; *People v Smith*, 478 Mich 64 (2007). Deletions are in ~~strikethrough~~, and new language is underlined.

[AMENDED] M Crim JI 16.1
First-Degree Premeditated Murder

(1) The defendant is charged with the crime of first-degree premeditated murder.[1] To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].[2]

(3) Second, that the defendant intended to kill [*name deceased*].[3]

(4) Third, that this intent to kill was premeditated, that is, thought out beforehand.

(5) Fourth, that the killing was deliberate, which means that the defendant considered the pros and cons of the killing and thought about and chose [his / her] actions before [he / she] did it. There must have been real and substantial reflection for long enough to give a reasonable person a chance to think twice about the intent to kill. The law does not say how much time is needed. It is for you to decide if enough time passed under the circumstances of this case. The killing cannot be the result of a sudden impulse without thought or reflection.

~~[(6) Fifth, that the killing was not justified, excused, or done under circumstances that reduce it to a lesser crime.]~~[4]

Use Notes

1. Second-degree murder is a lesser included offense of first-degree murder and should be instructed upon if supported by the evidence. *People v Cornell*, 466 Mich 335, 358 n13; 646 NW2d 127 (2002). Use M Crim JI 16.5 for this purpose. Manslaughter is also a lesser included offense of murder and should be instructed upon if supported by the evidence. *People v Mendoza*, 468 Mich 527; 664 NW2d 685 (2003). See M Crim JI 16.9 and 16.10. In lying-in-wait or poisoning cases, use M Crim JI 16.2 or 16.3, respectively. The Time and Place (Venue) instruction can be found at M Crim JI 3.10.

2. Where causation is an issue, see the special causation instructions, M Crim JI 16.15-16.23.

3. This is a specific intent crime.

~~4. Paragraph (6) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter. Justification or excuse instructions may be inserted here, but they are more commonly given at a later time.~~

[AMENDED] M Crim JI 16.4
First-Degree Felony Murder

(1) The defendant is charged with first-degree felony murder. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].

(3) Second, that the defendant had one of these three states of mind: [he / she] intended to kill, or [he / she] intended to do great bodily harm to [*name deceased*], or [he / she] knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions.

(4) Third, that when [he / she] did the act that caused the death of [*name deceased*], the defendant was committing [(or) attempting to commit / (or) helping someone else commit] the crime of [*state felony*]. For the crime of [*state felony*], the prosecutor must prove each of the following elements beyond a reasonable doubt: [*state elements of felony*].

~~[(5) Fourth, that the killing was not justified, excused, or done under circumstances that reduce it to a lesser crime.]*~~

[*Use (6) or (7) where factually appropriate:*]

(6) To establish an attempt, the prosecutor must prove beyond a reasonable doubt that the defendant intended to commit the crime of [*state felony*] and that [he / she] took some action toward committing that crime~~,~~ but failed to complete it. It is not enough to prove that the defendant made preparations for committing the crime. Things like planning the crime or arranging how it will be committed are just preparations; they do not qualify as an attempt. In order to qualify as an attempt, the action must go beyond mere preparation, to the point where the crime would have been completed if it had not been interrupted by outside circumstances. To qualify as an attempt, the act must clearly and directly be related to the crime of [*state felony*] and not some other objective.

(7) The defendant must have been either committing or helping someone else commit the crime of [*state felony*]. To help means to perform acts or give encouragement, before or during the commission of the crime, that aids or assists in its commission. At the time of giving aid or encouragement, the defendant must have intended the commission of the [*state felony*].

~~Use Note~~

~~* Paragraph (5) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter. Justification or excuse instructions may be inserted here, but they are more commonly given at a later time.~~

[AMENDED] M Crim JI 16.5
Second-Degree Murder

(1) [The defendant is charged with the crime of / You may also consider the lesser charge of] second-degree murder.[1] To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].[2]

(3) Second, that the defendant had one of these three states of mind: [he / she] intended to kill, or [he / she] intended to do great bodily harm to [*name deceased*], or [he / she] knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions.[3]

~~[(4) Third, that the killing was not justified, excused, or done under circumstances that reduce it to a lesser crime.]~~[4]

Use Notes

1. Where there is a question as to venue, insert M Crim JI 3.10, Time and Place (Venue).

2. Where causation is an issue, see the special causation instructions, M Crim JI 16.15-16.23.

3. Second-degree murder is not a specific intent crime. *People v Langworthy*, 416 Mich 630; 331 NW2d 171 (1982).

~~(4) Paragraph (4) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter. Justification or excuse instructions may be inserted here, but they are more commonly given at a later time.~~

[AMENDED] M Crim JI 16.6
Element Chart—First-Degree Premeditated and Second-Degree Murder

First-Degree Premeditated Murder	Second-Degree Murder
(1) victim's death	(1) same

(2) death caused by defendant	(2) same
~~[(3) death not justified or excused or mitigated to manslaughter]*~~	~~[(3) same]*~~
(3~~4~~) defendant actually intended to kill victim, and	(3~~4~~) defendant actually intended to kill victim, *or* defendant intended to do great bodily harm to victim, *or* defendant knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions
(4~~5~~) defendant premeditated victim's death, *and*	
(5~~6~~) defendant deliberated victim's death	

Use Note

This chart may be distributed to jurors when first-degree premeditated and second-degree murder are the only potential verdicts, *or* when jurors request further clarification of the differences between the two offenses. To avoid undue reliance on the charts, the committee recommends that they only be distributed when written copies of all instructions are also distributed to jurors. This chart is intended for the supplemental guidance of the jury, rather than as a substitute for the comprehensive murder definitions contained in M Crim JI 16.1, 16.4, and 16.5.

~~*Paragraph (3) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter.~~

[AMENDED] M Crim JI 16.7
Element Chart—First-Degree Felony and Second-Degree Murder

First-Degree Felony Murder	Second-Degree Murder
(1) victim's death	(1) same
(2) death caused by defendant	(2) same
~~[(3) death not justified or excused]*~~	~~[(3) same]*~~
(3~~4~~) defendant actually intended to kill victim, or defendant intended to do great bodily harm to victim, or defendant knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions	(3~~4~~) same
(4~~5~~) defendant was committing or attempting to commit a specified felony at the time of the act causing victim's death	

Use Note

This chart may be distributed to jurors when first-degree felony and second-degree murder are the only potential verdicts, *or* when jurors request further clarification of the differences between the two offenses. To avoid undue reliance on the charts, the committee recommends that they only be distributed when written copies of all instructions are also distributed to jurors. This chart is intended for the supplemental guidance of the jury, rather than as a substitute for the comprehensive murder definitions contained in M Crim JI 16.1, 16.4, and 16.5.

~~*Paragraph (3) may be omitted if there is no evidence of justification or excuse, and the jury is not being instructed on manslaughter or any offense less than manslaughter.~~

[AMENDED] M Crim JI 16.8
Voluntary Manslaughter

(1) ~~[~~The defendant is charged with the crime of _____ ~~/ You may also consider the lesser charge of*]~~ voluntary manslaughter.[1] To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].

(3) Second, that the defendant had one of these three states of mind: [he / she] intended to kill, or [he / she] intended to do great bodily harm to [*name deceased*], or [he / she] knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of [his / her] actions.

~~[(4) Third, that the defendant caused the death without lawful excuse or justification.]~~

Use Note

*1. If instructions on voluntary manslaughter are being given as a lesser offense to murder, use M Crim JI 16.9.

[AMENDED] M Crim JI 16.10
Involuntary Manslaughter

(1) [The defendant is charged with the crime of _____/ You may also consider the lesser charge of] involuntary manslaughter. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*], that is, that [*name deceased*] died as a result of [*state alleged act causing death*].

[*Use (3) when gross negligence is alleged:*]

(3) Second, in doing the act that caused [*name deceased*]'s death, the defendant acted in a grossly negligent manner.[1]

[*Use (4) when the act requires an intent to injure:*][2]

(4) Second, in doing the act that caused [*name deceased*]'s death, the defendant intended[3] to injure [*name deceased*]. The act charged in this case is assault and battery. The prosecution must prove the following beyond a reasonable doubt: First, that the defendant committed a battery on [*name deceased*]. A battery is a forceful or violent touching of the person or something closely connected with the person. The touching must have been intended by the defendant, that is, not accidental, and it must have been against [*name deceased*]'s will. Second, that the defendant intended to injure [*name deceased*].

~~[(5) Third, that the defendant caused the death without lawful excuse or justification.][4]~~

Use Notes

1. For a definition of *gross negligence*, see M Crim JI 16.18.
2. An unlawful act ~~which~~ that is committed with the intent to injure is not limited to an assault and battery. The applicable elements of that offense are set forth in this instruction because assault and battery is the most common type of unlawful act needed to support a charge of involuntary manslaughter.
3. This is a specific intent variant of the crime.
4. ~~Paragraph (5) may be omitted if there is no evidence of excuse or justification.~~

[AMENDED] M Crim JI 16.11
Involuntary Manslaughter-Firearm Intentionally Aimed

(1) ~~[~~The defendant is charged with the crime of _____/ ~~You may also consider the lesser charge of~~] involuntary manslaughter. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of [*name deceased*]~~,~~ ~~that is, [*name deceased*] died as a result of [*state alleged act causing death*]~~.

(3) Second, that death resulted from the discharge of a firearm.[1] ~~[A firearm is an instrument from which (shot / a bullet) is propelled by the explosion of gunpowder.]~~

(4) Third, at the time the firearm discharged ~~went off~~, the defendant was intentionally aiming or pointing it at [*name deceased*].

~~(5) Fourth, at that time, the defendant intended to point the firearm at [*name deceased*].~~[+]

~~[(6) Fifth, that the defendant caused the death without lawful excuse or justification.][2]~~

Use Note

1. ~~This is a specific intent crime.~~ *Firearm* is defined in MCL 750.222(e) as "any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive."

2. ~~Paragraph (6) should be given only if there is a claim by the defense that the killing was excused or justified.~~

[AMENDED] M Crim JI 17.3
Assault with Intent to Murder

(1) The defendant is charged with the crime of assault with intent to murder. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant tried to physically injure another person.

(3) Second, that when the defendant committed the assault, [he / she] had the ability to cause an injury, or at least believed that [he / she] had the ability.

(4) Third, that the defendant intended[1] to kill the person [he / she] assaulted ~~[, and the circumstances did not legally excuse or reduce the crime]~~.*[2]

Use Notes

*1. This is a specific intent crime.

2. Where appropriate, give special instructions on particular defenses (see chapter 7), on mitigation (M Crim JI 17.4), and transferred intent (M Crim JI 17.17).

FROM THE MICHIGAN SUPREME COURT

ADM File No. 2022-34
Amendments of Rules 3.993 and 6.428 of the Michigan Court Rules

To read this file, visit perma.cc/YH9N-2WZZ

ADM File No. 2024-03
Amendment of Rule 2.003 of the Michigan Court Rules

To read this file, visit perma.cc/8APT-EV8D

ADM File No. 2021-27
Amendments of Rules 3.207 and 3.210 of the Michigan Court Rules

To read this file, visit perma.cc/7GBU-MT6A

ADM File No. 2023-30
Adoption of Administrative Order No. 2025-1

To read this file, visit perma.cc/C8HB-88XN

ADM File No. 2022-08
Amendment of Rule 7.206 of the Michigan Court Rules

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 7.206 of the Michigan Court Rules is adopted, effective September 1, 2025.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 7.206 Extraordinary Writs, Original Actions, and Enforcement Actions (A)-(F) [Unchanged.]

(G) Petition for Review or Extension of Time for County Apportionment Plan.

(1) Petition. To obtain review of an apportionment plan as provided in MCL 45.505(5) or 46.406, or to obtain an extension of time to submit an apportionment plan under MCL 45.505(5) or 46.407, the petitioner must file with the clerk within the time limit provided by law:

(a) a petition concisely stating the basis for relief and the relief sought;

(b) a copy of the apportionment plan;

(c) as may be applicable, a sworn statement from a qualified expert attesting to the expert's opinion as to the factual basis for the petitioner's claim that the challenged apportionment plan violates the law;

(d) a supporting brief conforming to MCR 7.212(B) and (C) to the extent possible;

(e) proof that a copy of each of the filed documents was served on the respondent, the county commission, and any other interested party; and

(f) the entry fee.

(2) Answer. A respondent or any other interested party must file with the clerk within 21 days of service of the petition:

(a) an answer to the petition;

(b) a supporting brief conforming to MCR 7.212(B) and (D) to the extent possible; and

(c) proof that a copy of each of the filed documents was served on the petitioner, the county commission, and any other interested party.

(3) Preliminary Hearing. There is no oral argument on preliminary hearing of a petition. The court may deny relief, grant peremptory relief, or allow the parties to proceed to full hearing on the merits in the same manner as an appeal of right. However, if the preliminary hearing on the complaint shows that either party's pleadings or briefs demonstrate that a genuine issue of material fact exists that must be determined before a resolution can be reached as to whether the reapportionment violates the law, or that there is a need for discovery and the development of a factual record, the court must proceed to full hearing on the merits in the same manner as an appeal of right. If the court must proceed to full hearing under this subrule, the panel must first refer the suit to a judicial circuit to hold pretrial proceedings, conduct a hearing to receive evidence and arguments of law, and issue a written report for the panel setting forth proposed findings of fact and conclusions of law. The proceedings before the circuit court must proceed as expeditiously as due consideration of the circuit court's docket, facts, and issues of law requires. Following receipt of the circuit court's report, the court of appeals clerk must certify the order allowing the case to proceed and notify the parties of the schedule for filing briefs in response to the circuit court's report and of the date for oral argument,

which must be on an expedited basis.

(4) Full Hearing. If the case is ordered to proceed to full hearing,

(a) the time for filing a brief by the petitioner begins to run from the date the clerk certifies the order allowing the case to proceed;

(b) the petitioner's brief must conform to MCR 7.212(B) and (C); and

(c) an opposing brief must conform to MCR 7.212(B) and (D).

Staff Comment (ADM File No. 2022-08): The amendment of MCR 7.206 establishes procedures for handling county reapportionment challenges.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

ADM File No. 2022-48
Amendment of Canon 3 of the Michigan Code of Judicial Conduct

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Canon 3 of the Michigan Code of Judicial Conduct is adopted, effective September 1, 2025.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Canon 3. A Judge Should Perform the Duties of Office Impartially and Diligently.

The judicial duties of a judge take precedence over all other activities. Judicial duties include all the duties of office prescribed by law. In the performance of these duties, the following standards apply:

A. Adjudicative Responsibilities:

(1)-(3) [Unchanged.]

(4) A judge may make reasonable efforts, consistent with the law, court rules, and rules of evidence, to facilitate the ability of all litigants, including self- represented litigants, to be fairly heard.

~~(a)~~ In the interest of ensuring fairness and access to justice, judges may make reasonable efforts that help self-represented litigants to understand the proceedings and applicable procedural requirements, secure legal assistance, and be heard according to law. The judge should be careful that the reasonable efforts do not give self- represented litigants an unfair advantage or create an appearance of judicial partiality. In some circumstances, particular efforts for self- represented litigants are required by decisional or other law. In other circumstances, potential efforts are within the judge's discretion.

~~(b)~~ Reasonable efforts that a judge may take in the exercise of such discretion include, but are not limited to:

(i) Construe pleadings to facilitate consideration of the issues raised.

(ii) Provide brief information or explanation about the proceedings.

(iii) Ask neutral questions to elicit or clarify information.

(iv) Modify the traditional manner or order of taking evidence.

(v) Refer litigants to any resources available to assist in the preparation of the case or enforcement and compliance with any order.

(vi) Inform litigants what will be happening next in the case and what is expected of them.

(4)-(14) [Renumbered (5)-(15) but otherwise unchanged.]

B.-D. [Unchanged.]

Staff Comment (ADM File No. 2022-48): The amendment of MCJC 3 allows a judge to make reasonable efforts to facilitate the ability of all litigants to be fairly heard.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

ADM File No. 2023-33
Amendment of Rule 7.209 of the Michigan Court Rules

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 7.209 of the Michigan Court Rules is adopted, effective September 1, 2025.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 7.209 Bond; Stay of Proceedings

(A)-(C) [Unchanged.]

(D) Review by Court of Appeals. Except as otherwise provided by rule or law, on motion filed in a case pending before it, the Court of Appeals may amend the amount of bond set by the

trial court, order an additional or different bond and set the amount, or require different or additional sureties. The Court of Appeals may also refer a bond or bail matter to the court from which the appeal is taken. On its own initiative or on a party's motion, tThe Court of Appeals may ~~grant a~~ stay ~~of~~ proceedings in the trial court or stay the~~of~~ effect or enforcement of any judgment or order of a trial court on the terms it deems just.

(E)-(I) [Unchanged.]

Staff Comment (ADM File No. 2023-33): The amendment of MCR 7.209 clarifies that the appellate courts can sua sponte order a stay of proceedings or stay the effect or enforcement of any trial court judgment or order.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

ADM File No. 2025-01
Appointments to the Michigan Tribal State Federal Judicial Forum

On order of the Court, pursuant to Administrative Order No. 2014-12, the following members are reappointed to the Michigan Tribal State Federal Judicial Forum for terms commencing on July 2, 2025 and expiring on July 1, 2028:

- Honorable Terence J. Ackert
- Honorable Carol Montavon Bealor
- Honorable Stuart Black
- Honorable Beth A. Gibson
- Honorable Kelley Kostin
- Magistrate Judge Patricia T. Morris
- Honorable Jeffrey C. Nellis
- Honorable Valerie Snyder
- Honorable Maarten Vermaat

ADM File No. 2021-29
Proposed Amendment of Rule 6.201 of the Michigan Court Rules

The Court, having given an opportunity for comment in writing and at a public hearing, again seeks public comment regarding the proposed amendment of Rule 6.201 of the Michigan Court Rules. The Court has revised the original proposal and is interested in receiving additional comments on this revised proposal.

On order of the Court, this is to advise that the Court is considering an amendment of Rule 6.201 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter will also be considered at a public hearing. The notices and agendas for each public hearing are posted on the Public Administrative Hearings page.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 6.201 Discovery

(A) [Unchanged.]

(B) Discovery of Information Known to the Prosecuting Attorney. Upon request, the prosecuting attorney must provide each defendant:

(1) [Unchanged.]

(2) any police report and interrogation records concerning the case, except so much of a report as:

(a) concerns a continuing investigation;

(b) contains any personal identifying information protected by MCR 1.109(D)(9)(a), which may be redacted;

(c) contains information otherwise protected under MCR 6.201, which may be redacted.

(3)-(5) [Unchanged.]

(C)-(K) [Unchanged.]

Staff Comment (ADM File No. 2021-29): The proposed amendment of MCR

6.201 would require, before providing a police report or interrogation record to the defendant, redaction of personal identifying information and information otherwise protected under the rule.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be submitted by October 1, 2025 by clicking on the "Comment on this Proposal" link under this proposal on the Court's Proposed & Adopted Orders on Administrative Matters page. You may also submit a comment in writing at

P.O. Box 30052, Lansing, MI 48909 or via email at ADMcomment@courts.mi.gov. When submitting a comment, please refer to ADM File No. 2021-29. Your comments and the comments of others will be posted under the chapter affected by this proposal.

FROM THE MICHIGAN SUPREME COURT (CONTINUED)

ADM File No. 2024-25
Retention and Further Amendment of Administrative Order No. 2016-3

On order of the Court, notice of the amendment and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the October 2, 2024 amendment of Administrative Order No. 2016-3 is retained. The following additional amendment of Administrative Order No. 2016-3 is adopted, effective immediately.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

AO 2016-3 Prisoner Electronic Filing Program

[Paragraphs 1-8 unchanged.]

If the filing is accepted, it will be docketed in the Court's case management system and electronically served on those persons or entities that the prisoner litigant has identified as parties to the litigation if they are registered users of MiFILE or have an email address listed in the State Bar of Michigan attorney directory. ~~The Clerks' Offices will mail copies of the prisoner litigant's filing via the U.S. Postal Service to identified parties who cannot be e-served.~~ For accepted filings, the Clerks' Offices will transmit a Notice of Acceptance to the MDOC that identifies, among other things, the names and service information of parties who were served with the filing. The Notice of Acceptance also will be electronically transmitted or mailed to the lower courts/tribunals as notice of the appeal under MCR 7.204(E), MCR 7.205(B), or MCR 7.305(A)(3), as applicable. If the filing is accepted but the persons or entities that the prisoner litigant has identified as parties to the litigation cannot be electronically served, the Clerks' Offices will advise the prisoner litigant that the prisoner litigant must mail copies of the filing via the U.S. Postal Service to identified parties and provide proof of service to the Court within 21 days of receiving such notice. The MDOC will provide a copy of the Notice of Rejection or Notice of Acceptance to the prisoner litigant as soon as practicable.

Staff Comment (ADM File No. 2024-25): The amendment of AO 2016-3 removes the requirement for Clerks' Offices to mail copies of a prisoner litigant's filings to identified parties who cannot be served electronically and sets forth a procedure for handling such filings.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

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Emily, a dedicated ICU nurse has seamlessly transitioned her expertise from the bedside to the legal world. Her career has been defined by her unwavering commitment to some of the most critical patients in the hospital. Currently she works Rapid Response and in the ICU, providing passionate care and clinical expertise to those in need. With her wealth of knowledge and experience, she uses her firsthand understanding of patient care and medical complexities to assist attorneys with medical malpractice cases, social security disability cases, and serves as an expert witness. Emily Tiderington BSN, RN, LNC, may be contacted at emily.tiderington@gmail.com or on LinkedIn.

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MEETING DIRECTORY

The following list reflects the latest information about lawyers and judges AA and NA meetings. Meetings marked with "*" have been designated for lawyers, judges, and law students only. All other meetings are attended primarily by lawyers, judges, and law students, but also are attended by others seeking recovery. In addition, we have listed "Other Meetings," which others in recovery have recommended as being good meetings for those in the legal profession.

For questions about any of the meetings listed, please contact the Lawyers and Judges Assistance Program at 800.996.5522 or jclark@michbar.org.

PLEASE DO NOT HESITATE TO CONTACT LJAP DIRECTLY WITH QUESTIONS PERTAINING TO VIRTUAL 12-STEP MEETINGS. FOR MEETING LOGIN INFORMATION, CONTACT LJAP VOLUNTEERS ARVIN P. AT 248.310.6360 OR MIKE M. AT 517.242.4792.

ALCOHOLICS ANONYMOUS & OTHER SUPPORT GROUPS

Bloomfield Hills
WEDNESDAY 6 PM*
Virtual meeting
Kirk in the Hills Presbyterian Church
1340 W. Long Lake Rd.
1/2 mile west of Telegraph

Detroit
MONDAY 7 PM*
Lawyers and Judges AA
St. Paul of the Cross
23333 Schoolcraft Rd.
Just east of I-96 and Telegraph
(This is both an AA and NA meeting.)

East Lansing
WEDNESDAY 8 PM
Sense of Humor AA Meeting
Michigan State University Union
49 Abbott Rd.
Lake Michigan Room

Houghton Lake
SECOND SATURDAY OF THE MONTH 1 PM
Lawyers and Judges AA Meeting
Houghton Lake Alano Club
2410 N. Markey Rd.
Contact Scott at 989.246.1200 with questions.

Royal Oak
TUESDAY 7 PM*
Lawyers and Judges AA
St. John's Episcopal Church
26998 Woodward Ave.

Stevensville
THURSDAY 4 PM*
Al-Anon of Berrien County
4162 Red Arrow Highway

Virtual
MONDAY 8 PM
Join using this link https://ilaa.org/meetings-and-events/

Virtual
TUESDAY 8 PM
WOMEN ONLY
Join using this link https://ilaa.org/meetings-and-events/

Virtual
THURSDAY 7 PM*
Contact Mike M. at 517.242.4792 for information.

Virtual
THURSDAY 7:30 PM
Zoom
Contact Arvin P. at 248.310.6360 for login information

Virtual
SUNDAY 7 PM*
Virtual meeting
Contact Mike M. at 517.242.4792 for information.

GAMBLERS ANONYMOUS

For a list of meetings, visit
gamblersanonymous.org/mtgdirMI.html.

Please note that these meetings are not specifically for lawyers and judges.

OTHER MEETINGS

Detroit
TUESDAY 6 PM
St. Aloysius Church Office
1232 Washington Blvd.

Detroit
FRIDAY 12 PM
Detroit Metropolitan Bar Association
645 Griswold
3550 Penobscot Bldg., 13th Floor
Smart Detroit Global Board Room 2

Farmington Hills
TUESDAY 7 AM
Antioch Lutheran Church
33360 W. 13 Mile
Corner of 13 Mile and Farmington Rd., use back entrance, basement

Monroe
TUESDAY 12:05 PM
Professionals in Recovery
Human Potential Center
22 W. 2nd St.
Closed meeting; restricted to professionals who are addicted to drugs and/or alcohol

Rochester
FRIDAY 8 PM
Rochester Presbyterian Church
1385 S. Adams
South of Avon Rd.
Closed meeting; men's group

Troy
FRIDAY 6 PM
The Business & Professional (STAG)
Closed Meeting of Narcotics Anonymous
Pilgrim Congregational Church
3061 N. Adams
2 blocks north of Big Beaver (16 Mile Rd.)

Virtual
SUNDAY 7 PM*
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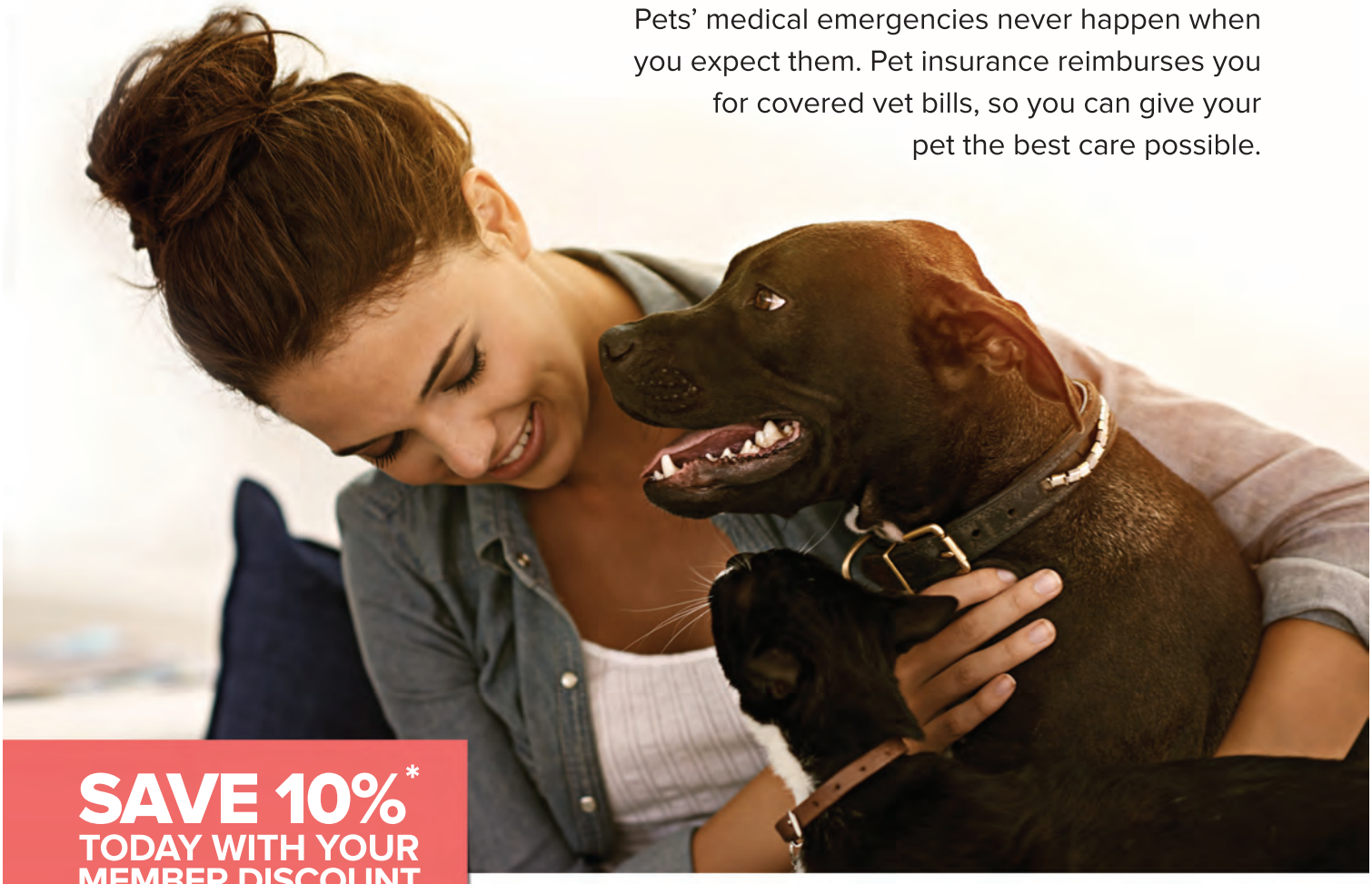

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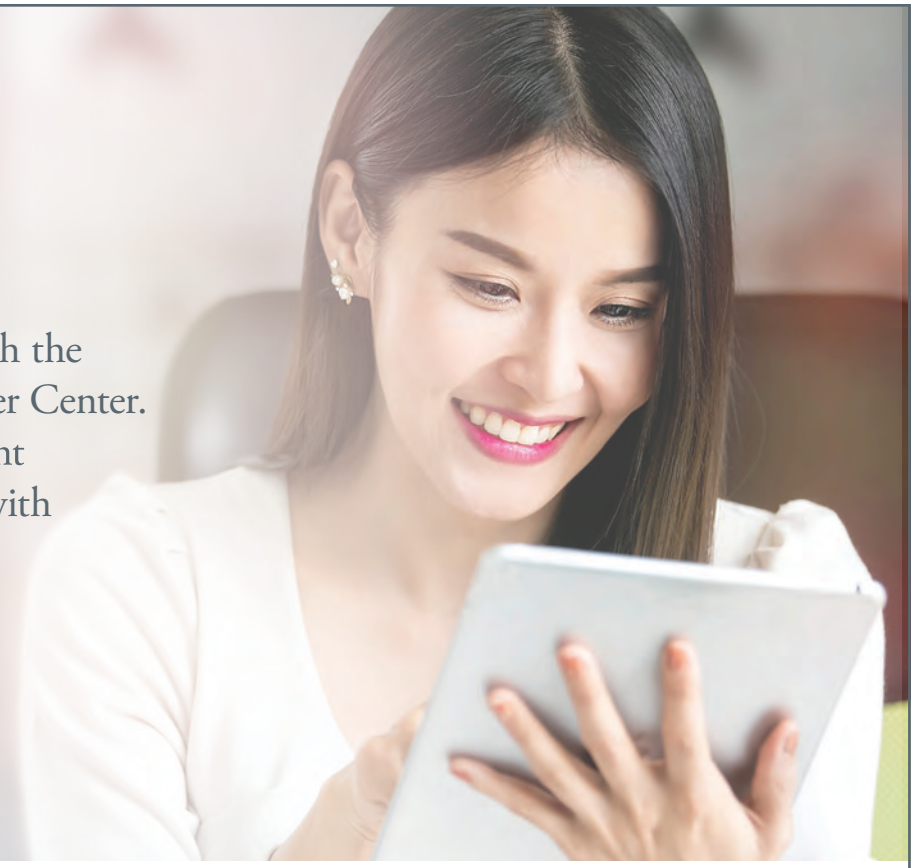

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