

Appellate Practice Section Council
April 18, 2008
Farmington Hills, Michigan–Secrest Wardle

MEETING MINUTES

Present:

Paul Bernard
Barbara Goldman
Liisa Speaker

Frank Bernacki
Graham Crabtree
Judith Curtis
Tim Diemer [by Phone]
Cara Edwards
Christina Ginter
Marcia Howe
Anica Letica [by Phone]
Gerry Posner
Stephen Rhodes [by Phone]
Mike Updike
Peter Van Hoek [by Phone]

Excused Absences:

Megan Cavanagh
Phil DeRosier
Linda Garbarino
Mary Massaron Ross
Jill Wheaton

Guests:

Vic Valenti
Stuart Friedman
Sandy Mengel [by Phone]
Anne Argiroff

Welcome and Call to Order

- A. Paul Bernard called the meeting to order at 2:11 p.m.
 - B. Introduction of members and guests.
- I. Approval of Minutes
- A. March 14, 2008 (previously circulated). Mike Updike **moved** and Linda Garbarino **seconded** that the minutes of the March 14, 2008 be approved with corrections as noted at the meeting. Motion carried.
- II. Treasurer's Report.
- A. No report.
- III. Committee Reports
- A. Court Liaison/Rules Comment

1. Vic Valenti reported that he was planning to schedule a meeting on the amended rules (including governmental immunity appeals).
- B. Michigan Court Practice.
1. No report.
- C. Publications.
1. Newsletter. The next submission deadline is July 14, 2008.
- D. Technology.
1. Listserv. Barb Goldman reported that the listserv was updated and currently has 320 subscribers.
- E. Federal Practice
1. No report.
- F. Legislative Action.
1. Graham Crabtree reported that the judicial budget was passed by the House; approximately \$526,000 was cut from the Supreme Court administrative budget and \$375,000 was added to the Court of Appeals budget to hire five additional research attorneys.
- G. Good Deeds
1. No report.
- H. Economics of Appellate Practice
1. Council discuss transcript issues and Mike Updike's proposal for a rule change.
- I. 2008 Annual Meeting.
1. Barb Goldman reported that she spoke with Justice Kelly about the annual meeting. She envisions having a panel of two judges and two practitioners (with opposing styles) to discuss civility in appellate practice.
- IV. Old Business

- A. Governmental Immunity Rules Amendments. See above, Court Liaison/Rules Comment.
 - B. Court Reporting Rule Proposals. See above Economics of Appellate Practice.
 - C. Supreme Court Historical Society Membership. Council discussed whether to buy corporate membership to the Society and who would sit at APS table at the upcoming Society Luncheon.
- V. New Business
- A. Listserv Policy. Council discussed whether we should have a written listserv policy, and if there was a policy, who might moderate the listserv. Barb Goldman submitted the existing listserv policy (see page 28 of Agenda) and moved that Council revise that existing policy. Christina Ginter seconded, and the motion carried with no opposition. Council discussed what the moderator would do, how active the moderator would be, and whether the moderator would be anonymous. Stuart Friedman volunteered to be one in a team of moderators. Gerry Posner volunteered to join him, along with Barb Goldman. No vote was taken on the actual content of the listserv policy.
 - B. June Dinner Meeting. Meeting is scheduled for June 18, 2008, 4:30 pm at Ciao Amici in Brighton.
- VI. Next Meeting
- A. May 16, 2008, 2:00 p.m. (Farmington Hills at Secrest Wardle).
Call-in Number: 800-270-1153; pass code: 124048#.
- VII. Adjournment
- A. Meeting adjourned by unanimous vote at 3:58 p.m. Mike Updike **moved** and Gerry Posner **seconded**. Motion carried.