

**SMALL BUSINESS FORUM
ANNUAL REPORT PREPARED FOR THE
DECEMBER 3, 2011 ANNUAL MEETING**

Please describe your committee's activities during the 2011 year toward achievement of the goals outlined in the Section's Strategic Plan. Each question below corresponds to a specific Section of the Plan, a copy of which is attached and to which reference may be made for further guidance in providing responses. If the question is not applicable to your particular committee or directorship, please note as such.

1. Sponsorship of programs for Continuing Legal Education via a means accessible to Section Members, including holding at least one program yearly (Article I, 3).

The Small Business Forum hosted two events in 2011:

- (a) "Taxes, Business, and Michigan"; July 13, 2011; Troy, MI. Rachel S. Keller, CPA and Michael J. Merkel, CPA of Plante & Moran, PLLC discussed the new Michigan Corporate Income Tax and the repeal of the Michigan Business Tax. The audience then shared ideas on how each business owner and each business advisor can promote Michigan as the place for business.
- (b) "Business Courts in Michigan", co-sponsored by the Small Business Forum and the Commercial Litigation Committee; October 20, 2011; Troy, MI. Speakers included former BLS Chair Diane L. Akers; Honorable Mark S. Switalski, Chief Judge of the Macomb County Circuit Court; Michael F. Gadola, Chief Counsel to the Governor; and BLS Council Member Julia A. Dale, Director, Corporation Division of LARA. The seminar focused on: (i) a bill in the Michigan legislature to establish a business court, (ii) the Specialized Business Docket in Macomb County Circuit Court (effective November 1, 2011), and (iii) updates from LARA (including issues involving conversion from a C corporation to an LLC.)

2. Addressing substantive legal issues for committee members, including holding regular committee meetings (at least once a year) and reporting on the meetings to the Council (Article I, 4).

Business and legal issues were discussed at the events mentioned in no. 1. Reports of those seminars are included in the quarterly reports to the Council.

3. Promoting involvement in the committee and making the committee more responsive to members including the designation of a contact person (Article I, 5).

We promote the Small Business Forum via Business Law Section announcements, via announcements to those who have previously attended SBF events, and in some cases via articles in the print media. The October 20 event on Business Courts received publicity in the *Michigan Lawyers Weekly* (October 3, 2011) and elsewhere. I am the designated contact person.

4. (A) monitoring and raising awareness of laws or developments in laws that affect Michigan businesses and, when appropriate, making recommendations for updates and improvements;

(B) providing assistance to appropriate state government personnel with respect to business-related legislation and rule making;

(C) as appropriate, providing amicus curiae briefs related to business-related issues being addressed by the courts, and

(D) educating Michigan businesses, their owners and employees about changes to Michigan's laws in order to maintain Michigan's ability to attract and retain new business enterprises and enable existing businesses to remain competitive. (Article II, 1).

The Small Business Forum attempts to inform attorneys, accountants, and other business advisors along with business owners themselves about current issues affecting small businesses in Michigan. This is done through our seminars. If requested, we will provide advice on legislation and rule-making.

In addition, we continue to look for ways to promote Michigan as a "go-to" venue for business.

5. Please comment on your plan regarding succession (Article III, 5).

Having become sole chair of the Small Business Forum in 2010, I do not have a succession plan.

6. Please list your Committee's goals and objectives for the next 12 to 24 months and whether you will require additional support from the Section to achieve these goals (Article III, 5).

During the next 12-24 months, we would like to continue to hold 2-3 seminars per year, to increase attendance of accountants and business owners, to increase involvement of minorities and women, and to encourage business owners and advisors to do whatever they can to promote Michigan as a "go-to" state for small business. Other than the requested budget, we do not expect to need additional support from the Section.

7. Other

The Michigan Emerging conference at Cobo Arena on November 14, 2011 was enlightening. Highlights included: (1) Tim Bryan's speech on why his global IT company, GalaxE.Solutions, choose Detroit ("Outsource to Detroit"). (2) Governor Snyder's speech on five subjects related to Michigan: technology, talent, capital, infrastructure, and a winning culture. (3) The announcement, by David Cole and Jayson Pankin, about autoharvest.org. That website is a secure platform for private collaboration. By using that website, those with available technologies, research capabilities, funding, and professional services can be connected to those who need such resources.

Respectfully submitted,

Douglas L. Toering, Committee Chair
TOERING LAW FIRM PLLC
888 West Big Beaver, Suite 750
Troy, MI 48084-4745
(248) 269-2020
(248) 269-2027 (direct)
(248) 269-2025 (fax)
dltoering@aol.com

Date of Report: November 15, 2011