



Committee Annual Reports

2014-2015

Standing Committees Annual Reports

Table of Contents

American Indian Law.....	1
Annual Meeting	3
Awards.....	5
Bar Leadership Liaison Advisory.....	10
Character & Fitness.....	12
Civil Procedure & Courts	15
Client Protection Fund	20
Criminal Jurisprudence & Practice	24
Diversity & Inclusion Advisory.....	29
Domestic Violence	32
Judicial Ethics.....	37
Judicial Qualifications	40
Justice Initiatives.....	42
Law & the Media.....	64
Law Related Education & Public Outreach	70
Law School Deans	77
Lawyers & Judges Assistance	78
Libraries, Legal Research, & Legal Publications	81
Membership Services.....	84
Past Presidents' Advisory Council	86
Professional Ethics.....	87
Publications & Website Advisory	90
Unauthorized Practice of Law	96
United States Courts	99
Upper Michigan Legal Institute Advisory	101

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: American Indian Law

Jurisdiction: · Review issues of American Indian law, focusing on the relationship between tribal courts, state courts, and federal courts, and on the promotion of positive relationships between the lawyers of Michigan and the American Indian Community.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Hon. Angela Kay Sherigan	56804 Mound Rd Shelby Township, MI 48316-4943	(586) 822-4220	nwlacouncil@aol.com
State Bar Liaison	Gregory P. Conyers	306 Townsend StLansing, MI 48933-2012	(517) 346-6358	gconyers@mail.michbar.org

- | | |
|-------------------------|----------------------------|
| Member/Advisor/Other | Member/Advisor/Other |
| Elaine Margaret Barr | Emerson Hilton |
| Vilija A. Bilaisis | James A. Keedy |
| Hon. Holly T. Bird | James M. Kinney |
| William J. Brooks | Kimberly G. McGrath |
| Kirsten Matoy Carlson | Hon. Melissa L. Pope |
| Ann M. Chamberlain | Maribeth Dickerson Preston |
| Hon. Timothy P. Connors | Hon. Angela Kay Sherigan |
| Chad P. DePetro | Barbara Colby Tanase |
| Cameron Ann Fraser | Kathryn L. Tierney |
| Lindsey Nicole Golden | |

Committee Meeting Schedule:

The committee meets the first Friday of the month via teleconference.

Resources provided by the State Bar of Michigan in support of committee work:

Phone conference capabilities, meeting space for June meeting, assistance from Gregory Conyers.

Committee Activities: Monthly meetings, monitoring or compliance with ICWA, MIFPA, and court rule changes to implement MIFPA. Reaching out to Tribes and Bar Associations where Tribal Courts are located.

Updates on appellate court cases and the Tribal, State, Federal Judicial Forum.

Future Goals and Activities: Continue to monitor court rules and cases regarding ICWA and MIFPA; build a relationship with the tribal and state courts in reservation areas.

Other Information:

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Annual Meeting

Jurisdiction: Provide assistance in the development and planning of the State Bar's Annual Meeting, in order to fulfill the primary purpose of the Annual Meeting as defined by Rule 10 of the Supreme Court rules, and to use the opportunity presented by the Annual Meeting to advance other purposes of the State Bar's Strategic Plan.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Ronald D. Keefe	128 W Spring St Marquette, MI 49855-4608	(906) 226-2543	keefe@kendricksllaw.com
State Bar Liaison	Nancy Brown	306 Townsend St Lansing, MI 48933-2083	(517) 346-6350	nbrown@mail.michbar.org
State Bar Liaison	Kari Thrush	306 Townsend St Lansing, MI 48933-2012	(517) 346-6371	kthrush@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Lori A. Buiteweg	Lawrence Patrick Nolan
Andrea Lynn Domorsky	Daniel D. Quick
Zenna Faraj Elhasan	Donald G. Rockwell
Ronald D. Keefe	Thomas C. Rombach
Jeffrey E. Kirkey	Kimberly M. Slaven

Committee Meeting Schedule:

12/3/14 – Committee teleconference to review evaluation summary from 2014 Annual Meeting

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar staff provides all of the coordination of the meetings, preparation of meeting minutes and notices as well as the preparation of the brochure, registration forms, and staffing at the event. Staff also assists at the hotel with the room reservations and the registration for the event itself and any other associated events. Following the meeting staff coordinates the retrieval of the event information and then prepares statistics for review by the committee.

Committee Activities:

The committee met on December 3, 2014 to discuss the results of the 2014 Annual Meeting evaluation survey. The committee reviewed the summary of results and discussed improvements that could be made and celebrated successes in preparation for planning the 2015 Annual Meeting.

Future Goals and Activities:

To continue to provide a quality Annual Meeting to Michigan bar members.

Other Information:

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and sub-entity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or sub-entity.

Committee Name: Awards

- Jurisdiction:**
- Recommend attorney recipients qualified to receive awards made in the name of the State Bar of Michigan. Recommend recipients of the annual Liberty Bell Award made to non-attorneys.
 - Recommend the establishment of new awards or discontinuation of existing awards.
 - The President-elect is a member of this committee.

Chair(s) and Committee

Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Lori A. Buiteweg	121 W Washington St Ste 300 Ann Arbor, MI 48104- 1300	(734) 994-3000	buiteweg@nsssb.com
Co-Chair	Julie I. Fershtman	32300 Northwestern Hwy Ste 230 Farmington Hills, MI 48334- 1571	(248) 785-4731	jfershtman@fosterswift.com
State Bar Liaison	Nancy Brown	306 Townsend StLansing, MI 48933-2083	(517) 346-6350	nbrown@mail.michbar.org
State Bar Liaison	Samantha Meinke	306 Townsend StLansing, MI 48933-2012		smeinke@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Jennifer S. Bentley	Brian D. Figot
Lori A. Buiteweg	Katherine A. Fox
Francine Cullari	Hon. Denise Langford Morris
Peter J. DeRose	Daniel P. O'Neil
TO BE DETERMINED	Solon M. Phillips
Nancy J. Diehl	Gregory T. Stremers
Julie I. Fershtman	Janet K. Welch

Committee Meeting

Schedule:

Please describe the meeting type and purpose, including the date, time and location. Any additional information required should be attached as an addendum.

November 12, 2014 3:30 conference call

January 27, 2015 4:00 conference call

March 18, 2015 3:30 conference call

June 3, 2015 3:30 conference call

Resources provided by the State Bar of Michigan in support of committee work:

October, second week Staff contacts co-chairpersons to schedule meetings and mailing dates.

Staff sends future meeting dates via e-mail to committee members

November, first week Staff designs and updates language of Awards Brochure and online nomination forms to reflect new awards, new deadlines and any other changes to the process that have been made.

Nov. 12, 2014 Staff called a teleconference to discuss negative feedback received about the Awards Banquet in the Annual Meeting feedback survey. Attendees of the banquet felt it was too long and that too many awards were granted. The committee determined that the awards presentation should no longer stop for photos, but that there should be no limits placed on the number awards granted. Staff takes meeting minutes.

January, first week Staff posts updated Awards Brochure and nomination forms online

Staff prepares and issues news release and brochure (printed and electronic) to legal newspapers and SBM Board of Commissioners, Representative Assembly, State Bar Foundation, local and affinity bars, prosecutor and defender associations, law school deans, courts, large law firms, SBM Section and Committee chairpersons, etc.

Staff prepares and posts announcement for Michigan Bar Journal, e-Journal, SBM eblast, SBMBlog, social media sites and other publications.

Staff updates and posts the following documents to the portal one week before first teleconference:

1. Announcement of first meeting
2. Mission and member list
3. Links to SBM By-Laws Articles V1, VIII
<http://www.michbar.org/generalinfo/bylaws.cfm#6>
<http://www.michbar.org/generalinfo/bylaws.cfm#8>
4. Awards Procedures and Policies
5. Awards Committee Schedule
6. Previous year's Annual Report
7. Copy of Award Nomination Brochure
8. Copy of awards news release
9. Listing of all previous award recipients

Jan. 27, 2015	Second teleconference meeting takes place – staff introduces committee to awards process and drafts meeting minutes
February–April, second week	Staff prepares EXCEL tables summarizing nominees' accomplishments as applications are received.
March, second week	Chairpersons and staff discuss nominations (number and diversity—age, race, gender, geography, etc.), to determine if additional solicitation is needed. Deadline reminders are sent to media and legal community. Email was sent to committee to ask them to seek additional nominations.
March 18, 2015	Second teleconference meeting takes place — committee members report on groups they reached out to for nominations. Staff takes meeting minutes.
April, first week	Staff acknowledges receipt of nominations by mail, e-mail or phone call to nominator. Staff conducts simple background checks on nominees before names are submitted for consideration
April, third week	Staff compiles booklet in April (news articles and recommendations referenced in EXCEL matrix will be available for members prior to June meeting)
May, last week	Staff creates and sends Survey Monkey survey to committee members to narrow down list of nominees. Staff sends announcement of third meeting via e-mail
June 2, 2015	Staff compiles results from Survey Monkey survey and emails them to committee members to help them make final decisions.
June 3, 2015	Third teleconference meeting takes place – award recipients are chosen. Staff compiles meeting minutes.

June 4, 2015	Staff drafts memorandum from co-chairpersons to SBM Board with recommendations for award winners
June	After SBM Board meeting, staff prepares letter from State Bar Executive Director to award winners who were chosen, and letters to nominators of non-winners with a mention that their nominations carry over for a second year
Summer	Staff prepares publicity for the awards recipients by researching them, gathering photos of them, and writing feature stories about them for the Bar Journal, SBM website, SBMBlog, and social media sites. Staff sends news releases announcing winners, and posts list on website, blog, newsletters and social media. Staff orders Awards and writes speeches for SBM presidents so they can present awards, scripts for the awards banquet, and drafts and designs an event program for the Annual Meeting Awards ceremony.
October 7, 2015	Awards are presented to winners at SBM Awards Banquet – part of the SBM Annual Meeting

Committee Activities:

The committee members go out and seek good quality nominations for SBM awards. For the coming year's awards cycle (coming to an end at the 2015 Annual Meeting, where the awards will be handed out), there are 24 nominations to consider for seven awards (some awards can have multiple recipients).

In the last year's cycle, commencing at the 2014 Annual Meeting, the Committee gave out awards to 11 Michigan attorneys and two Liberty Bell Awards to non-attorneys:

Roberts P. Hudson Award

Francine Cullari
Carl E. Ver Beek

Frank J. Kelley Distinguished Public Service Award

Corbin R. Davis

Champion of Justice Award

Bridgette A. Carr
Brian L. Morrow
Michael L. Pitt
Dawn A. Van Hoek
DeBoer et al v Snyder et al plaintiff legal team (Kenneth M. Mogill, Dana M. Nessel, Robert A. Sedler, Carole M. Stanyar)

Kim Cahill Bar Leadership Award

Thomas G. McNeill

John W. Reed Michigan Lawyer Legacy Award

No award

John W. Cumiskey Pro Bono Award

Susan M. Kornfield

Liberty Bell Award

Matilyn Sarosi

Gary B. Lasceski

Note: The Awards Committee has one co-chairperson ex-officio as the President-elect of the SBM Board of Commissioners. The second co-chairperson is the operating co-chairperson appointed by the President of the SBM Board.

Future Goals and Activities:

The committee members work very hard every year to seek out nominations, and ensure that they are submitted by the nomination deadlines. An important goal of this committee is to also make sure that the quality of the award recipients is always outstanding and that the winners represent diversity in the legal profession.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Bar Leadership Forum Liaison Advisory Committee

Jurisdiction: Provide assistance developing an annual leadership training seminar for affinity bars and section chairs. Consider additional leadership programs as appropriate.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Hon. James N. Erhart	200 Division St Ste G12 Petoskey, MI 49770-2465	(231) 348-1750	jerhart@emmetcounty.org
State Bar Liaison	Nancy Brown	306 Townsend St Lansing, MI 48933-2083	(517) 346-6350	nbrown@mail.michbar.org
State Bar Liaison	Candace A. Crowley	306 Townsend St Lansing, MI 48933-2012	(517) 346-6319	ccrowley@mail.michbar.org
State Bar Liaison	Kari Thrush	306 Townsend St Lansing, MI 48933-2012	(517) 346-6371	kthrush@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Marguerite Donahue	Jacquise Alicia Ray Purifoy
Hon. James N. Erhart	Rick Troy
David E. Gilbert	

Committee Meeting Schedule:

2/13/15 – Committee teleconference. Review 2014 BLF evaluation results and planning session for 2015 BLF topics.

4/23/15 – Scholarship Sub-committee teleconference. Review scholarship applications and determine recipients.

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar staff provides all of the coordination of the meetings, preparation of meeting minutes, preparation of notices to be sent, as well as the preparation of the brochure, registration forms, and staffing at the event. Staff also drafts the program content and suggests possible speakers for review by the committee. Staff members coordinate the sending of the forms and retrieval of the information as well as preparing statistics for review by the committee. Staff also coordinates and assists at the Grand Hotel with the room reservations as well as the registration for the event itself and any other events associated therewith.

Committee Activities:

The committee met on February 13, 2015 to discuss the results of the 2014 event evaluations and prepare for the event in 2015. They discussed the survey results, noting that two topics clearly stood out: 1) getting people to do things, and 2) the future of law practice. Jeffrey Cufaude has been invited as the keynote speaker to address a topic on the future of law practice. The committee also discussed and approved suggestions for panel breakouts for Saturday's sessions.

The scholarship sub-committee met on April 23, 2015 to discuss and review the scholarship applications. We received twenty three applications and were able to award thirteen scholarships – three from the Cohn Bar Excellence Program (supported by the Michigan State Bar Foundation Irwin I. Cohn Endowment Fund) and ten on behalf of the State Bar of Michigan.

Future Goals and Activities:

To continue to provide quality leadership education and materials to affinity bar leaders and section chairs at a location that promotes participation at the greatest level with our available resources.

Other Information:

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Character and Fitness

Jurisdiction: · Investigate the character and fitness of candidates for admission to the Bar pursuant to Rule 15, Section 1, of the Supreme Court Rules Concerning the State Bar of Michigan.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Robert B. Ebersole	PO Box 338 Holt, MI 48842-0338	(517) 243-3054	rbebersole@gmail.com
State Bar Liaison	Danon D. Goodrum-Garland	306 Townsend St Lansing, MI 48933-2012	(517) 346-6333	dgarland@mail.michbar.org
State Bar Liaison	Diane K. VanAken	306 Townsend St Lansing, MI 48933-2012	(517) 346-6344	dvanaken@mail.michbar.org

Member/Advisor/Other
Mark C. Abramson – A
Connell Alsup – M
David H. Baum – A
Jeffrey O. Birkhold – M, Vice Chair
Charles W. Borgsdorf – M
John C. Boufford – A
Karie Holder Boylan – A
Carol F. Breitmeyer – M
Jeanine Monique Brunson – M
Cynthia C. Bullington – M
Boyd E. Chapin, Jr. – M, Vice Chair
David G. Chardavoyne – M
Phillip D. Churchill, Jr. – A
Scott E. Dwyer – M
Robert B. Ebersole – M, Chair
William H. Fallon - A

Member/Advisor/Other
Thomas M. J. Hathaway – A
Suzanne K. Hollyer – A
William E. Hosler – A
Gregory M. Janks – M
Daphne M. Johnson – A
Linda D. Johnson – A
Mary A. Kalmink - M
Hon. Cynthia A. Lane – M
Barbara R. Levine – M
Berton K. May – A
E. Thomas McCarthy, Jr. – A
Barbara A. Menear – M, Vice Chair
Maria C. Miller – A
Sonal Hope Mithani – A
Brian P. Morley – A
Thomas L. Saxe – A

Linda M. Galbraith – M
Darling A. Garcia – A
Randall J. Gillary – M
Barry Goldman – A
Kelley Megan Haladyna - A

Kathleen S. Schultz – A
Wanda M. Stokes – A
John M. Toth – M, Vice Chair
Joan P. Vestrand – A
Keith D. Zick – A

Committee Meeting Schedule:

Hearings are scheduled as mutually convenient between the Presiding Committee Member, State Bar Counsel, and Applicant/Applicant’s Counsel. Business meetings are conducted on an as-needed basis.

Resources provided by the State Bar of Michigan in support of committee work:

Six full-time staff members of the Character and Fitness department process and investigate all applications, favorably recommend applicants whose files did not reveal information considered significantly adverse, designate and prepare files to be referred to district committees, and assist assigned State Bar Counsel and the Standing Committee in conducting *de novo* hearings. The Director of Professional Standards and the Professional Standards Assistant Counsel also assist the Committee with legal and ethical matters. Meeting space at the Michael Franck Building is provided, as are court reporting services for all hearings, and all materials and meals for hearings, meetings, and training sessions. Committee members and staff also attend hearings before the Board of Law Examiners, and staff prepares and distributes the hearing materials for those hearings.

Committee Activities:

The primary work of the Standing Committee on Character and Fitness is to investigate and make recommendations with respect to the character and fitness of every applicant for admission to the bar by bar examination, with the assistance of assigned State Bar Staff and the District Character and Fitness Committees. The Standing Committee members review recommendations submitted by the District Committees, conduct confidential applicant hearings, and make recommendations to the Board of Law Examiners. One business-type meeting may be held during the year to address policy issues and train new members, if determined necessary by the Chairperson. Approximately 1500 applicants take the bar examination annually and each first time applicant must complete an Affidavit of Personal History and submit all required background information. Additionally, applicants must be recertified if the original application is over three years old and the applicant has not been successful on the bar examination, which involves submitting to another complete investigation. After the staff investigation is completed, an applicant is recommended favorably to the State Board of Law Examiners without referral to the Committee when investigation of past conduct discloses no significant adverse factual information. In all other instances, applicants are referred to a District Committee for a personal interview. Approximately 200 members of the Bar volunteer to serve on the nine District Committees. The District Committees issue a written report and recommendation on each applicant interviewed to the Standing Committee. Upon receiving a District Committee recommendation, the Standing Committee may: endorse the recommendation, take the recommendation under advisement pending additional information, remand the recommendation to

the District Committee with instructions for further proceedings, or reject the recommendation and conduct a hearing *de novo*. All recommendations are ultimately transmitted to the Board of Law Examiners for final action.

The District Character and Fitness Committees conducted interviews for 37 applicants for the July 2014, exam cycle. To date, 12 files have been referred for District Committee interviews for the February 2014 exam cycle, and of those, 10 interviews have either been scheduled or completed. It is expected that up to 29 additional files may be referred for the February 2015 exam cycle, based on the information received to date. New member training for District Committee members was conducted on March 25, 2015 by members of the Standing Committee and State Bar Staff, and was attended by 32 new members.

From May 1, 2014 through April 30, 2015, the Standing Committee held 38 formal hearings before making recommendations to the State Board of Law Examiners. Additionally, 19 hearings are expected to be held during the remainder of the fiscal year. Nine hearings before the State Board of Law Examiners were also conducted during this time frame, which required the presence of a member of the Committee acting as assigned State Bar Counsel as well as a member of the Character and Fitness Department Staff. Two additional hearings are currently pending.

The time commitment required to conduct formal hearings, including hearings spanning multiple days, establish policies, address individual applicant requests, and monitor the applicant processing system is significant. The Committee would be unable to function without the dedication, professionalism, and hard work of members of the District Committees and the members of the Standing Committee. It is a tribute to the legal profession that among its members are so many people who give substantially of their time to ensure that persons admitted as lawyers in Michigan are worthy of public trust.

Future Goals and Activities:

The Committee continues to work on Law Student Outreach, and analyze current questions on the Affidavit of Personal History, in addition to conducting hearings.

Other Information:

In addition to conducting hearings, the Committee also designates Subcommittees to study and make recommendations regarding issues relevant to Bar Admissions when necessary. Members of the Outreach Subcommittee, an ongoing Subcommittee studying ways to further educate the law student community about the upcoming character and fitness process, give presentations when requested to do so by law school faculty.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name:

Civil Procedure & Courts Committee

Jurisdiction:

Review proposed court rules and statutes related to civil practice in the courts and make recommendations concerning improvements in the administration, organization, and operation of Michigan state courts.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Karen H. Safran	Carson Fischer PLC; 4111 Andover Rd Fl 2; West Bldg; Bloomfield Hills, MI 48302-1924	248.644.4840	ksafran@carsonfischer.com
Staff Liaison	Peter Cunningham	State Bar of Michigan; 306 Townsend St.; Lansing, MI 48933-2012	517.346.6325	pcunningham@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Thomas H. Bannigan, Advisor	Joey Scott Niskar, Member
Daniel J. Bernard, Member	Gary R. Peterson, Member
Richard D. Bisio, Member	Marcileen C. Pruitt, Member
Hon. Rae Lee Chabot, Member	Daniel D. Quick, Member
Sean F. Crotty, Member	Thomas Daniel Siver, Member
Pamela C. Dausman, Member	George M. Strander, Member
Michael J. Distel, Member	Alan R. Sullivan, Member
Robert J. Ehrenberg, Member	Matthew Arthur Tarrant, Member
Lori J. Frank, Member	Victoria A. Valentine, Member
Elisa M. Gomez, Member	Randy J. Wallace, Member
Sean P. McNally, Member	Peter H. Webster, Member
Kenneth B. Morgan, Member	

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
Committee Meeting	Saturday, November 1, 2014	Carson Fischer Offices
Committee Meeting	Monday, January 5, 2015	Teleconference
Committee Meeting	Saturday, April 11, 2015	Dickinson Wright Offices

Resources provided by the State Bar of Michigan in support of committee work:

The committee receives staff support from Peter Cunningham and Carrie Sharlow. The State Bar coordinates meeting times, invites to the members, prepares and circulates (via hard copy, email, and portal access) the agenda and related materials included in a meeting book, provides meeting refreshments, and prepares minutes for review. Arrangements are made by the Bar staff for conference call participation for those that cannot attend in person. Bar staff provides information regarding actions by the Board of Commissioners and the Representative Assembly and the status of pending legislation and proposals before the Supreme Court.

Committee Activities:

Over the course of three meetings, the committee took the following positions:

- a. [HB 5701](#) Civil procedure, other; Trade, other; Trade, antitrust. Civil procedure; other; claims of patent infringement made in bad faith; prohibit, and provide remedies for. Creates new act.

Committee Position: Oppose

- b. [2013-35 - Proposed Amendment of MCR 7.211](#)

The proposed amendment of MCR 7.211(C)(1)(c) would clarify that an appellant, in a case tried without a jury, is not required to file a motion for remand or a motion for a new trial to challenge the great weight of the evidence to preserve the issue for appeal.

Committee Position: Support

- c. [2013-36 – Proposed Amendments of Subchapter 7.300 of the Michigan Court Rules](#)

These proposed amendments would update the rules regarding practice in the Michigan Supreme Court, and would renumber and reorganize the rules to be consistent with those in the Court of Appeals for the ease of the appellate practitioner and greater judicial efficiency.

Committee Position:

Proposal #1: MCR 7.305(C)(2)(b) and MCR 7.305(C)(5).

The Committee notes that both proposed rules refer to a motion for rehearing in the Court of Appeals. There does not appear to be such procedure in the 7.200's, therefore, the Committee suggests deleting the reference to a motion for rehearing in its entirety and replacing it with a motion for reconsideration. Alternatively, the Committee proposes that MCR7.305(C)(5)(b) be revised to read “the Court of Appeals order denying a timely filed motion for rehearing or reconsideration of a decision remanding the case,” which will bring the rule into conformity with MCR 7.305(C)(2)(b).

One committee member voted to support the above amendment with an amendment to delete the reference to rehearing completely.

Proposal #2: MCR 7.305(C)(3).

The committee recommends that this section be rewritten as follows: “In an appeal from an order of discipline or dismissal entered by the Attorney Discipline Board, the application must be filed within the time provided in MCR 9.122(A)(1).”

This change is suggested because MCR 9.122(A)(1) presently sets forth the time period for filing the application for leave to the Supreme Court. The proposed rule does not fully track MCR 9.122(A)(1) and could result in unintended conflicts between the rules.

If the proposed amendments to the Rules governing procedure in the Supreme Court are adopted, the Committee recommends that MCR 9.122(A)(2) be amended as well, as it currently references a Court Rule that will not be applicable if the rules are renumbered as proposed.

Proposal #3: MCR 7.316(A)(6)

The Committee is concerned that giving the Court the authority to draw inferences of fact could conflict with well-established precedent that prohibits fact-finding by inference when ruling upon certain matters, such as motions for summary disposition. Although the current version of MCR 7.316(A)(6) and MCR 7.216(A)(6) presently provide that the Court of Appeals and Supreme Court may draw inferences of fact, the Committee recommends that these sections be modified to clarify that the court may only draw inferences of fact when appropriate under controlling law.

Proposal #4: MCR 7.318.

The Committee has concerns regarding the second sentence, “the Court may deny the stipulation if it concludes that the matter should be decided notwithstanding the stipulation.” If parties resolve a pending dispute, then there is no longer a case or controversy that is ripe for adjudication. Requiring parties that no longer wish to maintain an action to continue with the case and be subject to a potentially adverse rulings, interferes with the parties’ Constitutional right to contract, subjects the parties to additional costs associated with litigation, and could discourage settlement. Although similar language is present in the current version of MCR 7.310, insofar as the rules are presently under review, the Committee suggests that the consideration be given to removing this sentence from the rule.

Proposal #5:

The Committee supports the positions taken by the Appellate Practice Section of the Michigan State Bar in the December 22, 2014 letter of Nancy Vayda Dembinski.

Proposal #6:

The Committee supports the position taken by the Criminal Jurisprudence and Practice Committee regarding the proposed MCR 7.305(F).

d. [ADM File No. 2014-45 – Proposed Adoption of Rule 5.731a of the Michigan Court Rules](#)

The proposed rule would require clinical certificates to be marked and filed as confidential and would allow only persons who have been found by the court to have a legitimate interest in the confidential documents to be granted access.

Committee Position: Support

e. [ADM File No. 2015-03 – Amendment of Rule 1.15 of the Michigan Rules of Professional Conduct](#)

The amendment of MRPC 1.15 adds “credit union” to the definition of “eligible institution” for deposit of IOLTA funds. This change reflects a recent federal statutory amendment that extends federal insurance protection to IOLTA deposits held in credit unions. PL 113-252.

Committee Position: Support

f. [ADM File No. 2014-09 - Proposed Amendment of Rule 7.215 of the Michigan Court Rules](#)

The proposed amendments of MCR 7.215(A)-(C) were submitted by the Court of Appeals. Proposed MCR 7.215(A) would clarify the term “unpublished” as used in the rule. The proposed amendment of MCR 7.215(B) would provide more specific guidance for Court of Appeals judges regarding when an opinion should be published. Finally, in response to what the Court of Appeals describes as an increased reliance by parties on unpublished opinions, the proposed revision of MCR 7.215(C) would explicitly note that citation of unpublished opinions is disfavored unless an unpublished decision directly relates to the case currently on appeal and published authority is insufficient to address the issue on appeal.

Committee Position:

(1) Voted 10 in favor, 2 against to oppose to all amendments for the reasons set forth in Justice Markman's dissent and in Timothy Baughman's letter to the court dated March 20, 2015.

(2) Voted 9 in favor, 3 against to recommend that the current version of MCR 7.215(C) be amended to delete the last sentence in its entirety, so the section simply reads "An unpublished opinion is not precedentially binding under the rule of stare decisis." The recommendation is made because the last sentence, which obligates the party citing the unpublished opinion to provide a copy to the opposing party and the Court, is viewed as no longer necessary, because unpublished opinions are readily and easily available both on electronic legal research sites, as well as on the Court of Appeals' web site.

(3) Voted 10 in favor, 2 against to recommend that the current version of MCR 7.215(B) be amended. These recommendations are viewed as clarifying, but not restricting, the publication standards. The Committee favors publishing more opinions and allowing parties to continue to cite unpublished opinions. The committee recommends that 7.215(B) be amended as follows:

- (1) Establishes a new rule of law;
- (2) Construes a provision of a constitution, statute, regulation, ordinance, or court rule;
- (3) Alters, ~~or~~ modifies, or reverses an existing rule of law or extends it to a new factual context;
- (4) Reaffirms a principle of law not applied in a recently reported decision;
- (5) Involves a legal issue of significant or continuing public interest;
- (6) Criticizes existing law; or
- (7) Creates or resolves a ~~an apparent~~ conflict or apparent conflict of authority, whether or not the earlier opinion was reported; or

- g. H-2 of [HB 4038](#) (Forlini) Housing; landlord and tenants; notification of evictions; allow by electronic mail. Amends sec. 5718 of [1961 PA 236](#) (MCL [600.5718](#)).

Committee Position: Oppose HB 4038 for the same reasons it opposed HB 5415 in 2013-2014 legislative session:

Because email is not a reliable manner to transmit such important information as an eviction notice. People changing email addresses, spam filters and having unreliable internet access are several of the factors that make email an unreliable communication method. Additionally, the committee noted that it is very unlikely that tenants would be able to negotiate a provision for electronic eviction out of a lease.

The Committee does not feel that the amendments to the bill presented in H-2 cured the issues previously identified.

- h. [SB 0100](#) (Brandenburg) Taxation; administration; prepayment of tax, penalty, and interest requirement as a prerequisite to filing a case regarding the assessment of tax in the Michigan court of claims; eliminate. Amends sec. 22 of [1941 PA 122](#) (MCL [205.22](#)).

Committee Position: Support the procedural portions of the bill for the reasons set forth by the Taxation Section; the Committee took no position and did not comment on the appropriations portion of the bill.

- i. [SB 0149](#) (Brandenburg) Torts; nonmedical malpractice; affidavit of merit; require for malpractice action against architect or professional engineer. Amends 1961 PA 236 (MCL 600.1 - 600.9947) by adding sec. 2912i.

Committee Position: Oppose

Future Goals and Activities:

The Committee expects to continue to review proposed court rule amendments and legislation and to both initiate and further develop its own proposals.

At the October 8, 2015 Representative Assembly meeting, the Committee expects to offer a proposal to amend Rules 2.116 and 2.119 of the Michigan Court Rules for consideration.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and sub-entity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or sub-entity.

Committee Name: Standing Committee on the Client Protection Fund

Jurisdiction: The Standing Committee on the Client Protection Fund (“CPF Committee”) is responsible for reviewing comprehensive reports prepared by State Bar staff after investigation and analysis of Client Protection Fund (“CPF”) claims involving the dishonest conduct of lawyers, which includes theft and embezzlement of client funds and failure to return unearned fees, and to make recommendations to the Board of Commissioners’ Professional Standards Committee regarding the approval and denial of claims. The CPF claim report includes a factual summary of the claim, an analysis applying the applicable CPF Rules, a recommendation regarding approval or denial of a claim and the amount to be paid on claims recommended for approval, and the disciplinary history of the respondent. The CPF Committee is also responsible for the distribution of payments on claims authorized for payment by the Board of Commissioners and the initiation and prosecution of all subrogation actions on behalf of the Fund. In addition, the CPF Committee recommends to the Board of Commissioners’ Professional Standards Committee loss prevention programs that may help reduce occurrences that result in CPF claims.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair Feb 2015 – Sep 2015	Starr M. Hewitt Kincaid (P57430)	Lipson Neilson Cole Seltzer & Garin PC 3910 Telegraph Rd Ste 200 Bloomfield Hills, MI 48302-1461	(248) 593-5000	skincaid@lipsonneilson.com
Chair Oct 2014 – Feb 2015	John M. Nader (P41610)	Windsor Detroit Bridge Authority 100 Ouellette Ave Ste 300 Windsor, ON N9A 6T3 CANADA	(519) 946-4863	nadej@wdbridge.com
Staff Liaison	Danon D. Goodrum- Garland (P53603)	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI48933-2012	(517) 346-6333	dgarland@mail.michbar.org
Staff Liaison	Alecia M. Ruswinckel (P62825)	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI48933-2012	(517) 346-6328	amruswinckel@mail.michbar.org
Staff Liaison	Robin Lawnichak	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI48933-2012	(517) 346-6379	rlawnichak@mail.michbar.org

Members	Members
Deborah Adenike AdeOjo (P63962)	Mya Marshall (P75189)
Alexander A. Ayar (P69623)	Daniel M. Morley (P43310)
Laura A. Brodeur-McGeorge (P44552)	Peter M. Neu (P68725)
Michael P. Haddock (P55880)	Dionnie Wynter Pfunde (P72633)
Jennifer M. Harvey (P65140)	Nicholas A. Reyna (P68328) Oct 2014 – Feb 2015
Diane Hutcherson (P40445)	Mark L. Teicher (P34301)
John M. Nader (P41610)	

Advisors	Advisors
Rico D. Neal (P69744)	Jennifer Harvey (P65140)

Committee Meeting Schedule:

Meeting Type	Date	Location
Regularly scheduled Standing Committee meeting.	May 8, 2014	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI48933
Regularly scheduled Standing Committee meeting.	August 7, 2014	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI48933
Regularly scheduled Standing Committee meeting.	December 10, 2014	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI48933
Regularly scheduled Standing Committee meeting.	February 5, 2015	Erman, Teicher, Miller, Zucker & Freedman, P.C. 400 Galleria Officentre, Suite 444 Southfield, MI 48034

Resources Provided by the State Bar of Michigan in Support of Committee Work:

The State Bar provides a paralegal with primary responsibility for claims administration, a legal secretary who provides administrative support, and staff counsel who provides legal services and manages the State Bar’s CPF Department. The State Bar also provides meeting facilities, food and beverages for meetings, SharePoint, teleconference services, meeting materials, document production services, and financial management of the Fund. For public education, State Bar staff provides informational pamphlets to court administrators as requested to educate the public on how to find a lawyer and general information about the Fund. Additionally, State Bar staff assists in and manages subrogation activities, working with outside counsel to recoup some of the money paid by the Fund.

Committee Activities:

During its regularly scheduled meetings, the CPF Committee reviewed claim reports prepared by staff, determined whether claims should be recommended for approval or denial, and made recommendations to the Board of Commissioners' Professional Standards Committee regarding the approval and denial of claims and the amount to be paid on claims recommended for payment.

The CPF Committee recommended revisions to CPF Rule 12(B) and Rule 12(C) to increase the disbursement levels for client losses resulting from the dishonesty of a single lawyer, or group of lawyers acting in concert, from \$300,000 to \$375,000, with the maximum amount payable to any single client due to lawyer dishonesty from \$75,000 to \$150,000. The revisions were approved by the Board of Commissioners in July of 2014.

The CPF Committee and Professional Standards Committee recommended revisions to the CPF Rule 11 (A), (E), (L), and (M), which would amend the appeals procedure and standard for review applied to appeals. These revisions will streamline the CPF administrative process. The recommended revisions were remanded back to the Professional Standards Committee by the Board of Commissioners. The Professional Standards Committee will review at its April 2015, meeting.

Complete Claims Activity: For the period April 1, 2014, through March 31, 2015, a total of 222 claims were processed, which consists of 89 new claims and 133 claims which were pending at the beginning of this period. One hundred and thirty-six (136) claims remain pending.

The CPF Committee reviewed 78 claims during this time period. Sixteen claims were denied. Thirty-three claims totaling \$514,555.60 were approved by the Board of Commissioners and paid; three claims totaling \$9,451.00 have been approved by the Board of Commissioners and await executed subrogation agreements before payment; six claims are being held pursuant to CPF Rule 12(C), because the total number of claims involving the dishonesty of a single lawyer are expected to exceed the aggregate limit and await Board of Commissioners review until the two year hold expires; and seven claims totaling \$80,969.28 are pending review by the Board of Commissioners. Five appeals were requested, four were submitted by claimants regarding claims denied by the CPF Committee and one was submitted by a respondent regarding a claim recommended for approval, all are pending review by the Board of Commissioners' Professional Standards Committee.

Since the inception of the Fund, 1,191 claims have been paid totaling \$7,597,214.27, while 1,826 have been closed administratively, denied, or withdrawn.

Future Goals and Activities:

CPF Rule Amendments - The CPF Committee recommended approval of proposed SBR 20, which would authorize the State Bar to (1) issue subpoenas to support CPF claim investigations; (2) provide absolute immunity from suit regarding statements and communications to the State Bar and issued by the State Bar regarding the duties and responsibilities of the Client Protection Fund; and (3) to disclose information regarding CPF claim applications and information obtained during investigation of CPF claims to persons or entities empowered and authorized to investigate and reimburse such claims in other jurisdictions.

Adobe Form CPF Application – CPF Paralegal Robin Lawnichak has developed the CPF application using Adobe Forms to permit Claimants to prepare and submit CPF claim applications electronically.

The form is being finalized and tested before posting on the CPF home page on the State Bar's website.

CPF Web Pages – Assistant Counsel Alecia Ruswinckel and CPF Paralegal Robin Lawnichak are in the process of re-designing and updating the Client Protection Fund web pages housed on the State Bar of Michigan web site.

Document Management System Update – CPF Paralegal Robin Lawnichak tested upgrades to the SBM software packages that interface with the CPF Department's document management software used to manage claim administration and electronically store documents.

Scheduled Meetings - CPF Committee meetings have been scheduled for May 7, 2015, and August 6, 2015, to review claims and conduct other business as needed.

Other Information:

Financial Activity – As of March 31, 2015, the Fund received \$315,500.00 from the 2014/15 membership dues assessment, \$5,610.00 in Pro Hac Vice fees, and \$1,929.00 reflecting contributions of abandoned lawyer trust funds and judicial campaign funds. In addition, the Fund received subrogation payments from respondents totaling \$24,670.00 during the period April 1, 2014, through March 31, 2015. There is \$9,451.00 in authorized, but unpaid claims awaiting receipt of executed subrogation agreements. The Fund balance as of March 31, 2015, was \$2,398,329.00.¹

¹Estimated, not finalized or audited.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name:

Criminal Jurisprudence & Practice Committee

Jurisdiction:

Review proposed court rules and statutes related to criminal procedure and practice in state courts and make recommendations concerning improvements in the operation of criminal law and procedure to promote the fair, speedy and efficient administration of criminal justice, including the establishment and operation of systems for the representation of indigent persons charged with criminal offenses.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-chair	Nichole Jongsma Derks	Foster Swift Collins & Smith PC; 151 Central Ave; Holland, MI 49423-2831	616.796.2516	nderks@fosterswift.com
Co-chair	J. Kevin McKay	63rd District Court; 1950 E. Beltline Ave NE; Grand Rapids, MI 49525-7075	616.632.7795	Kevin.mckay@kentcountymi.gov
Staff Liaison	Peter Cunningham	State Bar of Michigan; 306 Townsend St.; Lansing, MI 48933-2012	517.346.6325	pcunningham@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Ryan Lee Berman, Member	Richmond M. Riggs, Member
Wilson D. Brott, Member	Jonathan Sacks, Member
Opolla Brown, Member	Gretchen A. Schlaff, Member
Thomas E. Evans, Member	Samuel R. Smith, III, Member
Nimish R. Ganatra, Member	Lee A. Somerville, Member
Donna McKneelen, Member	Michael A. Tesner, Member
Julia F. Norton, Member	Bruce A. Timmons, Member
Julie A. Powell, Member	
Susan F. Reed, Member	

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
Committee Meeting	Thursday, May 8, 2014	State Bar of Michigan Offices
Committee Meeting	Thursday, June 12, 2014	State Bar of Michigan Offices
Committee Meeting	Thursday, October 9, 2014	State Bar of Michigan Offices
Committee Meeting	Thursday, December 11, 2014	Teleconference
Committee Meeting	Thursday, February 12, 2015	State Bar of Michigan Offices
Committee Meeting	Thursday, March 12, 2015	State Bar of Michigan Offices

Resources provided by the State Bar of Michigan in support of committee work:

The committee receives staff support from Peter Cunningham and Carrie Sharlow. The State Bar covers meeting expenses.

Committee Activities:

Over six meetings, the Committee took the following public policy positions:

- ADM File No. 2014-06 - Proposed Amendment of Rule 2.004 of the Michigan Court Rules
Support
- ADM File No. 2013-21 - Amendments of Rules 6.112 and 6.113 of the Michigan Court Rules
Support
- ADM File No. 2014-18 - Proposed Amendment of Rule 6.001 of the Michigan Court Rules
Support
- ADM File No. 2013-36 – Proposed Amendments of Subchapter 7.300 of the Michigan Court Rules
Support the proposed changes to MCR 7.300 in concept with an addition to 7.305(F): Nonconforming Pleading. On its own initiative or on a party’s motion, the Court may order a party who filed a pleading that does not substantially comply with the requirements of this rule to file a conforming pleading within a specified time or else it may strike the nonconforming pleading. The submission to the clerk of a nonconforming pleading does not satisfy the time limitation for filing the pleading where the pleading has not been corrected within the specified time.
- ADM File No. 2013-35 - Proposed Amendment of MCR 7.211
Support
- ADM File No. 2014-42 - Amendments of MCR 6.006, 6.104, 6.110, and 6.111 and adoption of new MCR 6.108
Support the amendments and adoption of MCR 6.108 with two further amendments:

The extraction of the term “felony” from MCR 6.108(B)

The addition to MCR 6.110(B)(2) of in accordance with 6.006(B) after “if the victim is present...”

- ADM File No. 2014-02 - Proposed Amendment of MCR 6.106

Support

- ADM File No. 2014-09 - Proposed Amendment of MCR 7.215

The committee voted 9 to 3 to oppose the proposed amendments to MCR 7.215(B) because the publication requirements become too restrictive.

The committee voted 11 to 1 to oppose the proposed amendments to MCR 7.215(C) for the reasons stated by Justice Markman in his dissent.

- ADM File No. 2015-03 - Amendment of MRPC 1.15

Support

- HB 5529(Jenkins) Courts, drug court; Veterans, benefits. Courts; drug court; providing information to veteran regarding veteran benefits; require. Amends sec. 1074 of 1961 PA 236 (MCL 600.1074).

Support

- HB 5531(Kurtz) Courts, other; Veterans, benefits. Courts; other; veteran completing sobriety court program to meet with veteran service organization or county veteran counselor as part of program; require. Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding sec. 1085

Support

- HB 5545(Leonard) Criminal procedure, expunction; Records, other. Criminal procedure; expunction; criminal record expunction for certain offenses; allow under certain circumstances. Amends secs. 1, 3 & 4 of 1965 PA 213 (MCL 780.621 et seq.).

Support the bill, with the amendment that in the issue of disclosure in Section (5), divulging only be punished when done for malicious purposes.

- SB 0931(Jones) Criminal procedure, warrants; Criminal procedure, arrests; Criminal procedure, search and seizure; Courts, district court. Criminal procedure; warrants; district court magistrate to issue arrest warrant or search warrant electronically; allow. Amends secs. 1, 3 & 5 of 1966 PA 189 (MCL 780.651 et seq.).

SB 0932(Jones) Courts, judges; Courts, district court. Courts; judges; district court magistrates to decide motions to set aside default and requests to withdraw admission in civil infraction cases; allow under certain circumstances. Amends secs. 8511, 8512, 8512a & 8513 of 1961 PA 236 (MCL 600.8511 et seq.).

Support SB 931 with the correction of a typo found in Sec. 3. (b), and support SB 932 as it passed the Senate.

- SB 1050 Criminal procedure, DNA; Law, sunset. Criminal procedure; DNA; filing deadline for petition seeking review of DNA evidence; extend sunset. Amends sec. 16, ch. X of 1927 PA 175 (MCL 770.16).

Support

- HB4176 (Lucido) Criminal procedure; expunction; expunction of all information in arrest record when individual is wrongly accused under certain circumstances; require. Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec.26a to ch. IV.

HB4177 (Lucido) Law enforcement; law enforcement information network (LEIN); promulgation of rules to effectuate expunction and destruction of all arrest record information from LEIN and other databases by C.J.I.S. under certain circumstances; require. Amends sec. 4 of 1974 PA 163 (MCL 28.214).

HB4178 (Lucido) Criminal procedure; pretrial procedure; expunction and destruction of biometric data; eliminate certain exceptions. Amends sec. 3 of 1925 PA 289 (MCL 28.243).

Oppose

- SB 0094 (Schuitmaker) Law enforcement; other; certain records of probation to be provided to the Michigan commission on law enforcement standards; require. Amends sec. 7411 of 1978 PA 368 (MCL 333.7411).

Support

- SB 0151 (Bieda) Criminal procedure; DNA; filing deadline for petition seeking review of DNA evidence; remove sunset. Amends sec. 16, ch. X of 1927 PA 175 (MCL 770.16).

Support

- SB 0863 (Pavlov) Criminal procedure, evidence; Crimes, intoxication or impairment; Criminal procedure, preliminary examination; Criminal procedure, trial; Criminal procedure, arrests; Criminal procedure, pretrial procedure. Criminal procedure; evidence; expert witness testimony concerning chemical testing and custody of evidence by video communication; allow at preliminary examination and trial for certain prosecutions, and provide for release subject to conditions reasonably necessary for the protection of the public under certain circumstances. Amends sec. 1, ch. III, sec. 6b, ch. V, & sec. 22, ch. VIII of 1927 PA 175 (MCL 763.1 et seq.).

Oppose the bill for the same reason the committee opposed HB 5383 in March 2014.

- SB 0901 (Johnson) Law enforcement; other; sexual assault kit evidence submission act; create. Creates new act.

Support this in concept and express the following concerns as to (1) the mechanism for consent if the victim is a child and cannot authorize a legal document, (2) the preservation of evidence, and (3) the custodial issues regarding hospital care and appropriate depository after a one year period.

- M Crim JI 11.38 and M Crim JI 11.38a

Support the proposed criminal jury instruction with the removal of the extra “transported” from M Crim JI 11.38(1) and M Crim JI 11.38(a)(1).

- M Crim JI 11.13, M Crim JI 11.14 and M Crim JI 11.15
Support the proposed jury instructions.
- M Crim JI 12.1a, M Crim JI 12.1b and M Crim JI 12.1c
Support the proposed jury instructions.
- M Crim JI 20.39, M Crim JI 20.39a, M Crim JI 20.39b, M Crim JI 20.39c, M Crim JI 20.39d, M Crim JI 20.39e, M Crim JI 20.39f, M Crim JI 20.39g, M Crim JI 20.39h, M Crim JI 20.39i, M Crim JI 20.39j, M Crim JI 20.39k, M Crim JI 20.39l
Support the proposed criminal jury instructions.
- M Crim JI 13.20 and M Crim JI 13.20a
Support the proposed criminal jury instructions with the following amendment:
Use Note. If there is a contest as to whether the investigating individual was a peace officer, an instruction on the ~~appropriation~~ appropriate definition involved should be given. See MCL 750.4779c(5)(b).
- M CRIM JI 23.3
Support the amendments to the jury instructions.
- M CRIM JI 20.4, M CRIM JI 20.14b, M CRIM JI 20.14c and M CRIM JI 20.14d
Support the amendments to the jury instructions.
- M CRIM JI 17.36
Support the amendments to the jury instructions.
- M Crim JI 20.1, M Crim JI 20.30b and M Crim JI 3.32
Support the amendments to the jury instructions.
- M Crim JI 7.9 and M Crim JI 7.11
Support the amendments to the jury instructions.
- Amendments to M Crim JI 15.1, 15.3, 15.4, 15.5, 15.6, 15.11 and 15.12, which apply to the drunk driving offenses under MCL 257.625, necessitated by statutory amendments.
Support the amendments to the jury instructions.

Future Goals and Activities:

The committee will continue its public policy work and continue to look into various special projects as the need arises.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Diversity and Inclusion Advisory

Jurisdiction: · Review concepts and ideas and make recommendations for support, implementation or other appropriate actions to SBM leadership, committees, and other bar-associated entities about SBM initiatives and programs addressing inclusion within the profession, and approaches to measuring progress concerning diversity and inclusion. · Provide guidance concerning efforts by bar associated entities such as the Diversity Project Workgroup of the Equal Access Initiative and subcommittees of SBM committees in seeking signatories to the "Pledge to Achieve Diversity and Inclusion in the Legal Profession in Michigan." · Identify tools and strategies to assess the current state of diversity and inclusion in the Michigan legal community that can be used to set meaningful benchmarks to measure improvements and progress. · Develop concepts for recognizing best practices and exceptional achievements. · Provide public support to the SBM leadership and staff regarding communications with members of the profession and others about the goals and outcomes of diversity and inclusion activities.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Rodney D. Martin	111 Lyon St NW Ste 900 Grand Rapids, MI 49503-2487	(616) 752-2138	rmartin@wnj.com
Co-Chair	Hon. Cynthia D. Stephens	3020 W Grand Blvd Ste 14-300 Detroit, MI 48202-6020	(313) 972-5708	cstephens@courts.mi.gov
State Bar Liaison	Gregory P. Conyers	306 Townsend St Lansing, MI 48933-2012	(517) 346-6358	gconyers@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Dewnya A. Bazzi	Mia D. McNeil
Jerome Crawford	Shenique A. Moss
Charlotte Croson	Monica P. Navarro
Jehan Grashara Crump-Gibson	Darren Nealy
Maria Cesira Fracassa Dwyer	Lawrence Patrick Nolan

Hon. Prentis Edwards, Jr.	Francis R. Ortiz
Zenna Faraj Elhasan	Alisa Parker
Mary A. Ferguson	Tonya Lynn Rodriguez
Elizabeth J. Fossil	Salma Saley Safiedine
Lori J. Frank	Hon. Angela Kay Sherigan
Gregory T. Gibbs	Hon. Cynthia D. Stephens
Ericka M. Jackson	Nazneen Hasan Syed
Kimberly Jones	Ronda Letrice Tate
Shirley A. Kaigler	Felicia Marie Thomas
Daniel M. Levy	Kristin M. Vanden Berg
Rodney D. Martin	

Committee Meeting Schedule:

October 20, 2014 JI kickoff

Nov 18, 2014

March 19, 2015- law school, affinity bar group, and joint recs also met

June 23, 2015 teleconference

Sept 22, 2015 teleconference

Law School Workgroup:

January 28, 2015 teleconference

March 6, 2015 teleconference

Affinity Bar/Event Workgroup:

January 30, 2015 teleconference

March 29, 2015 Event

Joint Recommendations:

December 1, 2014 teleconference

January 20, 2015 teleconference

February 10, 2015 teleconference

Resources provided by the State Bar of Michigan in support of committee work:

Staff support, teleconference number, catering for in person meetings, off site event staff support, and print materials for the committee and for events.

Committee Activities:

The Diversity and Inclusion Advisory Committee, as a part of its mission to advise the Board of Commissioners and the profession, is developing a strategy to monitor the progress and implementation of a number of the recommendations from the Task Force Report of 1996 and to develop the information into ongoing reports. The Committee designated a starting point among the 167 recommendations, reviewing 20 of them regarding Professional Standards and Ethics matters.

The Joint Recommendations Workgroup established two subgroups to analyze the recommendations for continued relevance and to identify whether additional considerations are implicated viewing them through the lens of the present day. The goal is to develop a preliminary report by making inquiries to the responsible entities.

The Affinity Bar Workgroup developed a program to coincide with the Annual Barristers Ball in Detroit. The “Brunch for Bars” is designed to gather members of affinity bars around the state together to discuss collaboration opportunities and ideas. As a result of the success of this year’s event it is planned to continue annually.

The Law School Workgroup is completing work on a follow to the 2013 report on Michigan Law Schools. Report includes information about the demographic composition of the students and faculty of each of Michigan’s law schools, as well as descriptions of their respective pipeline activities.

Future Goals and Activities:

The Law School Workgroup compiled a Pipeline Resource Brochure last year that has been updated regularly. To encourage local bar associations, special purpose bar associations and law firms to participate in pipeline initiatives directed at underrepresented groups, the Workgroup is developing a webinar that will highlight a number of the programs for participants and be archived for future access.

Other Information:

DIAC continues to look for diverse members of the profession to include on the committee and use as resources to accomplish the work of the group.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Domestic Violence

Jurisdiction: · Make recommendations to increase attorney awareness of domestic violence. · Make recommendations and encourage training of attorneys and judges on legal remedies and community resources for victims of domestic violence. · Develop and distribute legal resources involving domestic violence and victims' access to the legal process. · Assist in the coordination of domestic violence programs and activities in Michigan.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Darling A. Garcia	3815 W Saint Joseph St Ste C200 Lansing, MI 48917-3671	(517) 853-2367	dgarcia@elderlawofmi.org
Co-Chair	Veronica T. Thronson	610 Abbot Rd East Lansing, MI 48823-3369	(517) 336-8088 x1014	veronica.thronson@law.msu.edu
State Bar Liaison	Robert G. Mathis, Jr.	306 Townsend St Lansing, MI 48933-2012	(517) 346-6412	RMathis@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Emily Ann Calabrese	Robert William Mendham, Jr.
Danielle J. Carter	Audrey R. Monaghan
Nancy E. Gallagher	Melissa Maria Pearce
Darling A. Garcia	Bruce E. Petrick
Hon. Richard B. Halloran	Elizabeth Marie Petsche
Martin J. Hillard	Eilisia G. Schwarz
Abigail Jennex	Rebecca E. Shiemke
Jennifer Veronica Lamp	Katherine Karen Strickfaden
Mary M. Lovik	Veronica T. Thronson
Ashley E. Lowe	Rebecca L. Veidlinger
Kathleen M. Maine	

Committee Meeting Schedule:

Please describe the meeting type and purpose, including the date, time and location. Any additional information required should be attached as an addendum.

Meeting Type	Date	Location
Public Policy Subcommittee	May 13, 2014	Teleconference
Full Committee	May 16, 2014	In-Person
Public Policy Subcommittee	June 12, 2014	Teleconference
Full Committee	June 13, 2014	Teleconference
Public Policy Subcommittee	September 9, 2014	Teleconference
Full Committee	September 12, 2014	Teleconference
Full Committee	November 7, 2014	Teleconference
Publications Subcommittee	November 7, 2014	Teleconference
Public Policy Subcommittee	November 20, 2014	Teleconference
Full Committee	December 12, 2014	Teleconference
Training Subcommittee	December 16, 2014	Teleconference
Full Committee	January 9, 2015	Teleconference
Training Subcommittee	January 13, 2015	Teleconference
Publications Subcommittee	February 13, 2015	Teleconference
Full Committee	February 13, 2015	Teleconference
Full Committee	March 13, 2015	Teleconference
Publications Subcommittee	March 13, 2015	Teleconference
Training Subcommittee	March 13, 2015	Teleconference
Publications Subcommittee	April 10, 2015	Teleconference
Full Committee	April 10, 2015 (Postponed until May 8, 2015)	Teleconference
Public Policy Subcommittee	TBD (April __, 2015)	Teleconference

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar of Michigan provides the Standing Committee on Domestic Violence with staff support and a modest budget to facilitate projects, trainings, and meetings.

Committee Activities:

The Domestic Violence Committee is a very active committee that seeks to explore areas in which change, education, training, and awareness can have a positive impact in reducing the incidents of domestic violence and increasing the safety of victims and their children as they proceed through the legal system.

The Domestic Violence Committee has created four subcommittees:

- **Training and System Education**
 - *Mission: Continue exploring and scheduling training opportunities; possibly develop training and education opportunities regarding understanding trauma of the victim and how that needs to be considered throughout the legal process.*
- **Public Policy**
 - *Mission: Address public policy items that are sent to the full DV Committee for consideration.*
- **Publications**
 - *Mission: Oversee the Family Law Journal assignments, topics, and reminders, as well as explore other publication opportunities.*
- **Resource** (This subcommittee meets only as needed)
 - *Mission: Explore how to broaden the mission; to review how the criminal side of domestic violence intersects with the goals of the committee and attempt to have more involvement with those players (i.e., law enforcement, prosecutors, etc.).*
 -

The subcommittees meet on a regular basis (depending on need) focusing on their specific targeted areas. A reporting time is set aside at each monthly meeting of the DV Committee for each subcommittee to provide a report to the full committee for discussion or vote.

Michigan Family Law Journal Articles

In response to a column in 2008 by the editor of the Family Law Journal calling for more action on preventing domestic violence, the committee contacted Norman Robbins and offered to coordinate a monthly “domestic violence column” in the Family Law Journal. As a result, beginning with the June/July 2008 edition, the committee has published a monthly article related to domestic violence and authored by committee members or guest experts in the field. The articles submitted for publication, with the general article topic, from May 1, 2014 to May 1, 2015 are as follows:

- May 2014 Issue – Human Trafficking
- June/July 2014 Issue – Review of the DV Screening Tools Developed by the Minnesota Bar Association
- August/September 2014 Issue – Child Custody and the Hague Convention
- October 2014 Issue– Pro Bono Month

- November 2014 Issue – Holding PPO Petitioners in Contempt for Violations of the Order
- December 2014 Issue– Cell Phone Location, Privacy and Intimate Partner Violence
- January 2015 Issue – Solutions on Self-Help Update
- March 2014 Issue – Mediation and Domestic Violence Protocol
- May 2014 Issue – Title IX

Public Policy Positions – Positions taken by the Domestic Violence Committee, but not necessarily positions taken by the State Bar Board of Commissioners.

Bill or Michigan Court Rule Reviewed by the DV Committee	General Issue of the Public Policy Item	DV Committee Position
MCR 3.206	This proposed court rule amendment would limit the ability of a court to require one party to pay another party's attorney fees	Oppose
SB 980	Requiring alternate service on DV victims in appeal	Support
SB 981	Anti-Trolling Bill	Support
HB 5652	Limiting mediation in DV cases	Support
HB 5657	Requiring the Department of Education to develop a model curriculum about teenage dating violence	Support
HB 5658	Adding pet protection to PPOs	Support
HB 5659	Allowing the search for and seizure of firearms and ammunition during a domestic violence incident	Support
HB 5082	Parenting Coordinator	Oppose
HB 4913	A strategic limitation on SLAPP law suits	Support
MCR 3.705	The proposed amendment to MCR 3.705(C) would prohibit publication on the Internet of information that could reveal the identity or location of a PPO petitioner or other party protected by a PPO	Support
HB 4120 (2014) / HB 4141 (2015)	Mandatory Joint Custody	Oppose
HB 4132	Custody Act and First Refusal	Oppose

HB 4176	Expunge criminal history records if complaining witness recants	Oppose
---------	---	--------

Future Goals and Activities:

- **Pro Bono Family Law Training – October 23, 2015**

The committee will conduct a pro bono training for attorneys who are new to the area of domestic violence family law. The training is slated for October 23, 2015. Subject matter of the training will include, but not be limited to, how to conduct the initial client interview with DV survivors, substantive legal issues, initial pleadings and service, pre-trial and trial practice, and trauma informed practice. In exchange for the free training, attorneys will agree to handle a domestic violence family law case, referred from their local legal aid organization, on a pro bono basis.

- **Webinars**

The DV Committee is reviewing the feasibility of providing webinar(s) to Michigan attorneys handling domestic violence family law cases. Webinar topics may include Personal Protection Orders, Property Division Procedures (QDROs, retirement accounts, spousal support, etc), and others.

- **Prepare Written Information Regarding Domestic Violence Issues**

The DV Committee has discussed creating and distributing written materials regarding various domestic violence issues.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and sub-entity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or sub-entity.

Committee Name: Standing Committee on Judicial Ethics

Jurisdiction: The Judicial Ethics Committee has the following jurisdictional mandate:

- Prepare written opinions on ethical conduct of judges at the request of the State Bar President, Board of Commissioners, Representative Assembly, Attorney Discipline Board, Attorney Grievance Commission, Executive Director, or individual members of the judiciary inquiring about their own contemplated conduct.
- Recommend amendments to the Michigan Code of Judicial Conduct and other standards of professional conduct, and review proposed amendments.
- The Michigan Judges Association, Michigan Probate Judges Association, Michigan District Judges Association, Michigan Association of District Court Magistrates and the Referees Association of Michigan shall each nominate one member for appointment to the committee.

Chair and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Hon. Elwood L. Brown	201 McMorran Blvd Rm 2200 Port Huron, MI 48060-4029	(810) 985-2010	ebrown@stclaircounty.org
State Bar Liaison	Danon D. Goodrum-Garland	306 Townsend St Lansing, MI 48933-2012	(517) 346-6333	dgarland@mail.michbar.org
State Bar Liaison	Nkrumah Johnson-Wynn	306 Townsend St Lansing, MI 48933-2012	(517) 346-6310	njwynn@mail.michbar.org
State Bar Liaison	Alecia M. Ruswinckel	306 Townsend St Lansing, MI 48933-2012	(517) 346-6328	amruswinckel@mail.michbar.org
State Bar Liaison Assistant	Karen Spohn	306 Townsend St Lansing, MI 48933-2012	(517) 346-6309	kspohn@mail.michbar.org
Members				
Hon. Terry L. Clark				
Hon. Laura A. Frawley				
Hon. Annette M. Jurkiewicz-Berry				
Hon. Randy L. Kalmbach				
Hon. Christopher S. Ninomiya				
Mr. James B. Pahl				
Referee Lorie Nancy Savin				

Committee Meeting Schedule:

Meeting Type	Date and Time	Location
Regularly scheduled meeting	June 20, 2014, 10 a.m.	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
Regularly scheduled meeting	October 17, 2014, 10 a.m.	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
Regularly scheduled meeting	April 17, 2015, 10 a.m.	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar provides staff support for the work of the Committee through three staff counsel and the administrative assistance of a legal secretary. The State Bar also provides meeting facilities, food and beverage for meetings, SharePoint, teleconferencing services, meeting materials, document production services, and other ethics resources as needed to support the work of the Committee.

Committee Activities: During each Committee meeting, Members discuss pending opinion requests and new opinion requests. Additionally, Members receive information about and discuss inquiries received through the State Bar’s ethics helpline and address other matters as they arise, such as proposed changes to the Michigan Code of Judicial Conduct. Between meetings, the Members review materials, form recommendations about whether to respond to opinion requests with a letter or an opinion, and research and draft opinions for discussion and approval by the Committee as a whole.

Since its last Annual Report, the Committee approved four ethics opinions for publication addressing the ethical concerns and withdrew five opinions (CI-547, CI-998, JI-19, JI-46, and JI-115) as no longer valid. The Committee completed its review and recommendations of existing opinions based on amendments to the Michigan Code of Judicial Conduct in August 2013. The Committee approved for publication “Frequently Asked Questions” regarding judicial campaign ethics.

The four new ethics opinions approved since the last Annual Report are listed below.

- 1) JI-141 replaced JI-19, holding that “A referee may not seek election to a local public school board unless the referee resigns prior to becoming a candidate for the nonjudicial office in a general election.”
- 2) JI-142 replaced with JI-46, finding that “A judge may participate in a county wide millage campaign intended to raise tax revenues, a significant portion of which will be used to maintain and enhance court operations and will result in the improvement of the legal system and the administration of justice. The judge’s activities should focus upon matters pertinent to the courts and the judge must be cautious not to engage in activities that could be construed as attempts to individually solicit funds or improperly use the influence of judicial office.”

- 3) JI-143 replaced JI-115, holding that “A judge may accept a testimonial occasion on the judge’s behalf sponsored by a political party as long as the total value of the gift or gifts to the judge do not exceed \$100, including the complimentary dinner. A judge being honored may accept the invitation to attend as the guest of the political party sponsoring the event as long as the total value of the dinner ticket does not exceed \$100. A judge being honored at the testimonial dinner or a judge attending the testimonial dinner may permit his or her name and/or title to be used in advertising his or her involvement in the dinner as long as the communications do not involve the judge’s individual solicitation of funds. It is unethical for the judge to use or permit the use of the prestige of judicial office to raise money for a political party.”
- 4) JI-144 holds that “A township trustee may run for judge without resigning from office prior to the election, but must be cautious about specific activities proscribed under the Canons applicable to judicial candidates to ensure the integrity and impartiality of the judiciary.”

The Committee continues to work on an ethics opinion which will replace CI-547 and will consider other requests for ethics opinions in the upcoming months.

Future Goals and Activities: The Committee plans to continue responding to opinion requests and to address revisiting any opinions identified as in need of review due to subsequent developments that may have impacted the continued appropriateness of any conclusions drawn. To the extent that the Committee’s input is sought by the Board of Commissioners, the Representative Assembly, or the Supreme Court on discrete issues or projects, the Committee stands ready to respond with appropriate research and commentary.

The Committee’s last quarterly meeting for this bar year is scheduled for June 19, 2015.

Other Information: Not applicable.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Judicial Qualifications

Jurisdiction: Evaluate candidates for appointment to judicial vacancies and report in confidence to the authority requesting its assistance. The chief staff attorney of the Attorney Grievance Commission serves as reporter for this committee. The appointed members are limited to three two-year terms. Chairs of the committee may serve more than three two-year terms. This committee may have more than 15 members.

Co-Chairs, Reporter, Committee Members, and Staff Liaisons:

Title	Name	Address	Telephone	Email
Co-Chair	Kathleen L. Bogas	31700 Telegraph Rd Ste 160 Bingham Farms, MI 48025-3404	(248) 502-5000	kbogas@kbogaslaw.com
Co-Chair	Daniel T. Stepek	PO Box 46877 Mount Clemens, MI 48046-6877	(586) 228-7084	d.stepek@comcast.net
Reporter	Ruthann Stevens	535 Griswold St, Ste 1700 Detroit, MI 48226	(313) 961-6585	rastevens@agcmi.com
State Bar Liaison	Nkrumah Johnson-Wynn	306 Townsend St Lansing, MI 48933-2012	(517) 346-6310	njwynn@mail.michbar.org
State Bar Liaison	Janna Sheppard	306 Townsend St Lansing, MI 48933-2012	(517) 346-6357	jsheppard@mail.michbar.org

Member	Member
Kathleen L. Bogas (Co-Chair)	Lambro Niforos
Darcie R. Brault	Hal G. Ostrow
Jose' T. Brown	Frank Harrison Reynolds
David E. Christensen	Kurt E. Schnelz
David H. Fink	Daniel M. Share
Kiffi Y. Ford	Daniel T. Stepek (Co-Chair)
Susan E. Gillooly	Ruth A. Stevens (Reporter)

Elizabeth P. Hardy	Jeffery V. Stuckey
Darryl T. Johnson	Judith A. Susskind
Michael S. Leib	Leonard A. White
Mark J. Makoski	Betty R. Widgeon
Donald E. McGinnis, Jr.	Rock A. Wood

Committee Meetings held between May 2014 and April 2015:

May 13, 2014
June 10, 2014
September 9, 2014
October 14, 2014
November 18, 2014
February 10, 2015
March 10, 2015

Resources provided by the State of Michigan in support of committee work:

In support of the work of this Committee, the State Bar of Michigan provides a meeting room in the Michael Franck Building as well as a light breakfast and lunch for the Committee members. The State Bar staff liaisons coordinate the interview schedule, report the Committee’s ratings for each candidate directly to the Governor’s Office in confidence, and handle administrative tasks and other matters as necessary.

Committee Activities:

As requested by the Governor, the Judicial Qualifications Committee interviews and rates candidates for appointment to judicial vacancies. A representative from the Governor’s Office, the Reporter, and the State Bar staff liaisons also attend the meetings. The work of the Committee members, the Reporter, and the State Bar staff liaisons (which includes preparation for the interviews, candidate interviews, and the ratings reported by the State Bar directly to the Governor’s Office) is confidential.

Committee meetings are held on the second Tuesday of the month and/or as requested. From May 2014 through April 2015, the Committee met 7 times and interviewed 78 candidates for judicial vacancies.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Justice Initiatives

Jurisdiction: · Develop and recommend proposals for the effective delivery of high quality legal services in Michigan, equal and fair to all. This committee will include several initiatives whose activities include: ~Analyzing and making recommendations for positions on proposed legislation, court rules, and other policies relevant to the committee's jurisdiction. ~Developing policies and programs to benefit underserved populations, including juveniles and those with special needs. ~Encouraging and coordinating free or discounted civil legal services. ~Raising money for and otherwise working to increase resources for civil legal aid programs. ~Examining collateral civil consequences of criminal convictions and representational issues in the criminal justice system.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Erika Lorraine Davis	615 Griswold St Ste 708 Detroit, MI 48226-3900	(313) 829-6326	erika@butlerdavis.com
Co-Chair	Linda K. Rexer	306 Townsend St Fl 4 Lansing, MI 48933-2012	(517) 346-6400	linda@msbf.org
State Bar Liaison	Candace A. Crowley	306 Townsend St Lansing, MI 48933-2012	(517) 346-6319	ccrowley@mail.michbar.org
State Bar Liaison	Janet K. Welch	306 Townsend St Lansing, MI 48933-2012	(517) 346-6331	jwelch@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Jennifer Zbytowski Belveal	Aaron Vaughn Burrell
Regina A. Berlin	Robert Fair Gillett
Michael J. Blau	Valerie R. Newman
Lorray S.C. Brown	Maya K. Watson

Committee Meeting Schedule:

CJI meeting, teleconference, June 9, 2014

CJI Annual Kickoff meeting, in person, State Bar building, October 20, 2014

CJI meeting, teleconference, December 8, 2014

CJI meeting, teleconference, February 11, 2015

CJI meeting, teleconference, April 6, 2015

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar provides the Committee on Justice Initiatives (CJI) with staff support and a budget to facilitate phone and in-person meetings and a wide breadth of projects.

Committee Activities:

- CJI convened its Fifth Annual Justice Initiatives Summit on April 28, 2014. “[Best Practices for Language Access in Michigan Courts](#)” brought together over 60 judges, court staff, access to justice advocates, language interpreters, community partners, U. S. Department of Justice representatives, and others. The Summit followed the adoption in September 2013 of MCR 1.111 (language access) and MCR 8.127 (Foreign Language Review Board). The keynote speaker was Lisa Wood, chair of the American Bar Association’s Standing Committee on Legal Aid and Indigent Defendants and active in the development of the ABA’s Language Access Standards.
- State Bar staff members presented information on the work of CJI and on pro bono opportunities at the June 2014 Young Lawyers Section New Member Orientation.
- In July, CJI submitted [comments](#) to the Michigan Supreme Court on the report of the Task Force on the Role of the State Bar of Michigan. CJI supported the continuation of the State Bar as a mandatory bar “because the legal profession’s unique role in facilitating access to justice for the public is greatly aided by a mandatory bar.” It expressed its opinion that any guidelines concerning budgets and policies should apply to all State Bar departments consistently; supported having clear Keller standards; recommended multiple levels of review through current structures within the State bar; opposed eliminating advocacy to “improve the functioning of the courts;” and opposed the carving out of particular impermissible areas for any SBM advocacy.
- CJI presented “Best Practice for Language Access in Michigan Courts” at the State Bar Annual Meeting in Grand Rapids on September 19, 2014. The program continued CJI’s focus on language access and provided practical information like how to use the Request and Order for Interpreter through Michigan Legal Help’s automated online request for interpreter form. Michigan judges discussed the use of judicial discretion in determining the need for an interpreter and introduced the new Spanish self-help resource [Ayuda Legal de Michigan](#), among other topics. An [audio recording](#) of the Annual Meeting program and materials are available online.
- CJI also co-sponsored the Diversity Reception held at the Annual Meeting in Grand Rapids.
- The CJI annual Kickoff meeting occurred at the State Bar building on October 20, 2014 and included a new member orientation. In a new development, the Kickoff was held in

partnership with the State Bar Diversity and Inclusion Advisory Committee so the two groups could explore more deliberately the intersection between our work and how we might join forces to be more effective in achieving our shared goals. The Kickoff allowed our groups to conduct a shared conversation about the Report of the Task Force on the Role of the State Bar and to continue a more deliberate approach to our policy work. A presentation on innovations and the future of the profession was part of the day. The lunchtime table discussions focused on leadership and identified good ways to find future leaders, barriers to identifying and engaging new leaders for CJI work, good strategies for identifying and engaging new leaders, ideas to help new leaders develop leadership skills, what leadership skills will be especially needed given future changes in legal practices, and how to ensure that our leadership development promotes diversity and inclusion.

- In addition to the ongoing and robust activities on the Equal Access, Justice Policy, Pro Bono, and Criminal Issues Initiatives, CJI worked on three other matters. It continued a more focused look at the civil right to counsel in Michigan, leadership development, and the impact of legal futurism on access to justice. It identified the impact of legal futurism on access as the topic for its next summit.
- In light of the creation of the State Bar 21st Century Practice Task Force, and the desire to use resources most efficiently, the committee decided to conduct its next summit in October of 2015, in conjunction with the Michigan State University Law Frank J. Kelley Ethics Lecture Series. The program is set for October 28, 2015 at MSU Law with featured speaker Chief Judge Jonathan Lippman of the New York Court of Appeals.
- The committee continued its practice of sending leaders and staff to national conferences that speak to our work. Erika Davis, Rob Mathis and Justin Sheehan will attend the Equal Justice Conference in Austin Texas in May; Erika will attend the ATJ Chairs meeting held at the end of that conference. Judge Cynthia Stephens and Gregory Conyers will attend the National Consortium on Racial and Ethnic Fairness in the courts in June in Buffalo New York.
- CJI supported the work of the State Bar in ABA Day to lobby for funding for the Legal Services Corporation. The State Bar delegation of Tom Rombach, Lori Buiteweg, Judge Ward Clarkston, Reggie Turner, Rob Mossel and Peter Cunningham was equipped with substantial information on the need for legal services in Michigan, the services provided by the LSC funded programs, case stories from each legislator's district, and more.
- CJI also celebrated CJI work group members Angela Tripp and Dawn Van Hoek for being recognized as Michigan Leaders in the Law, and recognized Linda Rexer as author of the Management Information Exchange article on why legal aid and access to justice leaders should be involved in the national futures process. Dawn Van Hoek was also recognized as a State Bar Champion of Justice. We celebrated CJI past members Mike Chielens and Holli Wallace who were posthumously presented with the Michigan State Bar Foundation's Access to Justice Award. As one example of words in action, CJI thanked members Maya Watson and Mike Blau for volunteering at the highly successful February and March expungement fairs sponsored by the Detroit Alumnae Chapter of Delta Sigma Theta Sorority where hundreds of community members received legal information and help.

CJI and its initiatives supported a number of policy items throughout the year. Those included:

CJI Positions

- a. Comment on Michigan Supreme Court Task Force on the Role of the State Bar of Michigan.
- b. [2014-09 - Proposed Amendment of MCR 7.215](#) regarding clarification of the term “unpublished” Court of Appeals opinions. The CJI position reconciled positions from JPI and CII. **Committee Recommendation: Support the changes in Sections (A) and (B). Support the second sentence added to Section (C)(1), but recommends the removal of the following sentence from (C)(1): “A party who cites an unpublished opinion shall explain why existing published authority is insufficient to resolve the issue and must provide a copy of the opinion to the court and to opposing parties with the brief or other paper in which the citation appears.”**
SBM Action: No position on the proposed amendments to MCR 7.215(A) and MCR 7.215(B). Oppose the proposed amendments to MCR 7.215(C) for the reasons stated in Justice Markman’s dissent. Authorize sections and committees to transmit non-conflicting positions to the Court.

JPI Positions

- a. [ADM File No. 2013-22 - Proposed Amendment of Rule 4.201 of the Michigan Court Rules](#) clarifying procedure for setting aside a default judgment in MCR 2.603 that applies in landlord/tenant cases that result only in a default money judgment.
Initiative Recommendation: Support
SBM Action: Support
- b. [HB 5472](#) Family law; child support; alternative contempt track docket for certain individuals behind in child support; create.
Initiative Recommendation: Oppose
SBM Action: Defer to Committees and Sections
This bill was discussed on the July 2014 Board of Commissioners agenda, before extensive Keller memos were submitted. The Keller reasoning submitted by the Initiative is were (1) the improvement of the functioning of the courts; and (2) the availability of legal services to society. A more in depth explanation was also included.
- c. [ADM File No. 2015-03 – Amendment of Rule 1.15 of the Michigan Rules of Professional Conduct](#) The amendment adds “credit union” to the definition of “eligible institution” for deposit of IOLTA funds.
Initiative Recommendation: Support
SBM Action: Support
- d. H-1 of [HB 4038](#) Housing; landlord and tenants; notification of evictions; allow by electronic mail. Amends sec. 5718 of [1961 PA 236](#) (MCL [600.5718](#)).
Initiative Recommendation: Oppose
SBM Action: Oppose
SBM Keller Considerations:
The Justice Policy Initiative (JPI) offered this view of the bill’s Keller permissibility:

This bill greatly limits the eviction notification to a tenant from a landlord by allowing electronic mail. The bill allows for personal delivery of an electronic form “if authorized in a written agreement.” Because e-mail communication is not a reliable form of communication and not every person has email availability, an individual might not receive an eviction notice which could eliminate their right to a timely court defense.

Proposed changes in statute that would predictably and systematically undermine the ability of attorneys to represent their clients are the type of changes that have been widely accepted as falling within the Keller category of “improvement in the quality of legal services.” Whether this proposal predictably and systematically undermines legal representation is questionable. The argument that it does is weakened by the amendments to the bill, which are an attempt to respond to the argument that the bill would have the effect of systematically degrading legal representation in landlord-tenant cases.

- e. [ADM File No. 2014-45 – Proposed Adoption of Rule 5.731a of the Michigan Court Rules](#)
The proposed rule would require clinical certificates to be marked and filed as confidential and would allow only persons who have been found by the court to have a legitimate interest in the confidential documents to be granted access.
Initiative Recommendation: Support
SBM Action: Support

CII Positions

- a. 2015-03 - [Amendment of MRPC 1.15](#)
The amendment of MRPC 1.15 adds “credit union” to the definition of “eligible institution” for deposit of IOLTA funds. This change reflects a recent federal statutory amendment that extends federal
Initiative Recommendation: Support
SBM Action: Support
- b. 2014-02 - [Proposed Amendment of MCR 6.106](#) clarifying that a court would determine issues concerning defendant’s pretrial release, if any, at the time of defendant’s arraignment on the complaint and warrant.
Initiative Recommendation: Support
SBM Action: Support
- c. [HB4176](#) Criminal procedure; expunction; expunction of all information in arrest record when individual is wrongly accused under certain circumstances; require. Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec.26a to ch. IV.
[HB4177](#) Law enforcement; law enforcement information network (LEIN); promulgation of rules to effectuate expunction and destruction of all arrest record information from LEIN and other databases by C.J.I.S. under certain circumstances; require. Amends sec. 4 of 1974 PA 163 (MCL 28.214).
[HB4178](#) Criminal procedure; pretrial procedure; expunction and destruction of biometric data; eliminate certain exceptions. Amends sec. 3 of 1925 PA 289 (MCL 28.243).
Initiative Recommendation: Oppose

SBM Action: Oppose HB 4176 as written, but support the concept of expungement of criminal files of people who have been found not guilty or have their charges dropped in appropriate cases.

SBM Keller Considerations:

As drafted, HB 4176 would curtail judicial discretion by requiring a court to dismiss charges if a complaining witness recants his or her statement, affidavit, or testimony prior to a trial. A judge would be required to do so regardless of other witnesses or evidence. In addition, if a witness alters his or her story or recants only a portion of their prior statements, this would likely result in additional hearings to determine what charges need to be dropped. The State Bar has a long and to date uncontroversial history of considering proposals to eliminate judicial discretion as Keller-permissible, defending judicial discretion as an inherently indispensable feature of a well-functioning justice system.

HB 4177 and HB 4178, although tie-barred to HB 4176, pertain to police procedures in carrying out court orders, and do not directly impact legal services.

The Criminal Jurisprudence & Practice Committee concluded that the bills were Keller permissible because they would substantially alter the functioning of the courts in potentially undesirable ways. The bills require the court to dismiss a case if certain situations apply, without consideration of other evidence or judicial discretion. The bills also require the court submit a specific order for the destruction of the arrestee's record, biometric data, fingerprints, and information in LEIN.

Future Goals and Activities:

CJI is looking for the right opportunity to reexamine its structure and work to respond to the changing landscape including the growing role of the State Planning Body, the intersection of interest with the Diversity and Inclusion Committee, any possible action on the Report of the Task Force on the Role of the State Bar of Michigan, and the work of the 21st Century Practice Task Force and its Affordability and Access Committee.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name:

Criminal Issues Initiative

Jurisdiction:

Examines collateral civil consequences of criminal convictions and representational issues in the criminal justice system.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-chair	Valerie R. Newman	State Appellate Defender Office; 645 Griswold St Ste 3300; Detroit, MI 48226-4215	313.256.9833	vnewman@sado.org
Co-chair	Regina Ann Berlin	Hackney Grover Hoover & Bean PLC; 3514 Rivertown Point Ct SW Ste B; Grandville, MI 49418-2727	616.257.3900	rwright@hghblaw.com
Staff Liaison	Peter Cunningham	State Bar of Michigan; 306 Townsend St.; Lansing, MI 48933-2012	517.346.6325	pcunningham@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Erika R. Breitfeld, Member	Hon. Mabel Johnson Mayfield, Member
Hon. Jeffrey J. Dufon, Member	Janet A. Napp, Member
Heather J. Garretson, Member	Hon. Angela Kay Sherigan, Member
Hon. Katherine L. Hansen, Member	

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
Initiative Meeting	May 8, 2014	Teleconference
Initiative Meeting	June 4, 2014	Teleconference
Initiative Meeting	October 20, 2014	In Person
Initiative Meeting	December 18, 2014	Teleconference
Initiative Meeting	February 19, 2015	Teleconference
Initiative Workgroup Meeting	February 24, 2015	Teleconference
Initiative Workgroup Meeting	March 17, 2015	Teleconference
Initiative Meeting	March 19, 2015	Teleconference

Initiative Meeting	April 2, 2015	Teleconference
Initiative Workgroup Meeting	April 21, 2015	Teleconference
Initiative Workgroup Meeting	May 19, 2015	Teleconference
Initiative Meeting	May 21, 2015	Teleconference

Resources provided by the State Bar of Michigan in support of committee work:

The Initiative receives staff support from Peter Cunningham and Carrie Sharlow.

Committee Activities:

UCCCA:

The Committee continues to have the Uniform Collateral Consequences of Conviction Act as one of its major policy initiatives. While the issue was put on hold as a legislative priority collateral consequences issues continue to be a big part of our work.

Juvenile Collateral Consequences Workgroup

The Initiative formed a workgroup to discuss the possibility of a jointly-led Annual Meeting program with the Children’s Law Section regarding Juvenile Justice, Collateral Consequences for Juveniles, and Adjudication. The workgroup is chaired by Judge Mabel Mayfield and Judge Katherine Hansen and includes Regina A. Berlin, Valerie Newman, Christina Piatkowski (Chair of the Children Law Section), Patricia Carey (Street Democracy), and Gennel Laluna-Schaffer.

The workgroup is planning a program for this year’s Annual Meeting 2015. We are planning the program in three different time formats and will look for other opportunities to present this information. The workgroup is also considering a program at UMLI 2016.

Other Public Policy:

The Initiative discussed several pieces of legislation and offered the following recommendations to the Committee on Justice Initiatives:

- a. 2015-03 - [Amendment of MRPC 1.15](#)
 The amendment of MRPC 1.15 adds “credit union” to the definition of “eligible institution” for deposit of IOLTA funds. This change reflects a recent federal statutory amendment.
Initiative Recommendation: Support

- b. 2014-02 - [Proposed Amendment of MCR 6.106](#)
 The proposed amendment of MCR 6.106(A) would clarify that a court would determine issues concerning defendant’s pretrial release, if any, at the time of defendant’s arraignment on the complaint and warrant.
Initiative Recommendation: Support

- c. [2014-09 - Proposed Amendment of MCR 7.215](#)
 The proposed amendments of MCR 7.215(A)-(C) were submitted by the Court of Appeals. Proposed MCR 7.215(A) would clarify the term “unpublished” as used in the rule. The proposed amendment of MCR 7.215(B) would provide more specific guidance for Court of Appeals judges regarding when an opinion should be published. Finally, in response to what the Court of Appeals describes as an increased reliance by parties on unpublished opinions, the proposed revision of MCR 7.215(C) would explicitly note that citation of unpublished opinions is disfavored unless an unpublished decision directly relates to the case currently on appeal and published authority is insufficient to address the issue on appeal.

Initiative Recommendation: Support the changes in Sections (A) and (B). The Initiative also supports the second sentence added to Section (C)(1), but recommends the removal of the following sentence from (C)(1): “A party who cites an unpublished opinion shall explain why existing published authority is insufficient to resolve the issue and must provide a copy of the opinion to the court and to opposing parties with the brief or other paper in which the citation appears.”

- d. [HB4176](#) (Lucido) Criminal procedure; expunction; expunction of all information in arrest record when individual is wrongly accused under certain circumstances; require. Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec.26a to ch. IV.
- [HB4177](#) (Lucido) Law enforcement; law enforcement information network (LEIN); promulgation of rules to effectuate expunction and destruction of all arrest record information from LEIN and other databases by C.J.I.S. under certain circumstances; require. Amends sec. 4 of 1974 PA 163 (MCL 28.214).
- [HB4178](#) (Lucido) Criminal procedure; pretrial procedure; expunction and destruction of biometric data; eliminate certain exceptions. Amends sec. 3 of 1925 PA 289 (MCL 28.243).

Initiative Recommendation: Oppose

Future Goals and Activities:

The Initiative will continue reviewing public policy items, discussing matters relating to Juvenile Justice, and looking for opportunities for UCCCA.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Equal Access Initiative

Jurisdiction: Developing policies and programs to benefit underserved populations, including juveniles and those with special needs.

Chair(s) and Committee Members:

Officer	Name
Co-Chair	Aaron Vaugh Burrell
Co- Chair	Maya K. Watson
State Bar Liaison	Gregory Congers

Members:

Samuel R. Bagenstos, Ann Arbor
 Hon. William J. Caprathe, Bay City
 Raymond J. Carey, Detroit
 Mark A. Cody, Lansing
 Syeda Farhana Davidson, Clinton Township
 Erika Lorraine Davis, Detroit
 Yasmin J. Elias, Detroit

J. Kay Felt, Grosse Pointe Shores
 Hon. Patricia P. Fresard, Detroit
 Phoenix J. Hummel, Lansing
 Linda D. Johnson, Detroit
 Nicholas M. Ohanesian, Grand Rapids
 Paul S. Teranes, Grosse Pointe
 Michael T. Woodyard, Detroit
 Erica Lynne Zimny, Jackson

Committee Meeting Schedule:

October 20, 2014- JI Kickoff
 December 4, 2014
 February 12, 2015
 April 9, 2015
 June meeting to be rescheduled

Disabilities Workgroup:

November 4, 2014
 January 5, 2015
 February 9, 2015
 March 2, 2015
 April 13, 2015

Jury Curriculum:

January 21, 2015

Right to Counsel:
January 22, 2015
February 12, 2015
March 5, 2015

Resources provided by the State Bar of Michigan in support of committee work:

Staff support, teleconference number, catering for in person meetings, off site event staff support, and print materials for the committee and events.

Committee Activities:

This year at the October 20th Kickoff members of both the Justice Initiatives and the Diversity and Inclusion communities gathered to discuss the issues embedded in each groups work plan for the year. This allowed us to explore more deliberately the intersection between our work and how we might join forces to be more effective in achieving our shared goals. We heard highlights from JI and DIAC about upcoming work. EAI in particular is closely aligned in its goals with DIAC, which evolved in part from work began at as a part of the Diversity Project group. EAI currently has several workgroups.

The Disabilities Workgroup is focused on issues effecting practitioners working with the disabled community and those that have disabilities. The group publishes an “e” newsletter quarterly that addresses particular issues useful to the nearly 750 subscribers it reaches. In November of 2004 the first disabilities newsletter, "Deaf and the Hard of Hearing," was distributed to Michigan attorneys and others interested in disabilities issues. To celebrate its 10th anniversary, the State Bar of Michigan Disabilities Project Newsletter has undergone a redesign. The revamped electronic newsletter has been reformatted to be more useful and informative. Volunteers are submitting short, to-the-point, informational writings that link to reports, forms, and resources for more information on each topic. This year the workgroup is systematically going through each of the submissions to check for the necessity of updating the material.

The Jury Curriculum Project includes members of the Law Related Education Committee (LRE) and EAI. Over the last year the workgroup has begun revising the materials from “This is Our Town Too” Educating for Everyday Democracy: The Jury Process.

The focus of the group work is to revamp the project and ensure that it provides a useful way to promote respect for the jury process, and the importance of jury duty and diverse jury pools.

The first step in this regard is to streamline the materials to make them accessible to students and easy to present for teachers and volunteers. The joint workgroup reviewed the underlying story “This is Our Town Too” and made recommendations on how to shorten its length while maintain key content. The end result is more direct and should provide presenters with enough material to be flexible in terms of the depth of the discussion, allowing it to be used in various classroom settings.

The next step is to work on the actual curriculum that accompanies the story. One challenge is to remain current with the core study areas teachers are expected to focus on, so that the lessons fit into the broader goals of the class. We have been advised that providing a “ready-made” approach or lesson plan may be useful, but here we want work with educators to ensure we are on the right path.

Similarly, we want teachers' feedback on the depth of the material in the lesson. The plan is to again simplify the materials for ease of use, and to provide substantial reference material as an appendix to make it useful for those who want to pursue a more in depth lesson. We also need lawyers to update where necessary any of the pertinent case law or rules.

This year CJI has asked EAI to form the Right to Counsel Workgroup to study a right to counsel in civil matters. In 2006, the ABA passed a resolution supporting a civil right to counsel. On April 1, 2014, EAI presented a "Right to Counsel: A Right to Counsel in Civil Matters," which provided a national update on civil right to counsel laws and provided a perspective on where Michigan fit into the national landscape.

As a follow up, CJI voted to support in principle the conclusions of the ABA and in May of 2014 CJI sought and received support from the Board of Commissioners of the State Bar to explore the issue. CJI then appointed EAI to review and suggest next steps on the 2006 ABA Resolution. The following initial steps have been determined:

1. Michigan law that might support the concept must be identified. CJI believes that there should be a broader review of the circumstances where Michigan law currently recognizes a civil right to counsel and a broader discussion of which categories of cases might be prioritized for an expanded right to counsel in Michigan. The Workgroup will develop a Memo outlining current case law.

In addition, several states have embarked on pilot projects to provide representation in some specific civil matters. Some jurisdictions have had the support of their legislatures or Supreme Court justices to champion the efforts. Notably (and most recently), in 2014, state supreme courts in Hawaii, Indiana, and Montana found a right to counsel in various parental rights proceedings. In others, precedent has been set by court decisions. Each state's approach is guided by law specific to the state. The Workgroup will also examine this information.

2. There is work to be done coordinating assistance to individuals, understanding that often indigent people require a mixture of needs. System shortfalls in either criminal or civil cases can have adverse or unintended impacts. The Workgroup will examine current legal services practices as a beginning step.

3. The fiscal climate in Michigan will require significant groundwork to develop support for public funding in the categories of representation identified in the resolution. While indications are that savings and efficiencies can be gained in the long term, more support and research is likely needed to buttress any argument for additional public resources.

The recent success in passing legislation to improve the provision of indigent defense in criminal matters is encouraging but many challenges remain. Michigan is only at the threshold of implementation. CJI believes following the above outlined approach of analysis is the beginning point for laying a similar foundation to address improving civil legal counsel in Michigan.

Future Goals and Activities:

EAI is planning to continue work in the area of right to counsel in order to educate members about national efforts. The Disabilities Work Group will continue to focus on mental health courts and school to prison pipeline and quarterly e newsletters on topics of importance to practitioners. Once the revisions are complete the Jury Curriculum project will be offered to students across the state in

partnership with educators and volunteer lawyers and judges. Additional programs regarding language access and issues related to access to courts for underrepresented groups are being considered.

Other Information:

EAI continues to focus on providing newer lawyers with opportunities to develop in leadership positions within the initiative.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Justice Policy Initiatives

Jurisdiction: Analyzes and recommends positions on proposed legislation, court rules, and other policies relevant to the Justice Initiatives.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Lorray S.C. Brown	Michigan Poverty Law Program, 220 East Huron St, Suite 600A, Ann Arbor, MI 48104	(734) 998-6100	lorrayb@mplp.org
Co-Chair	Michael J. Blau	35145 Oakland St, Farmington, MI 48335-3344	(248) 943-6148	Mikeblau924@gmail.com
Staff Liaison	Peter Cunningham	State Bar of Michigan, 306 Townsend, 48933	(517) 346-6325	pcunningham@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Heather Renee Abraham, Member	Kenneth C. Penokie, Member
Jessica S. Fox, Member	Tonya Myers Phillips, Member
Hemant Madhusudan Keskar, Member	Christine N. Seppala, Member
Daniel M. Levy, Member	Hon. Cynthia D. Stephens, Member
Nancy L. Mullett, Member	Thomas K. Thornburg, Member
Jill L. Nylander, Member	

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
Initiative Meeting	May 9, 2014	Teleconference
Initiative Meeting	July 11, 2014	Teleconference
Initiative Meeting	October 20, 2014	State Bar of Michigan offices
Initiative Meeting	March 13, 2015	Teleconference
Initiative Meeting	April 10, 2015	Teleconference

Resources provided by the State Bar of Michigan in support of committee work:

The committee receives staff support from Peter Cunningham and Carrie Sharlow.

Committee Activities:

Over several meetings, the Initiative made the following recommendations on policy items:

- a. [ADM File No. 2013-22 - Proposed Amendment of Rule 4.201 of the Michigan Court Rules](#)
This proposed amendment would clarify that the typical procedure for setting aside a default judgment in MCR 2.603 applies in landlord/tenant cases that result only in a default money judgment.
Initiative Recommendation: Support
- b. [HB 5472](#)(Rendon) Family law, child support; Family law, parenting time. Family law; child support; alternative contempt track docket for certain individuals behind in child support; create. Amends secs. 2 & 35 of 1982 PA 295 (MCL 552.602 & 552.635) & adds sec. 36.
Initiative Recommendation: Oppose
- c. [ADM File No. 2015-03 – Amendment of Rule 1.15 of the Michigan Rules of Professional Conduct](#)
The amendment of MRPC 1.15 adds “credit union” to the definition of “eligible institution” for deposit of IOLTA funds. This change reflects a recent federal statutory amendment that extends federal insurance protection to IOLTA deposits held in credit unions. PL 113-252.
Initiative Recommendation: Support
- d. H-1 of [HB 4038](#) (Forlini) Housing; landlord and tenants; notification of evictions; allow by electronic mail. Amends sec. 5718 of [1961 PA 236](#) (MCL [600.5718](#)).
Initiative Recommendation: Oppose
- e. [ADM File No. 2014-45 – Proposed Adoption of Rule 5.731a of the Michigan Court Rules](#)
The proposed rule would require clinical certificates to be marked and filed as confidential and would allow only persons who have been found by the court to have a legitimate interest in the confidential documents to be granted access.
Initiative Recommendation: Support
- f. [ADM File No. 2014-09 - Proposed Amendment of Rule 7.215 of the Michigan Court Rules](#)
The proposed amendments of MCR 7.215(A)-(C) were submitted by the Court of Appeals. Proposed MCR 7.215(A) would clarify the term “unpublished” as used in the rule. The proposed amendment of MCR 7.215(B) would provide more specific guidance for Court of Appeals judges regarding when an opinion should be published. Finally, in response to what the Court of Appeals describes as an increased reliance by parties on unpublished opinions, the proposed revision of MCR 7.215(C) would explicitly note that citation of unpublished opinions is disfavored unless an unpublished decision directly relates to the case currently on appeal and published authority is insufficient to address the issue on appeal.

Initiative Recommendation: Support the proposed changes to (A) and (B) and oppose the proposed changes of (C). The Initiative believes that the law as currently written is appropriate and should not be amended as proposed.

More Initiative positions on public policy items are expected before the end of the State Bar Fiscal Year due to upcoming meetings in May and June.

Future Goals and Activities:

JPI would welcome more opportunities to participate in discussions about important policy positions with other bar entities.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Pro Bono Initiative (2014-2015)

Jurisdiction: To support and encourage lawyers’ efforts to comply with the Voluntary Pro Bono Standard by performing pro bono legal services and by making donations to organizations providing free legal services to the poor.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Jennifer Z. Belveal	660 Woodward Ave Ste 2290 Detroit, MI 48226	(313) 465-7382	jbelveal@honigman.com
Co-Chair	Robert F. Gillett	420 N 4 th Ave Ann Arbor, MI 48104	734-665-6181 ext. 24	rgillett@lsscm.org
Staff Liaison	Candace Crowley Robert Mathis Benjamin Ensroth	SBM	517-346-6319 517-346-6412 517-346-6396	ccrowley@mail.michbar.org rmathis@mail.michbar.org bensroth@mail.michbar.org
Commissioner Liaison	n/a			

Member	Member
C. Michael Bryce	Sandra D. Parker
Margaret (Peggy) Costello	Kimberly Paulson
Hon. Denise Page Hood	Linda K. Rexer
Joan Glanton Howard	Marcy L. Rosen
Kirsten A. Inquilla	Amy L. Sankaran
Ashley E. Lowe	Justin M. Sheehan
Todd M. Morgan	Robert L. Willis, Jr.
Keith L. Morris	
Heidi A. Naasko	

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
Teleconference	June 20, 2014	n/a
Teleconference	September 11, 2014	n/a

In-person/Teleconference	October 20, 2014	State Bar of Michigan
Teleconference	December 3, 2014	n/a
Teleconference	March 25, 2015	n/a

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar of Michigan provides the Pro Bono Initiative (PBI) with staff support and an initiative budget to facilitate projects and meetings.

Committee Activities:

The PBI has numerous committees and workgroups, including:

1. ABA Day (Governmental Relations)
2. Assessment of Pro Bono in Michigan Report and Implementation
3. ATJ Fund Eligible / PBI Approved Organization--Application Review
4. Circle of Excellence--Yearly Application Review
5. Homelessness Workgroup
6. John W. Cummiskey Pro Bono Award
7. MI-LAPP Malpractice Insurance for Pro Bono Administration
8. MI-LAPP Patent Pro Bono Project
9. MI-LAPP Tax Pro Bono Referral Panel Program Administration
10. MI-LAPP QDRO Pro Bono Panel Program Administration
11. Celebrate Pro Bono Month
12. Pro Bono Reference Manual / Law Related Organizations Search Database
13. Michigan Pro Bono Definition Workgroup
14. Spring Pro Bono Workshop
15. Veteran Resources Workgroup

The **John W. Cummiskey Award** was presented to attorney **Susan Kornfield** of Bodman at the SBM awards dinner at the annual meeting in Grand Rapids. The award includes a \$3,000 donation to an ATJ program to be made through the Access to Justice Fund. Susan asked that the award be designated to the ACLU - Michigan.

Nominations for the **2015 John W. Cummiskey Award** will be reviewed and a nominee identified in May 2015.

MI Pro Bono Assessment Report - The Assessment Report has been publicized and is now widely known by Michigan's pro bono community and other key stakeholders. Members of the PBI have been pleased with the reaction to the report.

With the guidance and support of consultant John Tull, the group is proceeding with the development of a self-assessment tool which will allow each program to look critically at its own delivery of pro bono services, one of the recommendations contained in the Assessment Report.

The Sixth October as Pro Bono Month Celebration occurred in 2014, which included 75 events throughout Michigan during the Pro Bono Month 2014 season. The **Pro Bono Month website** included a list of upcoming pro bono month events, talking points, a sample speech, and many other resources. Looking forward to 2015, the workgroup wants to continue to increase the number of pro bono events; the promotion of the need for pro bono legal services for the poor; and the collaboration by law firms, attorneys, and LSPs on pro bono events. As part of the planning process for Pro Bono Month 2015, the workgroup is working with the Spring Pro Bono Workshop workgroup to incorporate a Pro Bono Month piece in the agenda, with the goal of getting people thinking about Pro Bono Month early, and to assist in the facilitation of more collaboration between law firms, attorneys, bar associations, and LSPs in sponsoring Pro Bono Month events.

Michigan Governor Rick Snyder signed a proclamation declaring October 2014 as Pro Bono Month.

The **Seventh Annual October as Pro Bono Month** is set for October 2015.

The State Bar's "**A Lawyer Helps**" website continued to highlight the good work of many Michigan attorneys, with more than 20 stories posted on the website in 2014. "A Lawyer Helps" focuses first on the legal profession's priority of pro bono—free legal help for the poor and financial donations to help nonprofit legal aid agencies. But "A Lawyer Helps" also honors lawyers who additionally volunteer time to other efforts that benefit their communities. Please visit <http://www.michbar.org/alawyerhelps> for information on how to submit stories for inclusion on the website.

2014 was another successful year for **MI-LAPP's QDRO Referral Program**. In 2014, the program closed more than 40 QDRO referral cases and 50 cases were referred to the QDRO program by Michigan legal services providers. The great success of the program in 2014 was due in very large part to the program's dedicated volunteer Drafters. In 2014, the program's volunteers included: **Joseph Cunningham, Robert (Bob) Treat, Nancy Keppelman, David and Jackie Roessler, Mary Ade, and Mickey Bartlett**. Each QDRO case that is prepared by a Drafter, on average, requires four hours to complete. MI-LAPP continues to rely on the QDRO Administration Committee, spearheaded by Joseph Cunningham of **Joseph W. Cunningham JD, CPA, PC** and Bob Treat of QDRO Express LLC.

Expansion of the MI-LAPP Malpractice Insurance Program continued. Lawyers without malpractice insurance coverage can apply for coverage through the State Bar/MI-LAPP Malpractice Insurance Program. Also, lawyers that accept cases from ATJ & Non-ATJ programs without malpractice insurance can also be provided coverage. **In 2014, there were 19 requests from pro bono attorneys** wishing to utilize the MI-LAPP malpractice insurance program; attorneys that

otherwise would have been unable to offer pro bono legal services due to their lack of malpractice insurance.

The **Sixth Annual Spring Pro Bono Workshop, “*The Power of Pro Bono,*”** occurred on **May 14, 2014**. More than 55 people attended the workshop, including pro bono attorneys and representatives from various legal aid agencies. The special guest speaker was State Bar of Michigan President, Tom Rombach. The evaluations from the workshop were all very positive, with all attendees reporting that they would attend the 2015 workshop.

The **Seventh Annual Spring Pro Bono Workshop, entitled, “*The Power of Pro Bono: For Your Program & For Michigan,*”** is slated for May 19, 2015 at the State Bar. The workshop sessions are designed to encourage interactive discussions, with increased opportunities for attendees to network to discuss strategies for increasing pro bono legal services in Michigan.

The **2014 Circle of Excellence** appeared in the June 2014 Michigan Bar Journal. For the 2014 Circle of Excellence, which considers service and donations made in 2013, there were 54 firms on the Circle, up from 45 firms in 2013. The 2014 COE recognizes those firms whose aggregate financial contributions reflect \$300 per lawyer. The 2014 COE also included a “Leadership Level” which recognized firms whose aggregate financial contributions reflect \$500 per lawyer. Of the 54 firms on the COE, 23 of those firms are on the Leadership Level. In the beginning of 2015, personalized letters were mailed to law firms that have previously appeared on the COE, as well as Michigan’s largest firms not previously appearing on the COE. The letters, which included a message from SBM President Tom Rombach, were intended to advise firms of the 2015 COE applications. 2015 COE applications were due on April 24, 2015.

Tax Pro Bono Referral Panel Program. On Saturday, June 28, 2014, attorneys participated in the second-annual program training. The in-person training was at Cooley’s Lansing Campus, with simultaneous broadcast to Cooley’s Ann Arbor, Auburn Hills, and Grand Rapids Campuses. An upcoming Tax Training webinar is slated for Thursday, June 25, 2015. There are currently approximately 90 attorneys on the Tax Program’s pro bono panel. The program opened eight cases in 2013 and 38 cases in 2014.

State Bar of Michigan President Thomas C. Rombach appointed distinguished legal leaders to a new **21st Century Practice Task Force** to recommend how the State Bar can best serve the public and support lawyers’ professional development in a rapidly changing legal marketplace. **PBI member, Linda Rexer, will serve as Co-Chair of the Affordability / Access Committee**, along with the Honorable Libby Hines.

The ABA adopted **“Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means.”** The standards are very helpful and provide guidance on many interesting pro bono related topics. The standards will be highlighted at the 2015 Spring Pro Bono Workshop.

The **Patent Pro Bono Project** officially launched on **November 18 at 4:00 p.m. during an event at the USPTO satellite office in Detroit**. Speakers at the event included USPTO Pro Bono Coordinator Jennifer McDowell, State Bar President Thomas Rombach, State Bar Treasurer Jennifer Grieco, and IP Section Council member David Berry. The Patent Project is a product of the America Invents Act’s mandate directing the United States Patent & Trademark Office (USPTO) to

establish patent pro bono programs in all 50 states by the end of 2014. In addition to the launch event, Staff, along with IP Section Member David Berry, will be holding two information sessions to provide information and answer questions about providing pro bono assistance through the Project.

In 2014, UD Mercy started an incubator program, and received a grant from the ABA. The program worked with the SBM and ICLE to assist with trainings. As part of UD Mercy's program, participants will devote 75% of their time towards developing a private practice, 20% towards providing pro bono, and 5% towards training. The Oakland County Bar Association also kicked off an incubator program. The **OCBA Incubator Program** is designed to partner second year students from each of the five law schools in the state with distinguished Oakland County attorneys.

Judge Denise Page Hood, Joan Glanton Howard, and Bob Gillett attended the 40th Anniversary of LSC in Washington D.C. There were many distinguished guests at the event including former Secretary of State Hillary Clinton, Vice President Joe Biden, U.S. Supreme Court Justices Elena Kagan and Antonin Scalia, U.S. Attorney General Eric Holder, and more than 100 other leaders of the legal community, government and the private sector.

Judge Denise Page Hood attend the LSC Board meeting at the White House on April 13 & 14, 2015, and spoke on a panel of judges about pro bono collaboration in Michigan.

Robert Mathis attended the 2014 ABA Equal Justice Conference in Portland, Oregon, along with Justin Sheehan (Michigan Community Resources). Erika Davis attended the Access to Justice Chair's meeting.

The **Michigan Legal Help** website (michiganlegalthelp.org) continued to help people handle simple civil legal problems without a lawyer. The website features articles for people to learn about a specific area of the law and toolkits to help them prepare for self-representation in court. Some forms contained on the website are completed automatically once simple questions are answered. The Michigan Legal Help website does not provide legal advice, and it is not intended as a substitute for having a lawyer. PBI members applauded the MichiganLegalHelp.org as an incredible service that has proven to be very helpful for people that cannot afford an attorney and cannot get assistance from an LSP. Highlights of the website include almost 10,000 visits to the site each week and almost 1.7 million page views since its launch. In terms of pro bono service, law students are providing live assistance to clients needing help navigating the website and answers to questions not requiring legal advice. Additionally, a Spanish version of the site was launched.

The **Pro Bono Reference Manual** continues to offer the searchable Michigan Law Related Organizations Search function which allows users to search by legal service area and county. The information in the search function is verified and updated frequently.

The **Homelessness Workgroup** continues to research and determine what legal resources are available for Michigan's homeless, what barriers currently exist that prevent the homeless from accessing legal services, and suggest strategies for overcoming these barriers. The workgroup will continue to focus its attention on the coordination of efforts between pro bono lawyers and the existing legal services programs in each of the different areas of the state.

PBI intern, Benjamin Ensroth, continues to provide support to the many workgroups, projects, and subcommittees of the PBI.

Future Goals and Activities:

Most of the project work described in this report occurs annually, and efforts will be directed to replicating and improving those projects. In the coming year, the PBI will continue efforts to improve the delivery of pro bono services to the poor throughout Michigan.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and sub-entity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or sub-entity.

Committee Name: Law and the Media

- Jurisdiction:**
- Develop, recommend, and support programs that promote a positive relationship between the legal community and the media, and accuracy in the reporting of news concerning the law.
 - Study and identify sources of friction between the courts, lawyers, and the electronic and print press and recommend solutions.

Chair(s) and Committee

Members:

Officer	Name	Address	Telephone	Email
Chair	Robin Luce Herrmann	41000 Woodward Ave Bloomfield Hills, MI 48304-5130	(248) 593-3044	luce-herrmann@butzel.com
State Bar Liaison	Nancy Brown	306 Townsend StLansing, MI 48933-2083	(517) 346-6350	nbrown@mail.michbar.org
State Bar Liaison	Samantha Meinke	306 Townsend StLansing, MI 48933-2012		smeinke@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Jienelle Raye Alvarado	Robin Luce Herrmann
David Ashenfelter	Neil J. Lehto
Daniel J. Cherrin	Elizabeth M. Madigan
Laura B. Danielson	Jason C. Miller
Brett DeGross	Naomi N. Oglesby
Douglas I. Durfee	Hal G. Ostrow
Abigail Elias	Patrick Shellenbarger
Elizabeth A. Favaro	Lori K. Shemka

Committee Meeting Schedule:

Please describe the meeting type and purpose, including the date, time and location. Any additional information required should be attached as an addendum.

November 4, 2014 3:30 conference call
January 13, 2015 3:30 conference call
March 10, 2015 3:30 conference call
May 19, 2015 3:30 conference call

Resources provided by the State Bar of Michigan in support of committee work:

Staff oversees the arrangement and coordination of seminars, preparing and providing materials for seminars, preparing media kits, administering the Wade H. McCree Awards for the Advancement of Justice for journalists who cover law-related matters from the initial announcement to post-banquet publicity.

Wade H. McCree Awards for the Advancement of Justice process:

November: Review, edit, update language and graphics of brochure announcing the McCree Awards competition and containing the entry form. Help committee find judges for the contest.

Early December: Send press release containing a link to the McCree Award brochure and entry form to a list of journalists at over 845 media outlets, including dailies, weeklies, monthlies, legal news outlets, cable television outlets, local television stations, and radio stations across Michigan. Also mailed printed brochures to 150 selected news outlets. We also disseminated information via social media sites, SBM publications, SBM Blog, and the SBM website. SBM staff also drafted social media posts for committee members to share throughout the next few months to promote the contest.

Early January: Formal invitation extended by staff to judges. We have three judges each year – this year they included recently retired Michigan Supreme Court Justice Michael Cavanagh, retired Detroit Free Press Editor Ron Dzwonkowski, and Central Michigan University Journalism Professor John Hartman.

Get in touch with contacts at the journalism school at MSU to touch base about the Michigan Journalism Hall of Fame Banquet, where the awards are handed out. Also get in touch with the SBM president and executive director to schedule the banquet date on both their calendars. The SBM president presents the awards, and the SBM executive director attends the banquet to meet journalists and also to serve as a back-up in case the president can't make it.

February: Let awards supplier know that the awards are coming up again. Awards needed two weeks prior to banquet.

Send out reminder news release about the upcoming submission deadline – give journalists one last chance to enter the contest.

Second week in February is submission dateline. Organize entries into four packets – three go to judges one stays in-house. Send judging criteria and score sheet along with entries to the judges. This year, we allowed for electronic-only entries – meaning journalists could host entries on their websites and email them to us. Had to create a new page on the website containing links to all of these entries, so the judges could see them. Try to give judges about 2-3 weeks to judge.

First week in March: When score sheets are back, total the number of points received by each entry. Refer to list on how winners are decided (based on point totals). Determine winners. Let committee members know the results at the teleconference. Let the judges know the results.

Third week in March – Order awards and give supplier the names of the winners, and media outlet name. Send thank you notes/gift to the judges. Inform winners they've won by email and invite them to the banquet. Phone winners – get bio for press release and correct spelling of name.

Send email to non-winners. Send invitations to the banquet to special guests, including Law & Media committee chair and members, SBM president and executive director, contest judges.

April – Awards Banquet: Write speech for president.

Send memo detailing what to expect at banquet to president, executive director, committee members, judges and winners of awards.

Secure photographer for banquet, and send instructions on what to shoot

Get ribbons for name badges of winners and bring awards to banquet and set up

Take photos and do follow up publicity in SBM publications, on SBM website, SBM Blog, and on social media sites.

Educational event support:

SBM staff provides publicity for all educational events in news releases, on SBM website, on SBM Blog, and on social media sites. Prepare handouts to be given out at educational events. Staff participates in the seminar by offering help as media relations staff to both reporters and attorneys. Staff handle whatever audio/visual needs there are for the seminar – setting up requests for A/V equipment, and making sure it is all functioning on site. Staff makes videos and takes photographs of all sessions, and then does follow-up publicity in the Bar Journal, on the SBM website, SBM Blog, social media sites and elsewhere.

Website support:

SBM staff updated the Law & Media portion of the website for the committee to make it work better for visitors by adding a pdf of a Guide to Legal terms booklet that can be downloaded for free now, rather than only purchased in printed form. SBM Staff also made committees easier to find based on a suggestion made by this committee – by putting committees on the home page of the website, along with sections. Now both sections and committees are available to find from the home page of the website.

Committee Activities:

This year committee divided into three subcommittees: McCree Awards subcommittee, New Educational Programs Subcommittee, and McCree Award Review Subcommittee.

McCree Subcommittee: The members found three judges for the contest, and worked to promote the contest to journalists across the state on social media, by making phone calls and sending emails to their contacts in journalism, and by attending journalism conferences and passing on materials about the contest.

Because of their efforts we got an outstanding turnout in the contest. Four teams have won top honors in the State Bar of Michigan 41st Annual Wade H. McCree Jr. Awards for the Advancement of Justice.

The first McCree Award goes to a Michigan Radio team, including Jennifer Guerra, Sarah Alvarez, and Sarah Hulett. Their series, called "Finding Home: A Documentary about Foster Care in Michigan," investigated improvements made to Michigan's foster care system, which oversees the care of over 13,000 children and has been under federal oversight since 2008. The series of reports introduced listeners to the system by examining the lives of the Kley family, who adopted three foster children. The series also expanded in scope to inform and educate listeners about the difficult situations faced by the children in the foster care system, the role of the law and the courts in the system, a general overview of the state's child welfare system and suggestions to improve it, and legal and legislative efforts needed to update and modernize laws surrounding broken adoptions in the foster care system.

The second McCree Award goes to Detroit Free Press reporters Nathan Bomey, John Gallagher, and Mark Stryker for a special report about Detroit's bankruptcy, called "How Detroit Was Reborn." The piece, marking the end of months of Free Press coverage of the historic bankruptcy, told the backstory of the behind-the-scenes conversations and deals that ended in Detroit's Grand Bargain. A companion story profiled bankruptcy Judge Steven Rhodes and the role he played keeping the city's survival in the spotlight as negotiations ensued. The reports served as the centerpieces of a multimedia experience that included photos, videos, infographics, and other integrated content, and drew 70,000 desktop views and more than 3,500 shares on Facebook.

The third McCree Award goes to a team of WDET journalists, including Joan Isabella, Sandra Svoboda, and Courtney Hurtt, for the website, NextChapterDetroit.com, and a series of broadcast reports and open community forums on Detroit's historic bankruptcy case. The journalists at WDET and NextChapterDetroit.com created a valuable, easily understandable community resource about a very difficult topic that delivered breaking news about developments in the proceedings and daily updates about events in and around the courtroom. NextChapterDetroit.com will live on as a comprehensive archive of information for readers, legal researchers, and attorneys seeking a better understanding of the largest municipal bankruptcy in history.

The fourth McCree Award goes to MLive Media Group reporter Brad Devereaux for a series, "Small Town, Big Problems," that chronicled a number of legal actions involving a small town police chief and an unorthodox program to raise tens of thousands of dollars in unregulated funds. The alleged pay-to-play scheme has resulted in a small Saginaw County village of less than 300 residents having 100 reservist officers. The series examined the role and processes of local village government, local public policy issues, the role of courts in reviewing the actions of local government officials, and how local police agencies interact with state agencies.

An Honorable Mention Award goes to Detroit News reporter Mike Martindale for a story, "Judge on Leave to Quit After Re-election," that brought to light a deal worked out among court officials to allow a district judge suspected of improper behavior in his official position to seek re-election and then quietly retire from the court system. Martindale uncovered e-mails indicating that city, court, and state officials knew of the scandal and agreed to keep it from voters.

SBM President Tom Rombach presented the McCree Awards at the Michigan Journalism Hall of Fame Induction Ceremony on April 19 at the Kellogg Center in East Lansing. The McCree Awards are given each year to foster greater public understanding of the inherent values of the legal and judicial system.

The 2015 McCree Awards were judged by retired Detroit Free Press Editor Ron Dzwonkowski, Central Michigan University Journalism Professor John Hartman, and former Michigan Supreme Court Justice Michael Cavanagh.

The Wade H. McCree Jr. Awards for the Advancement of Justice are named for one of the most venerable lawyers and judges in Michigan's history. During his remarkable career, Wade H. McCree Jr. served as a federal judge, University of Michigan law professor, and solicitor general of the United States.

New Program Subcommittee: The State Bar of Michigan Law and the Media Committee and the Society of Professional Journalists, Detroit, collaborated to create "Covering the courts: What Detroit's top legal minds think." The program consisted of two panel discussions moderated by Michigan Radio Political Commentator and Wayne State University Professor Jack Lessenberry that featured prominent Michigan attorneys and judges. The first panel featured U.S. Attorney for the Eastern District of Michigan Barbara McQuade and Wayne County Prosecutor Kym Worthy. The discussion took place from 6:30-8:30 p.m. Nov. 10 at Crain's Detroit, located at 1155 Gratiot Ave. The second panel featured Hon. Nancy Edmunds, federal judge for the United States District Court for the Eastern District of Michigan, and was supposed to feature the Hon. Robert Columbo, judge of the Third Circuit Court in Wayne County, but he was unable to make it at the last minute. Judge Edmunds and Jack Lessenberry continued the discussion on their own. The discussion took place from 6:30-8:30 p.m. Nov. 18 at Butzel Long, located at 150 W Jefferson Ave, Ste 100, in Detroit. The discussions were aimed at helping journalists better navigate the legal system. The prominent attorneys and judge shared their opinions of how reporters and news outlets can improve the quality of their reporting and build a better rapport with the members of the legal profession. Both discussions had about 50 people in attendance.

The subcommittee has had six teleconferences to plan another educational program, and the members decided to incorporate a story of major importance in order to attract more attendees and more interest in the program. In order to do that, the subcommittee has decided to create a panel discussion focused on free expression and legal aspects that unfold during intense events like those in Ferguson and New York. The conversation may also focus on the potential for body cameras on police officers. Four people will serve on the panel: Len Niehoff, a Honigman First Amendment lawyer who is a dynamic speaker; Darrell Dawsey, communications director for the Michigan ACLU; Jim Kiertzner, an investigative reporter for WXYZ in Detroit; Corey Williams, an Associated Press reporter. The panel discussion will be held September 10 at Wayne State University Law

School. The goal is to ensure good participation by creating an event that is convenient and interesting to both law and journalism students, as well as lawyers and reporters. The subcommittee will partner with Wayne State to promote the event.

McCree Award Review Subcommittee: The subcommittee is doing the first major overhaul of the McCree Awards in decades. The chairperson of the subcommittee and the staff liaison met many times to plot a start to the course of the review of the awards process. Then the subcommittee held four teleconferences, over the course of which they discussed and voted on many recommendations to improve the awards. They have created a seven page memo containing these recommendations that the committee will vote on in its May meeting. The recommendations include increasing the judging panel from three to five judges, doing a better job of identifying and recognizing the judges for their work, changing some wording on the scoring sheets to make judging easier, changing the categories from Print/Online and Broadcast, to merge those to just one category, creating a new category for students, and digitizing the entire process to give judges more time to work on the entries and dramatically reduce the paperwork.

Future Goals and Activities:

Continue running, developing and updating McCree Awards and educational events to keep them relevant and constructively achieving the goals of the SBM strategic plan into the future.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and sub-entity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or sub-entity.

Committee Name: Law Related Education & Public Outreach

- Jurisdiction:**
- Make recommendations concerning programs advancing lay understanding of law and the legal profession, with particular emphasis on community programs.
 - Develop a phased implementation process for the Spring 2009 Plan developed at the Law Related Education Summit, identifying measures of success for the plan and evaluating outcomes and communicating progress annually.

Chair(s) and Committee

Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Allan T. Motzny	500 W Big Beaver Rd Troy, MI 48084-5254	(248) 524-3324	motznyat@troy.mi.gov
Co-Chair	Monica Rachelle Nuckolls	2630 Featherstone Rd Auburn Hills, MI 48326-2814	(248) 751-7800 x7752	nuckollm@cooley.edu
State Bar Liaison	Nancy Brown	306 Townsend St Lansing, MI 48933-2083	(517) 346-6350	nbrown@mail.michbar.org
State Bar Liaison	Candace A. Crowley	306 Townsend St Lansing, MI 48933-2012	(517) 346-6319	ccrowley@mail.michbar.org
State Bar Liaison	Samantha Meinke	306 Townsend St Lansing, MI 48933-2012		smeinke@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Kristin D. Arnett	Susan G. Learman
Hon. Paul J. Denefeld	Hon. Ronald W. Lowe
Lawrence Elassal	Sterlin Mesadieu
Michael M. Ellis	Allan T. Motzny
Roberta M. Gubbins	Monica Rachelle Nuckolls
Roland Hwang	Susan Patterson
Laura Monahan Joyce	Mark E. Plaza

Teresa A. Killeen	Stephan A. Savickas
Margaret J. Krasnoff	Mark R. Smith
Gary A. Kravitz	Linda Start
Matthew E. Krichbaum	David A. Sutherland

Committee Meeting

Schedule:

Please describe the meeting type and purpose, including the date, time and location. Any additional information required should be attached as an addendum.

November 17, 2014 3:00.¹

January 26, 2015 3:00 conference call

March 9, 2015 3:00 in person, SBM building

May 11, 2015 3:00 conference call

Resources provided by the State Bar of Michigan in support of committee work:

This committee has four subcommittees: Michigan Legal Milestones, Law Day, Constitution Day, and Law-Related Education. Here are the monetary, organizational and administrative support that is provided to them:

For Michigan Legal Milestones Subcommittee:

The 39th Michigan Legal Milestone, commemorating Governor G. Mennen Williams and the Great Ferris Fire, was dedicated on August 28, 2014. The 40th Michigan Legal Milestone, commemorating the fact that Michigan was the first English-speaking territory to outlaw the death penalty was supposed to be dedicated in the summer of 2015. Work had progressed quite far on this milestone. Text was written, edited and vetted for the bronze plaque, a Bar Journal story has been started, and speakers have been contacted to speak about this at the milestone dedication. However, due to the fact that legislation was introduced to reinstate the death penalty in Michigan in some instances, this milestone was deemed too political this year, so it is on hold temporarily. For each milestone, the following list of activities is undertaken by SBM Staff (much of this was performed since the last Annual Report was submitted for the 39th milestone, and the rest of it was begun for the 40th milestone):

- Keep a record of suggestions submitted for Michigan Legal Milestone status.
- Once a Milestone is decided upon, help the Milestone subcommittee to determine and contact key players, including partnering with a local bar association.
- Investigate and help determine site of milestone ceremony and where plaque will be placed.

¹ This meeting was scheduled to be in person but was changed to a conference call due to weather conditions.

- Finalize a date, time and place for the dedication after consulting with players involved. Make sure that SBM President and Executive Director can attend before finalizing the date.
- Arrange for plaque text to be written by the committee or write it and then circulate for committee input.
- Order the bronze plaque and make sure of delivery details. Check it when it arrives.
- Determine guest list and any other special programs to be held in conjunction with the dedication.
- Work on text for invitation and program
- Design and print invitations and program, and arrange for invitations to be mailed. Create online form for RSVPs and assign a staff member to receive other RSVPs by email and phone.
- Write speech for president and intros for executive director
- Compile short biographies of speakers.
- Work with subcommittee chair to draft a memo to the speakers and arrange for it to be sent to all speakers via email and hard copy on SBM stationary.
- Make arrangements for hotel stay, if needed for VIPs (speakers).
- Work with Events Manager to finalize food and other related arrangements for the dedication ceremony.
- Publicity: Draft a news release and web post, blog post and social media posts to disseminate information through internal and external sources as well as in and around city where the dedication is taking place. Invite local media to attend.
- Publicize event by writing an article or captions with photo, blurbs, press release, social media etc.
- Make sure technical aspects of event work – lighting, sound equipment, etc.
- Create video of the event. (In the past we have worked with MGTV to do this – but they have ceased to exist, so moving forward SBM staff will have to do it.)
- Take photographs at the dedication.
- Follow through with thank you notes, DVD, and post-event publicity.
- Make sure that the plaque is displayed where negotiated. Arrange for a photo opportunity if possible.
- On a continuing basis, make sure that the milestones website is updated and as complete as possible. Scan news outlets and internet for more resources about each milestone to link to from each milestone’s page on the website.

For Law Day Subcommittee:

November: Review and update language and design of brochure/nomination forms announcing competition. Take ABA theme and localize it for Michigan.

Early December: Send press release and link to pdf of brochure/entry forms statewide to news media and various legal organizations. Print hundreds of brochures/entry forms and disseminate them to schools, courts, and other law-related entities across the state. Keep a supply of them at the SBM front desk. Disseminate information via social media sites, SBM publications, and the SBM website.

January-March: Help committee members reach out to educators and attorneys across the state to encourage them to participate in contest. Create a video for YouTube, the SBM website, and SBM Blog. Record a public service announcement to run on radio stations across the state. Work with marketing consultants to directly contact schools in several counties by U.S. Postal Service mail, email and phone. Answer questions from attorneys and educators who call. Print brochures/entry forms as needed for people who can't access them online.

Mid-March: Send out reminder news release about the upcoming submission deadline. Do continuing social media and blog posts about the contest. Contribute a post to Bar Journal about the contest. Send an email to the leadership of local and affinity bar associations to encourage their participation in the Law Day Contest.

Late April: Send out a last call news release. For the second time, bar associations and others were asked to submit information about their 2015 Law Day events to the State Bar for posting on its Law Day website. This resulted in about 25 listings of Law Day activities around the state. See <http://www.michbar.org/programs/lawday/home.cfm>

May 1: Do considerable blogging and social media postings on Law Day to encourage participation in local Law Day events, and to encourage bar associations to submit their events to the state contest.

May 15: This is the contest deadline. Once all entries are received, upload entries, entry forms and parental permission forms to the website so committee members can judge them.

Late May: Once committee members have made their decisions, inform winners they've won. Announce winners via news release, social media, blog, and website. Get certificates and checks to winners and congratulate them for winning.

For Constitution Day Subcommittee:

- Create and disseminate press release reminding people to participate in Constitutional Day.
- Post social media updates about Constitution Day.
- Offer advice and assistance with outreach to schools and local bar associations to encourage participation in Constitution Day.
- Post materials gathered for lawyers to use in classrooms on Constitution Day to the Constitution Day portion of michbar.org.

For Law Related Education Subcommittee:

- Continue efforts to communicate the value of LRE to others.
- Assist with update of Jury Curriculum Project materials.
- Publicize the Michigan High School Mock Trial Competition with a news release, blog posts, and social media posts. Design brochure for each of the Mock Trial local rounds, as well as the state final round. Hire and assign a photographer to capture the state final round. Do

follow-up publicity in the Bar Journal, on the website, blog and social media sites about the final round.

- Assist with more cooperation between LREPO Committee and Michigan Center for Civic Education.
- Maintain and improve the online Clearinghouse resource at <http://www.michbar.org/generalinfo/lawlinks.cfm>

Committee Activities:

Michigan Legal Milestones Subcommittee: Since 1986 the Michigan Legal Milestone program has recognized significant legal people, places and events in the state's legal history. Bronze plaques commemorating the milestones are located throughout the state – there are even a few up in the U.P. Committee members write text for these plaques, and write stories for the Bar Journal about each milestone dedication. They also vet speakers for the dedication ceremony, and help determine which speaker will cover what topic, to make for the most interesting dedication ceremonies possible. The 39th Michigan Legal Milestone plaque commemorating Governor G. Mennen Williams and the Great Ferris Fire was dedicated in August of 2014, and the plaque has been permanently placed on the campus of Ferris State University in Big Rapids. The next milestone will commemorate the fact that Michigan was the first English-speaking territory to ban the death penalty. The subcommittee had three teleconferences throughout the year to begin planning of this next milestone, and made good progress on it. They drafted plaque text, and put it through an entire editing process. They selected speakers for the dedication ceremony and assigned a Bar Journal article on the topic. Unfortunately, after planning was well underway for the milestone, the Michigan Legislature introduced legislation to begin the process for amending the Michigan Constitution to bring back the death penalty in certain circumstances. As the Milestone program aims to not be overtly political or controversial, the milestone was put on hold until this issue could be resolved within the legislature. The committee determined that the 41st Michigan Legal Milestone will focus on “The Kalamazoo School Case” in which the Michigan Supreme Court in a decision authored by Thomas M. Cooley upheld the legality of tax supported public schools.

Law Day Subcommittee: The Law Day subcommittee continues its creative contest for the fourth year. This year's contest asks entrants to apply the theme, “Symbols of Freedom Under the Law” to their entries, and suggests examples of various symbols, including Michigan Legal Milestones, that may be used as the subject of their entry. Entries are also encouraged to be in an electronic format that can be posted on the SBM website and made available statewide. The chairperson of the subcommittee did a lot to assist outreach efforts, speaking to schools and granting an interview about Law Day to Greater Lansing Business Monthly, a mid-Michigan business publication. The deadline of the contest was moved from mid-April to mid-May, in hopes that more entries would come in to the contest. The committee hopes that by waiting until after Law Day, local and affinity bar associations can enter their events into the state contest. Entries will be judged by members of the Law Day subcommittee on originality and creativity. Awards ranging from \$1,000 to \$500 are given to the winners for use promoting law-related education in their local communities. The goal of the contest is to reach more lawyers and students across the state and increase the diversity of participants.

Constitution Day Subcommittee: In September, the Constitution Day subcommittee supported the efforts of many local bar associations and schools by creating the message, creating a timeline, developing materials and in organizing and running successful Constitution Day programs occurring across the state of Michigan. The subcommittee chair collected and evaluated lesson plans and activity ideas from around the state for posting on the SBM Constitution Day webpage and is exploring other technology-based ideas to assist lawyers in classrooms on Constitution Day. Currently the website hosts lesson plans for grades 5-12. The subcommittee collected data on this year's Constitution Day and the metrics suggest an overall increase in lawyer participation. Some programs lost a little bit of participation, but the subcommittee is working to turn those around. One idea for the future is to start training lawyers to participate in the classroom. The subcommittee drafted a form letter that each subcommittee member sent out to local and affinity bar associations in his or her geographic location, as well as to local schools, in an attempt to garner more participation from both schools and attorneys.

Law Related Education Subcommittee: The LRE subcommittee works to maintain and update the clearinghouse of law-related education links and resources. Members are going to work more closely with the Michigan Center for Civic Education to evaluate their clearinghouse, and see if the two clearinghouses can work better in closer collaboration. Members of the subcommittee are working with members of the Equal Access Initiative to update and modernize materials for the Jury Curriculum Project. This subcommittee budget supports the efforts of the Michigan High School Mock Trial Tournament, run by the Michigan Center for Civic Education. It was created over 30 years ago by SBM, Michigan government, and Michigan State Police as a collaboration to educate people about the law. The tournament has existed since 1982 and began as a one-day tournament in Detroit. Now there are four preliminary rounds across the state and a state final competition. Many members of the committee serve as judges and volunteers in other capacities in the competition. For more information visit <http://www.miciviced.org/>.

Future Goals and Activities:

The LRE-PO committee will continue to look at ways to improve its subcommittee structure by ensuring that each lawyer member and each non-lawyer member are actively involved in activities that support the overall goals of the LRE-PO committee, and by extension the State Bar of Michigan's strategic plan. Using this subcommittee structure, the committee continues to review, expand, and support public outreach programs in support of the committee's purpose and objectives to (1) implement programming that advances non-lawyer understanding of the law and the legal profession, with a particular emphasis on educational and community programs; and (2) review existing LRE programs for uploading to an online database, review potential collaborative activities among lawyers and educators, review the best methods of communicating the value of LRE in promoting an educated citizenry, as well as implementing evaluation strategies to gain input and feedback on LRE programming. Each of these efforts is aimed at developing a phased in process of implementing highly effective LRE programming. The LRE-PO committee continues to support and implement the SBM Diversity Pledge to ensure that individuals in all 83 Michigan counties have access to SBM activities and meaningful opportunities to participate.

Other Information:

Each of the subcommittee chairs provide regular (typically quarterly) written reports related to the activities and progress of their respective subcommittees. The chair of each subcommittee, or his or her designee, provides a verbal report at each of the four LRE-PO meetings.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Law School Deans

Jurisdiction:

- Confer on issues and subjects that affect the law schools of Michigan and the practicing lawyers of Michigan.
- Make recommendations concerning legal preparation, law school admissions, education, standards, and testing of candidates for admission to the bar.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Thomas C. Rombach	Law Office of Thomas C. Rombach 51249 Washington St. New Baltimore, MI 48047-1564	(586) 725-3000	tomrombach@aol.com
Staff Liaison	Danon Goodrum-Garland Janet K. Welch	State Bar of Michigan 306 Townsend Lansing, MI, 48933	(517) 346-6333 (517) 346-6331	dgarland@mail.michbar.org jwelch@mail.michbar.org
Commissioner Liaison	n/a			

Member/Advisor/Other	Member/Advisor/Other
Lori A. Buiteweg	Dean Jocelyn M. Benson
Jennifer M. Grieco	Dean Phyllis L. Crocker
Lawrence P. Nolan	Dean Joan Howarth
Maribeth Dickerson Preston	Dean Don LeDuc
Donald G. Rockwell	Dean Mark D. West
Vanessa Peterson Williams	

Committee Meeting Schedule:

By agreement of the members, this committee meets on an as-needed basis, typically on an 18-24 month schedule.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Lawyers & Judges Assistance Committee

Jurisdiction:

- Recommend and support programs that provide assistance to lawyers and judges faced with personal and professional problems related to substance use disorders and stress.
- Review and make recommendations concerning proposed statutes and court rules affecting assistance to lawyers and judges faced with personal and professional problems related to substance use and stress.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chairs	Lawrence Dubin	University of Detroit Mercy School of Law 651 E. Jefferson Detroit, MI 48226	(313)-596-0200	ladonlaw@aol.com
	Kenneth Gonko	The Danielson Group PC 55921 Gratiot Ave Chesterfield, MI 48051-1221	(586) 749-6400	kgonko@dgrouppc.com
Staff Liaison	Tish Vincent	306 Townsend Lansing, MI 48933	(517)-346-6337	tvincent@mail.michbar.org
Commissioner Liaison / Representative Assembly Liaison	Richard Hillary, II	250 Monroe Ave NW Ste 800 PO Box 306 Grand Rapids, MI 49501-0306	(616) 831-1774	hillaryr@millerjohnson.com

Member/Advisor/Other	Member/Advisor/Other
Hon. Daniel Hathaway	Amy Neville
Emily Conway	Sean Siebigteroth
Linda Miller Atkinson	Robert Keith Ochodnick
Joan Odorowski	Kenneth Silver
H. Lawrence Smith	Larissa Zubac
Carrie Ann Barnes	
Barbara Rohrer	
Erwin F. Meiers	

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
LJAC Meeting	October 16, 2014	SBM- Hudson Room
LJAC Meeting	December 5, 2014 – Cancelled due to weather and lack of members able to attend	n/a
LJAC Meeting	February 5, 2015	SBM – Hudson Room
LJAC Meeting	April 9, 2015	SBM – Hudson Room
Scheduled LJAC Meeting	June 11, 2015	SBM – Hudson Room
Scheduled LJAC Meeting	August 5, 2015	SBM – Hudson Room

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar of Michigan provides the services of the Staff Liaison to report on LJAP’s activities and assist in leading the meeting, a room, a spider phone and sound system for the purpose of facilitating a conference call for those committee members who cannot attend in person, a meal, administrative services by the LJAP Administrative Assistant, email notification of scheduling of the meeting, emailing of agendas and minutes after the meeting. The State Bar of Michigan provides all administrative functions in support of the committee throughout the year.

Committee Activities:

- Increase outreach to Affinity Bars to educate on Wellness and Stress Management while putting a face on LJAP and decreasing resistance to reaching out for help.
- Increase outreach to the judiciary by contacting administrators and working with judges on the committee.
- Suggest topics for Wellness articles for The Michigan Bar Journal.
- Increase outreach to law students in the State of Michigan to raise awareness of wellness and stress management issues while providing a personal encounter with LJAP staff to decrease stigma and encourage communication of needs.
- Work on establishing a 501(c)(3) entity that can serve to house and administer a Treatment Fund for attorneys in need of services who do not have the financial means to pay for the services.
- Facilitate communication and integration of services between LJAP and the AGC.
- Work on establishing an Alcoholics Anonymous rapid response team by recovering committee members to individuals calling in distress.
- Work on soliciting student representatives from the state’s law schools.
- Work on developing a collection of law school courses for the Professional Responsibility course on Substance Use Disorders and Mental Illness.

Future Goals and Activities:

- Establish a Treatment Fund as a 501(c)(3) entity.
- Host a Fun Run at the SBM annual meeting to raise funds for the Treatment Fund.
- Host other special events to raise money for the Treatment Fund and to provide public information about the programs available.
- Include a law student representative from each Michigan law school.
- With input from the Executive Director of SBM consider communication with the AGC about the advisability of limiting the monitoring of impaired attorneys to the LJAP program.

Other Information: With the input from the Lawyers & Judges Committee the Lawyers and Judges Assistance Program has provided presentations on stress management, dealing with depression and suicide, wellness, conducting evaluations of people in need, monitoring people on contractual probation, and assisting law students who are facing inquiries with Character & Fitness and placing them in monitoring contracts as needed.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name:

Libraries, Legal Research, and Legal Publications

Jurisdiction:

Assist in improving the legal resources at libraries, legal publications, and methods of conducting legal research.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Kincaid C. Brown	801 Monroe St Ofc S-110E Ann Arbor, MI 48109-1210	(734) 647-1529	kcb@umich.edu
State Bar Liaison	Lynn P. Ingram	306 Townsend St Lansing, MI 48933-2012	(517) 346-6347	lingram@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Nancy Loukus Ballast	Joseph Anthony Novak
Bernadette Bartlett	Ryan C. Painter
Jan Bissett	Marilyn Friedman Preston
Kimberly A. Breitmeyer	Janice K. Selberg
Geraldine Anne Brown	Heather J E Simmons
Kincaid C. Brown	Ruth S. Stevens
Marlene W. Coir	Virginia C. Thomas
Randy E. Davidson	George E. Ward
Barbara H. Garavaglia	Thomas H. Weiss
Barbara H. Goldman	Lance M. Werner
Laura Mancini	Erica Lynne Zimny
Audra Rose McClure	

Committee Meeting Schedule:

Please describe the meeting type and purpose, including the date, time and location. Any additional information required should be attached as an addendum.

Regular Meeting, October 18, 2014, Michael Franck Bldg., Lansing

Virtual Meeting, February 14, 2015

Regular Meeting, June 6, 2015, University of Michigan Law School, Ann Arbor

Resources provided by the State Bar of Michigan in support of committee work:

Use of meeting room for the October meeting for the year, provision of continental breakfast for the onsite meeting, provision of IT support for the onsite meeting, staff assistance with arrangements, staff assistance with updating the Committee web page and the Michigan Online Legal Resource Center.

Committee Activities:

Members and Committee advisors write a monthly column in the MBJ supporting legal research based on the theme of the monthly issue. Article written in the past year include:

May 2014: Marlene Coir, "The John F. Dodge Estate: A Chapter in Probate History"

June 2014: No article

July 2014: Ruth S. Stevens, "Using Google for Legal Research"

August 2014: Jan Bissett and Margi Heinen, "Fishing with the Crowd: Catch and Release?"

September 2014: Virginia C. Thomas and William W. LeFevre, "Researching Environmental Justice: A Conversation"

October 2014: Marlene Coir and Virginia C. Thomas, "UELMA: The Uniform Electronic Material Act"

November 2014: Janice Selberg, "The Passage of the Elder Justice Act"

December 2014: Heather J. E. Simmons and Steven J. Cernak, "A Conversation About Antitrust: What Michigan Practitioners Must Know"

January 2015: Ryan K. Seale, "Resources in Social Security Cases"

February 2015: Marlene W. Coir and Laura Mancini, "Assisting Veterans and Active Military Personnel with Benefit Claims and Other Legal Matters"

March 2015: No article

April 2015: Bernadette Bartlett, Directory Issue

The Committee updated and made revisions to the Michigan Online Legal Resource Center and added a section on Employment Law. A section on Veterans' Law is in process.

This year, the Committee has been gathering information and discussing the lack of availability of ICLE e-books to libraries as well as continuing our discussion of UELMA (Uniform Electronic Legal Materials Act).

Future Goals and Activities:

The Committee is concerned with the lack of access to ICLE e-books to libraries. The Committee believes that these are important works that should be more available to solo practitioners than they currently are and we will continue discuss how the Committee might be involved in helping to increase access.

The Committee is concerned with the transition of primary legal documents and information to electronic-only formats. We will continue to discuss UELMA and possible steps the Committee might be involved with that can help to maintain the availability of

legal information.

The Committee will continue to update the Michigan Online Legal Resource Center.

The Committee will continue to write a monthly column for the Michigan Bar Journal.

Other Information:

None.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Member Services Committee

Jurisdiction: Evaluate and make recommendations concerning the selection, retention, development and marketing of State Bar services and products. Make recommendations concerning programs and services to meet the needs and interests of lawyers in the Upper Peninsula.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Max R. Hoffman, Jr.	124 W Allegan St Ste 1000 Lansing, MI 48933-1736	(517) 377-0880	mhoffman@fraserlawfirm.com
State Bar Liaison	Nancy Brown	306 Townsend St Lansing, MI 48933-2083	(517) 346-6350	nbrown@mail.michbar.org
State Bar Liaison	Kari Thrush	306 Townsend St Lansing, MI 48933-2012	(517) 346-6371	kthrush@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Mary Chartier-Mittendorf	Linda K. Kisabeth
Sharon Alston Ellis	Michelle Marie McLean
Shawn P. Eyestone	Richard J. Muzingo
Sarah E. Henderson	Robert C. Rutgers, Jr.
Max R. Hoffman, Jr.	Peter R. Tochman

Committee Meeting Schedule:

December 9, 2014 - Committee teleconference to discuss overview of programs
April 2015 - Committee in-person/teleconference to be scheduled for May to review and consider a number of new discount programs.

Resources provided by the State Bar of Michigan in support of committee work:

The Membership Services Committee has worked with State Bar Liaisons, Kari Thrush and Nancy Brown. State Bar staff have routinely provided historical information from records maintained by the State Bar as needed to facilitate the activities of the Membership Services Committee. Thus, we were able to obtain guidance from the past in planning for future programs and services and evaluating State Bar endorsed programs and services. In addition, staff have performed administrative assistance in scheduling meetings and circulating information to committee members for our meetings. Through the collective efforts of the State Bar staff, they have ensured

preparation of meeting agendas, minutes, and detailed reports, and they have gathered information to facilitate committee meetings. They have also promptly responded to action items articulated during our meetings to facilitate further committee action.

Committee Activities:

The committee met on December 9, 2014 to review the program overview report that contained information about the current member benefit programs. Kari Thrush highlighted performance of individual programs. The committee also reviewed possible new program ideas to be added. It was reported that that the State Bar of Michigan will be eliminating three programs: 1) Looking for Space, contract has expired and it is not being utilized; 2) Send it Certified, contract is ending, no renewal and there has been no usage as well; and 3) Volunteer Energy, contract has expired and the benefit to members is no longer available. The chair also presented the idea of forming subcommittees when appropriate. The subcommittees would be formed to accommodate thorough review of programs that may need additional due diligence. Subcommittees may include individuals from outside of this committee to accommodate expertise and knowledge needed to accomplish adequate review of a program.

Future Goals and Activities:

To continue to provide quality programs, services, and discounts to State Bar members.

Other Information:

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Past Presidents’ Advisory Council

Jurisdiction: Provide counsel and recommendations on all matters concerning the State Bar, at the request of the Board of Commissioners

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Bruce A. Courtade	Rhoades McKee PC 55 Campau Avenue NW Suite 300 Grand Rapids, MI 49503-2642	(616) 233-5152	bcourtade@rhoadesmckee.com
Staff Liaison	Janet K. Welch	State Bar of Michigan 306 Townsend Lansing, MI 48933	(517) 346-6331	jwelch@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Dennis W. Archer	Thomas G. Kienbaum
Scott S. Brinkmeyer	John A. Krsul, Jr.
Hon. Alfred M. Butzbaugh	Eugene D. Mossner
Thomas W. Cranmer	Jon R. Muth
Julia Donovan Darlow	Bruce W. Neckers
Michael Hayes Dettmer	Edward H. Pappas
Nancy J. Diehl	Hon. Donald L. Reisig
Brian D. Einhorn	Wallace D. Riley
Julie I. Fershtman	Hon. Victoria A. Roberts
George A. Googasian	George T. Roumell, Jr.
Joseph L. Hardig, Jr.	Thomas J. Ryan
W. Anthony Jenkins	Charles R. Toy
Hon. Charles W. Joiner	Reginald M. Turner, Jr.
Ronald D. Keefe	Fred L. Woodworth

Committee Meeting Schedule:

Meeting Type	Date	Location
Description		
Committee meeting via conference call	March 20, 2015	

This committee meets on an as-needed basis. Committee members have provided guidance throughout the year on various issues.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and sub-entity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or sub-entity.

Committee Name: Standing Committee on Professional Ethics

Jurisdiction: The Professional Ethics Committee has the following jurisdictional mandate:

- Prepare written opinions on professional ethical conduct at the request of the State Bar President, Board of Commissioners, Representative Assembly, Attorney Discipline Board, Attorney Grievance Commission, Executive Director, or individual members of the State Bar inquiring about their own contemplated conduct.
- Recommend amendments to the Michigan Rules of Professional Conduct and other standards of professional conduct, and review proposed amendments.

This committee may have more than 15 members.

Chair and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Kenneth M. Mogill	27 E Flint St Ste 2 Lake Orion, MI 48362-3220	(248) 814-9470	kmogill@bignet.net
State Bar Liaison	Danon D. Goodrum-Garland	306 Townsend St Lansing, MI 48933-2012	(517) 346-6333	dgarland@mail.michbar.org
State Bar Liaison	Nkrumah Johnson-Wynn	306 Townsend St Lansing, MI 48933-2012	(517) 346-6310	njwynn@mail.michbar.org
State Bar Liaison	Alecia M. Ruswinckel	306 Townsend St Lansing, MI 48933-2012	(517) 346-6328	amruswinckel@mail.michbar.org
State Bar Liaison Assistant	Karen Spohn	306 Townsend St Lansing, MI 48933-2012	(517) 346-6309	kspohn@mail.michbar.org
Members		Members		Disciplinary System Liaisons
William J. Ard		Stephanie J. LaRose		Attorney Discipline Board
Patrick M. Barrett		Martha D. Moore		Mark A. Armitage
Lori Grigg Bluhm		Nicholas M. Ohanesian		Wendy A. Neeley
Charles W. Borgsdorf		Joseph V. Walker		
Keefe A. Brooks				Attorney Grievance Commission
Kevin L. Francart				Alan Gershel
Kristen L. Getting				Rhonda Spencer Pozehl
Andrew Carl Goetz				
Tina S. Gray				
Edward J. Hood				
Alissa Mae Hurley				
Kevin Kalczynski				

Committee Meeting Schedule:

Meeting Type	Date and Time	Location
Regularly scheduled meeting	May 2, 2014, 10 a.m.	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
Regularly scheduled meeting	June 27, 2014, 10 a.m.	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
Regularly scheduled meeting	October 31, 2014, 10 a.m.	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
Regularly scheduled meeting	March 13, 2015, 10 a.m.	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar provides staff support for the work of the Committee through three staff counsel and the administrative assistance of a legal secretary. The State Bar also provides meeting facilities, food and beverage for meetings, SharePoint, teleconferencing services, meeting materials, document production services, and other ethics resources as needed to support the work of the Committee.

Committee Activities: During each Committee meeting, Members discuss proposed topics for ethics opinions; receive updates about pending matters; and discuss and debate opinions in progress. Additionally, members receive information about and discuss inquiries received through the State Bar’s ethics helpline and address other matters as they arise, such as proposed changes to the Michigan Rules of Professional Conduct. Between meetings, the Members review materials, form recommendations about whether to respond to opinion requests with a letter or an opinion, and research and draft opinions for discussion and approval by the Committee as a whole.

The Committee has discussed and continues to review the ABA 20/20 Commission proposed changes to the Model Rules of Professional Conduct. Members will identify proposed changes that appear to be most relevant to Michigan practitioners to begin the process of making its recommendations.

Since its last Annual Report, the Committee approved five ethics opinions for publication addressing the ethical concerns described below.

- 1) Lawyers or law firms may ethically participate as members of a limited liability entity, where the sole purposes of the entity are marketing through a website, promotion of “brand awareness” about the entity, and providing information about the lawyers and law firm members, so long as the entity provides sufficient information about the nature of the relationships among members that it is reasonably understood that the limited liability entity is not providing legal services.

- 2) MRPC 1.11 pertaining to successive government and private employment is inapplicable when a lawyer concurrently serves as a public officer or government employee and represents private clients.
- 3) When a lawyer represents a client in a personal injury matter and the client dies during the pendency of the litigation, the lawyer may represent the deceased client's estate in the personal injury litigation and the personal representative in probating the decedent's estate if the personal representative agrees to both. The lawyer may represent the personal representative on an hourly basis for probate administration and the decedent's estate in the personal injury litigation on a contingency basis. Prior to his or her death, an individual plaintiff-client cannot compel the personal representative appointed after the client's death to choose a particular attorney to represent the decedent's estate in the personal injury litigation or probate administration. If an individual defendant dies during the pendency of personal injury litigation, the plaintiff becomes a potential creditor of the decedent's estate, and the plaintiff's lawyer may open a decedent's estate for the defendant as authorized by law.
- 4) A lawyer cannot ethically abdicate the lawyer's responsibilities under MRPC 1.15 and MRPC 1.15A by relinquishing control of a dedicated client trust account to the client which happens to be the bank at which such accounts are maintained. There are no exceptions under these Rules which absolve a lawyer from liability for overdrafts to the lawyer's trust account. A lawyer is subverting the intent and spirit of MRPC 1.15(a)(3) by establishing a dedicated IOLTA account as requested by a bank client and relinquishing control of the account to the bank.
- 5) A provision in a fee agreement, purporting to require the parties to arbitrate any future dispute relating to the representation that might arise between them is ethically permissible only if, prior to signing the fee agreement, the client either consults with independent counsel or consults with the lawyer and is fully informed in writing regarding the scope and effect of the arbitration provision. A provision in a fee agreement purporting to shorten the statute of limitations within which the client might assert a malpractice claim is ethically impermissible unless the provision is permitted by law, the client is independently represented in entering into the fee agreement, and the provision is objectively fair and reasonable in the circumstances.

The Committee continues to work on two ethics opinions and will consider other requests for ethics opinions in the upcoming months.

Future Goals and Activities: The Committee continues to identify issues of interest to Michigan lawyers as evidenced by questions posed by letter or ethics helpline inquiry that might be the appropriate subject of an opinion either because the topic has not previously been addressed or because changes in the area have rendered previous opinions no longer appropriate. To the extent that the Committee's input is sought by the Board of Commissioners, the Representative Assembly, or the Supreme Court on discrete issues or projects, the Committee stands ready to respond with appropriate research and commentary.

The Committee's last two quarterly meetings for this bar year are scheduled for May 8, 2015, and June 26, 2015.

Other Information: Not applicable.

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Publications and Website Advisory Committee

Jurisdiction: Provide editorial guidance concerning the *Michigan Bar Journal*, the State Bar of Michigan website, and other regular State Bar publications for the general membership or public. Provide guidance to the Practice Management Resource Center (PMRC) in the development, maintenance and evaluation of resources, programs, and services designed to help members build and strengthen their law practices, with particular emphasis on the use of online resources as the primary vehicle to market and disseminate PMRC services.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Francine Cullari	8341 Office Park Dr., Ste C Grand Blanc, MI 48439-2077	(810) 695-7400	cullarilaw@sbcglobal.net
State Bar Liaison	Nancy Brown	306 Townsend St., Lansing, MI 48933-2083	(517) 346-6350	nbrown@mail.michbar.org
State Bar Liaison	Linda Novak	306 Townsend St., Lansing, MI 48933-2012	(517) 618-6771	lnovak@mail.michbar.org

Member/Advisor/Other
William J. Ard
David M. Cohen
Stephen D. Conley
Margaret A. Costello
Francine Cullari
Jessica S. Fox
Brendan Henry Frey
Eli D. Greenbaum
Jason T. Hanselman
John O. Juroszek

Member/Advisor/Other
Joseph Kimble
Richard C. Kraus
Gerard Mantese
John P. Mayer
Ronald D. Richards Jr.
John R. Runyan Jr.
Christopher R. Trudeau
Linda M. Watson
Roberta J. F. Wray
Tyra L. Wright

Committee Meeting Schedule:

Please describe the meeting type and purpose, including the date, time and location. Any additional information required should be attached as an addendum.

10/29/14: General meeting; teleconference

The committee is a smoothly functioning entity which conducts virtually all its work through e-mails and the committee web portal. Very few meetings are needed, saving SBM and committee members time and money.

Resources provided by the State Bar of Michigan in support of committee work:

The SBM staff is nothing short of incredible, providing consistent, timely service to PWAC. The committee has had services beyond the call of duty from the following staffers this year:

Nancy Brown, Director of Member Services & Communications, continued excellence on a professional and personal level
Linda Novak, Editor, the once-and-always-queen of the *Michigan Bar Journal*
Diane Ebersole, Law Practice Solutions column
Mike Eidelbes, Copy Editor/Writer and PWAC reporter, who takes flawless minutes and has edited many legal brochures this year
JoAnn Hathaway, Law Practice Solutions column
Chelsea Huber, Citation Support
Stacy Marciniak, Advertising
Samantha Meinke, Communications Manager
Joyce Nordeen, Editorial Assistant
Sarah Nussbaumer, Contributing Graphic Designer
Sue Oudsema, April Directory
Carrie Sharlow, excellent MBJ Michigan Lawyers in History articles
Kari Thrush, member services ads/Annual Meeting materials
Tish Vincent, Practicing Wellness

The SBM also provides a website for members, publications for members and the public, and a PWAC web forum for committee work in addition to teleconferencing capability, meeting rooms, and refreshments (the lobster was spectacular this year).

Committee Activities:

The committee is a recommending body to the SBM Board of Directors and staff regarding many print and online services and communications to members. PWAC continually monitors and updates the SBM website, develops the *Bar Journal*, the Practice Management Resource Center, the April Directory, and various legal publications of the Bar.

In 2014–2015, SBM President Tom Rombach appointed three new members with exceptional credentials to PWAC: Margaret Costello, former SBM Board member and liaison to PWAC; Eli Greenbaum, an attorney who also works in the advertising field; and Brendan Frey, a web expert who has accepted the role of chairperson of the PWAC Web Subcommittee.

Two PWAC members were nominated for SBM awards: Joseph Kimble for Champion of Justice Award (Awards Committee decision date in May 2015 and Francine Cullari for the Roberts P. Hudson Award (received September 2014).

WEBSITE

All section websites have been migrated to the new, interactive SBM Connect platform. SBM Connect allows members to interact with their sections and each other using the discussion area, library, and member-only pages.

Each BOC committee will also have a community in SBM Connect with a discussion area and library for its members.

After much discussion of which platform and technology should be used for the new SBM website, the design phase began in June 2014 using .Net technology with a robust content management system. The website was soft-launched on April 28 with a complete transition estimated for May 15. The new site offers a fresh look and feel, 100 percent mobile-friendly web pages, three main-content buttons for easy navigation, a home-page banner carousel, management tools for multiple administrators, and load balancing servers for peak usage time.

The online member directory is used as a trusted resource for accurate information. Through the SBM partnership with ZeekBeek, members can build an expanded profile, pull in a profile already built on LinkedIn, add videos and articles, and link to blogs and websites—all for free. When SBM rolled out the new member directory in January, staff heard positive and negative comments from many members about the new design. Since that time there have been significant improvements made: searches are faster, the directory is easier and more intuitive to navigate, it is cleaner in appearance, and members can choose the format of the search results that best fit individual preferences.

The PWAC Web Subcommittee, composed of Brendan Frey, Eli Greenbaum, and John Mayer, will undertake a complete review of the new site to suggest further refinements.

BAR JOURNAL

Under the continued unparalleled editorship of Linda Novak, MBJ published five general issues and seven theme issues this year, including:

Business Litigation (August 2014)
Uniform Commercial Code (October 2014)
Elder Law and Disability Rights (November 2014)
Franchising and Antitrust Law (December 2014)

Military and Veterans Law (February 2015)
Blacks in the Law II (May 2015)
Alternative Dispute Resolution (June 2015)

Various committee members have written articles and edited theme issues and columns:

Authors: Margaret Costello, “Legal Assistance for Veterans: What Can a Lawyer Do?” (Feb. 2015); Joseph Kimble, “Another Example from the Proposed New Federal Rules of Evidence” (July 2014), “Where Should the Citations Go?” (Nov. 2014), “You Think Lawyers Are Good Drafters?” (May 2015); Gerard Mantese, “Fiduciary Duty in Business Litigation” (Aug. 2014), “The Michigan Supreme Court Speaks: *Madugula v Tanb* and Shareholder Oppression” (Nov. 2014); Ron Richards, “A Checklist for Attorneys Negotiating Telecommunications Equipment Leases on Municipal Property” (March 2015); and John Runyan, *Judicial Deceit* book review (Dec. 2014).

Column editors: Joseph Kimble, Plain Language; and Gerard Mantese, Trial Practice.

General issue editors: John Mayer (July 2014, Sept. 2014, Jan. 2015, March 2015) and Roberta Wray (July 2014).

Theme issue editors: Josh Ard (Nov. 2014 Elder Law and Disability Rights); Gerard Mantese (Aug. 2014 Business Litigation, May 2015 Blacks in the Law II); and Linda Watson (Dec. 2014 Franchising and Antitrust Law).

In 2014–2015, committee members reviewed 41 unsolicited articles, with Richard Kraus at the helm of the review process, identifying experts and secondary reviewers for each article.

PWAC, with the expert assistance of Anne Vrooman, surveyed SBM members regarding their use of the *Journal*. Committee members reviewed the lengthy results and are integrating various suggestions into future issues. One significant finding is that members prefer the current mix of theme issue and general issues, typically 50 percent each per year. John Runyan, MBJ vice chairperson and a member of the Readership Survey Subcommittee, performed a yeoman’s task of summarizing the survey results for committee review. A copy of the summary can be viewed at http://www.michbar.org/publications/pdfs/bj_survey_2014.pdf.

As more information from the April Directory is available on the SBM website, approx. 33 percent of members have opted out of receiving the print directory.

PMRC

The PMRC manages an Overdrive Digital Library of 275 volumes, with 20 books added this year. Since October 1, 2014, 267 books have been checked out. In the hardcover library, 15 books have been added, taking the total to 200 books.

The PMRC developed the *Planning Ahead: A Guide to Protecting Your Clients' Interests in the Event of Your Disability or Death* manual and downloadable forms for State Bar of Michigan members. The material is available from the PMRC website.

Two live webinars are in the planning stages for early summer. A series of short how-to videos titled *QuickStart* is in production and will also be added to the website soon.

The following regional seminars were held:

- Planning Ahead: Master Lawyers Genesee County—Flint 10/09/14
- 21st Century Boot Camp—Auburn Hills 11/13/14
- Financial Benchmarks: American Immigration Lawyers Association—Detroit 01/13/15
- Tips for Thriving in a Restructuring Profession: Kent County Bar—Grand Rapids 01/29/15
- Law Practice Technology Essentials: Young Lawyers Oakland County—Bloomfield Hills 02/05/15
- Planning Ahead & Using Web Meeting Technology: American Immigration Lawyers Association—Detroit 02/12/15
- 21st Century Boot Camp—Lansing 02/23/15
- 60 Tips in 60 Minutes: ABA TECHSHOW 2015—Chicago 04/17/15
- How to Create and Use Digital Signatures: ABA TECHSHOW 2015—Chicago 04/17/15
- Litigating on an iPad: Fraser Law Firm—Lansing 04/23/15
- Practice Management Software: Your Firm's Swiss Army Knife, Solo and Sm. Firm Section—Bloomfield Hills 04/30/15

In addition to general training, PMRC customized training and consulting on Time-Matters software practice management and technology consultations.

LEGAL PUBLICATIONS

More than 20 print brochures have been updated by PWAC members and appropriate SBM sections. The brochures are available to attorneys and the public, ranging from estate planning and probate matters to marriage laws and elder abuse. Staff member Mike Eidelbes edited all final drafts for the committee.

Future Goals and Activities:

PWAC will continue to produce the *Bar Journal*, with the goal of increasing the number of online readers, currently at approx. 31 percent.

The Web Subcommittee will review and make recommendations about the new (and current) features of the website.

Two or three additional brochures will be updated for the public and members.

The PMRC plans the following activities for the coming year:

- 21st Century Boot Camp—Lansing 05/11/15
- Adobe Acrobat: ABA Webinar—05/13/15
- PMRC Orientation for YLS, Wayne State University—Detroit 05/29/15
- 45 in 45! Tips, Sites, Gadgets, and Tools for Your Firm: Upper Michigan Legal Institute—Mackinac Island 06/12/15

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and sub-entity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or sub-entity.

Committee Name: Standing Committee on the Unauthorized Practice of Law

Jurisdiction: Pursuant to SBR 16, the State Bar of Michigan is authorized and empowered to investigate matters pertaining to the unauthorized practice of law (UPL). The Standing Committee on the Unauthorized Practice of Law (UPL Committee) investigates and provides guidance on matters involving the alleged unauthorized practice of the law. The UPL Committee makes recommendations to the Board of Commissioners to file and prosecute actions seeking to enjoin those engaged in the unauthorized practice of law. The UPL Committee proposes and supports measures to educate the public and the legal profession about unauthorized practice of law issues. The UPL Committee may have more than 15 members.

Chair and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Kathleen Marie Branigan (P75132)	312 S Jackson St Jackson, MI 49201-2231	(517) 788-4283	kbraniga@co.jackson.mi.us
State Bar Liaison	Danon D. Goodrum-Garland (P53603)	306 Townsend St Lansing, MI 48933-2012	(517) 346-6333	dgarland@mail.michbar.org
State Bar Liaison	Laurin` C. Roberts Thomas (P45515)	306 Townsend St Lansing, MI 48933-2012	(517) 346-6335	lcthomas@mail.michbar.org
State Bar Liaison Assistant	Amy Emmons	306 Townsend St Lansing, MI 48933-2012	(517) 346-6343	aemmons@mail.michbar.org
Members		Members		Members
Robert C. Anderson (P30102)		Christopher G. Hastings (P40861)		Phillip A. Schaedler (P35047)
Howard H. Brauckmuller (P69745)		Nadine R. Hatten (P73789)		Edwin H. Selwocki, Jr. (P54828)
James Booth Burr, Jr. (P11444)		Christine Marie Heckler (P73382)		James Albert Smith (P20667)
Sean Michael Cowley (P72511)		Patsy L. Holmes (P72380)		Theresa Valentine (P38857)
David M. Dell (P61778)		Clinton J. Hubbell (P72321)		Corey J. Wiggins (P71603)
Richard M. Delonis (P47904)		Nora M. Hudson (P33991)		
Amy Jo Dugan (P76129)		Lisa M. Robinson Martin (P58801)		
David R. Dyki (P66167)		David S. McDaniel (P56994)		Advisors
Katherine Sue Gardner (P59050)		Philip M. Moilanen (P17874)		Barbara Baker Omerod (P52724)
Ronald D. Griffith, Jr. (P72255)		Peter M. Neu (P68725)		Stephen J. Gobbo (P56521)
Michael A. Gunderson (P28487)		Meghan Kennedy Riordan (P44184)		
Lisa C. Hagan (P64721)		Kandra K. Robbins (P53974)		

Committee Meeting Schedule:

Meeting Type	Date	Location
Description		
Regularly scheduled meeting.	July 24, 2014	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
<p>The UPL Committee reviewed and discussed UPL complaints, directed the administrative closing of several matters, requested additional follow-up by staff counsel on a few matters to informally resolve them, and recommended seven matters for litigation. Staff counsel reported on the progress of the UPL Trust Mills/Estate Planning Outreach Committee regarding the August 6th “Who Should You Trust?” program, indicating that 112 centers in 51 counties across the state would be hosting the program, utilizing over 180 volunteer attorney presenters. Staff noted that approximately 120 additional attorneys volunteered, who were not needed. UPL Subcommittees were formed to work on projects and programs intended to educate the public and the legal profession about unauthorized practice of law issues. Reports by the Subcommittee Chairs on the major focus of each Subcommittee were received as follows: UPL Trust Mills/Estate Planning Outreach (Chair Kathleen Branigan), UPL Family Law Outreach (Chair Katherine Sue Gardner), UPL Petitions for Guardianship (Chair Christine Marie Heckler), UPL Immigration Subcommittee (Chair Meghan Riordan Kennedy), UPL Real Property Outreach (Chair Brian Henry), UPL Communication (Chair Sean Cowley), UPL Social/Web-based Media (Chair David Dyki), and Strategic Planning Subcommittee (Chair Barbara BakerOmerod).</p>		
Regularly scheduled meeting.	October 23, 2014 (rescheduled to December 18, 2014)	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
<p>Chair Branigan conducted new member orientation and reviewed the quarterly meeting schedule. The UPL Committee reviewed and discussed UPL complaints, directed additional follow-up by staff counsel on several matters to informally resolve them, and recommended five matters for litigation. Staff counsel gave a brief update on the “Future of Legal Services” program. The UPL Subcommittee Chairs gave a brief overview of activities/projects underway.</p>		
Regularly scheduled meeting.	January 22, 2015 (cancelled)	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
<p>After discussion with Staff, Chair Branigan canceled the meeting scheduled for Thursday, January 22, 2015, as additional investigation was ongoing regarding the UPL claims requiring review by the Committee and there were no Subcommittee projects ready for review.</p>		
Regularly scheduled meeting.	April 23, 2015	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
<p>Chair Branigan discussed preparation for the 2015/16 Bar Year and requested Members to reconfirm their commitment to the Committee for the next Bar year in response to Staff’s email request. The UPL Committee reviewed and discussed UPL complaints, directed the administrative closing of several matters, requested additional follow-up by staff counsel on a few matters to</p>		

informally resolve them, and recommended five matters for litigation. The Committee was provided a brief overview of Subcommittee reports. Staff Counsel provided a brief introduction of SBM Connect.

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar provides staff support via the administrative assistance of a paralegal and two staff counsel who provide legal services and manages the State Bar's UPL Department. The UPL Department received legal services provided by a contract lawyer from April 2013 through September 30, 2014, who became a full-time staff counsel in the Professional Standards beginning October 1, 2014.

The State Bar also provides meeting facilities, food and beverage for meetings, SharePoint, teleconferencing services, meeting materials, document production services, and a small budget to support the UPL Committee's community outreach projects. In addition, the State Bar staff provides informational pamphlets to SBM members, the general public, and to other institutions serving the public to educate the public and legal profession about the UPL.

Committee Activities: On August 6, 2014, as a result of the community outreach planning efforts of the UPL Trust Mills Subcommittee, the UPL Committee in conjunction with the SBM Probate and Estate Planning and the Elder Law and Disability Rights Sections presented the "Who Should You Trust?" seminar at 112 senior centers in 51 counties across Michigan to warn about estate planning scams and "trust mills" and provide practical estate planning information. This was a substantial expansion of the program first done in August 2012, at 28 senior centers, in 9 counties across Michigan.

Future Goals and Activities: The Committee will continue to expand its community outreach activities to educate the public and State Bar members regarding the UPL and develop and use creative and proactive measures in addressing the UPL. The UPL Committee once again embraced educational and outreach efforts through UPL Subcommittees as part of its strategic planning process in August 2014. The current Subcommittees are as follows: UPL Trust Mills/Estate Planning Outreach (Chair to be determined based on program in 2016, every other year), UPL Family Law Outreach (Chair Katherine Sue Gardner), UPL Petitions for Guardianship (Christine Marie Heckler), UPL Immigration Subcommittee (Meghan Riordan Kennedy), UPL Real Property Outreach (Chair Patsy Holmes), UPL Communication (Sean Cowley), UPL Social/Web-based Media (David Dyki), and Strategic Planning Subcommittee (UPL Standing Committee Chair for next bar year). All of the Subcommittees have regularly met telephonically and are actively working on educational materials that will be disseminated in a variety of ways in the upcoming months.

As result of the efforts of Member Meghan Riordan, the Committee has formed an active partnership with USCIS – Detroit Office to address persons engaged in the unauthorized practice of law regarding immigration matters. The USCIS' fraud unit does the initial investigation based on information presented to it and then submits the UPL Complaints to the State Bar with its investigative information. Plans for a community outreach program focusing on a specific immigrant community is underway.

The UPL Committee's last quarterly meeting for this bar year is scheduled for July 23, 2015.

Other Information: Not applicable.

**STATE BAR OF MICHIGAN
UNITED STATES COURTS COMMITTEE
2014-2015 ANNUAL REPORT**

Committee Name: United States Courts Committee

Jurisdictional Statement: “The Committee shall make recommendations concerning the administration, organization and operation of the United States Courts for the purpose of securing the effective administration of justice. Two members shall be judges designated by the Chief Judge of the United States District Court for the Eastern District of Michigan and one member shall be a judge designated by the Chief Judge of the United States District Court for the Western District of Michigan.”

Membership notes: Pursuant to a resolution of the Board of Commissioners, the membership of the committee may exceed 17.

Officers and Membership:

Chair/Vice Chair: Kelley M. Haladyna and Jan Meir Geht

Board of Commissioner Liaison: N/A

Bar Staff Liaisons: Clifford T. Flood and Anne M. Smith

Members:

Kelley M. Haladyna	Mark W. McInerney
Hon. David M. Lawson (ED)	Thaddeus E. Morgan
Hon. Phillip J. Green (WD)	John P. Nicolucci
Hon. Terrence Berg (ED)	Paul F. Novak
Jan Meir Geht	Michael W. Puerner
Gregory V. Murray	Lynn H. Shecter
John A. Ferroli	Tracey Cordes (Clerk WD)
Matthew Heron	David Weaver (Clerk, ED)
Joel J. Kirkpatrick	

Advisors/Advisory Members (Appointed Annually):

Jennifer L. McManus (FBA – Western Dist.)

Gregory V. Murray (FBA – Eastern Dist.)

John A. Ferroli – Advisory Member

Matthew W. Heron – Advisory Member

Sterlin Mesadieu – Advisory Member

2014-2015 Meeting Schedules (date and location):

Wednesday, October 15, 2014 – State Bar of Michigan

Wednesday, November 19, 2014 – State Bar of Michigan

Wednesday, January 21, 2015– State Bar of Michigan

Wednesday, March 18, 2015 – State Bar of Michigan

Thursday, May 28, 2015 – Bench-Committee Dinner – Lansing

Committee Activities:

1. Reviewed proposed federal rule amendments and proposed revisions of local rules of the Eastern and the Western Districts and submitted comments to the Committee on Rules of Practice and Procedure, and drafted and submitted to the Committee on Rules and Practices and Procedures proposed amendments to the Federal Rules of Civil Procedure 12(a) and 12(d).
2. Promoted the exchange of information between the Eastern and Western Districts of Michigan regarding operational and administrative functions and procedures and opportunities for cooperation and cross-districting with regard to future Bench-Bar Conferences.
3. Sponsored an annual bench-bar dinner with judges and magistrates of the Eastern and Western

Districts (alternates yearly between the two Districts), currently scheduled for May 28, 2015 in Lansing. The dinner is intended to provide an opportunity for the judges and committee members to meet and discuss common issues.

4. Offered assistance to the 6th Circuit Court of Appeals relative to the Circuit's Judicial Conference held in Detroit in Spring, 2015, including suggesting and assisting in lining up SBM President Rombach to present remarks at the conference.
5. Continue to work with the Eastern and Western District Federal Bar Associations and the Eastern and Western District Courts in the preparation and dissemination of a "Survival Guide" for new practitioners in the federal courts.
6. Drafted an article that was published in the MJB regarding federal rules amendments that were effective as of December 1, 2014. Also, currently in the process of drafting an article for publication regarding the three 6th Circuit cases most recently decided at the US Supreme Court.

Resources Provided by the State Bar of Michigan in Support of Committee Work: Besides providing the resources called for in Article VI, Section 7 of the State Bar Bylaws, the State Bar provided meeting space, equipped with telephone conferencing capabilities, and State Bar Liaisons Clifford T. Flood and Anne M. Smith provided administrative support, including attending each meeting and assisted in preparing and circulating meeting agendas and minutes. Further, the State Bar incurred the expenses for the Annual Bench Bar dinner.

Future Goals and Activities:

1. The Committee will continue to review and, when appropriate, comment on proposed amendments to the Federal Rules and to local rules.
2. The Committee will continue to educate members of the Bar through articles or other means of significant rule changes.
3. The Committee will continue to review 6th Circuit en banc opinions and when appropriate, publish a summary in FBA newsletters and the Michigan Bar Journal.
4. The Committee will continue its support of a statewide Bench/Bar Conference by coordinating activities of the Eastern and Western Districts FBA chapters.
5. The Committee will continue to sponsor an annual bench-bar dinner with judges and magistrates judges of the Eastern and Western Districts.
6. The Committee will continue to elect a committee vice-chair each year and at the appropriate time, respectfully request the appointment of the vice-chair as the committee's chair for the ensuing year.

Chair Contact Information:

Kelley Megan Haladyna
Dickinson Wright PLLC
500 Woodward Ave Ste 4000
Detroit, MI 48226-5403
(313) 223-3500
khaladyna@dickinsonwright.com

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Upper Michigan Legal Institute Advisory Committee

Jurisdiction: Provide assistance developing an annual legal education seminar especially targeted to the practice needs of northern Michigan practitioners.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Victoria A. Radke	310 Ludington St Escanaba, MI 49829-4057	(906) 789-5135	radkev1@michigan.gov
State Bar Liaison	Nancy Brown	306 Townsend St Lansing, MI 48933-2083	(517) 346-6350	nbrown@mail.michbar.org
State Bar Liaison	Kari Thrush	306 Townsend St Lansing, MI 48933-2012	(517) 346-6371	kthrush@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Michael P. Celello	David R. Peterson
Nels A. Christopherson	Hon. Thomas J. Phillips
Kim A. Coggins	Timothy C. Quinnell
Leanne Barnes Deuman	Victoria A. Radke
Jeffrey E. Kirkey	Keith P. Theisen
Anne B. McNamara	Karl A. Weber
Hon. Thomas B. North	

Committee Meeting Schedule:

6/7/14 – Planning session for 2015 topics and initial review of event just concluded. Held in-person at Grand Hotel, Mackinac Island

11/19/14 – Review evaluations from 2014 and finalize the 2015 UMLI program. Teleconference.

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar staff provides all of the coordination of the meetings, preparation of meeting minutes, preparation of notices to be sent, as well as the preparation of the brochure, registration forms, and staffing at the event. Staff also coordinates the sending of the forms and retrieval of the information as well as preparing statistics for review by the committee. Staff also coordinates and assists at the Grand Hotel with the room reservations as well as the registration for the event itself and any other events associated therewith.

Committee Activities:

The committee met immediately following the conclusion of the event on June 7, 2014. The success of the event was discussed and complements were given to both Jeff Kirkey from ICLE and State Bar staff for their great efforts in making this event a success. The committee reviewed the evaluation forms and then they were forwarded to staff, who will analyze the data and create a summary report for the next business meeting. The committee also discussed topics for the 2015 program.

The committee met via conference call on November 19, 2014 and reviewed the summary of the evaluations. Jeff Kirkey reviewed the proposed 2015 schedule with the committee and requested speaker suggestions where necessary. He will contact the speakers and finalize the program when they have all accepted.

"Save the Date" postcards were mailed in January followed by the mailing of the brochure in March. E-blasts promoting the event were sent in April and May.

Future Goals and Activities:

To continue to provide quality legal education and educational materials to the lawyers of Northern Michigan at a location that promotes participation at the greatest level with our available resources.

Other Information: