

**STATE BAR OF MICHIGAN  
2013-2014 COMMITTEE ANNUAL REPORT**

***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:** Standing Committee on Character and Fitness

**Jurisdiction:** Investigate the character and fitness of candidates for admission to the State 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, P30047	PO Box 338 Holt, MI 48848	(517) 243-3054	<a href="mailto:rbebersole@gmail.com">rbebersole@gmail.com</a>
Staff Liaison	Danon D. Goodrum-Garland, P53603	306 Townsend St Lansing, MI 48933	(517) 346-6333	<a href="mailto:dgarland@mail.michbar.org">dgarland@mail.michbar.org</a>
	Diane K. Van Aken		(517) 346-6344	<a href="mailto:dvanaken@mail.michbar.org">dvanaken@mail.michbar.org</a>
Commissioner Liaison				

**Vice-Chairpersons:**

Jeffrey O. Birkhold, P27905  
Boyd E. Chapin, Jr., P11781  
Barbara A. Menear, P31668  
John M. Toth, P33608

**Members:**

Connell Alsup, P44054  
Charles W. Borgsdorf, P24756  
Carol F. Breitmeyer, P35075  
Jeanine M. Brunson, P55429  
Cynthia C. Bullington, P33989  
David G. Chardavoyne, P27034  
Scott E. Dwyer, P33131  
Linda M. Galbraith, P30781  
Randall J. Gillary, P29905  
Gregory M. Janks, P27696  
Mary A. Kalmink, P42954  
Hon. Cynthia A. Lane, P32136  
Barbara R. Levine, P24207

**Advisor Members:**

Mark C. Abramson, P70674  
David H. Baum, P43178  
Yolanda M. Bennett, 69219  
Karie H. Boylan, P55468  
Phillip D. Churchill, Jr., P47610  
William H. Fallon, P33132  
Darling A. Garcia, P34426  
Barry Goldman, P32735  
Kelley M. Haladyna, P63337  
Thomas M. J. Hathaway, P14745  
Suzanne K. Hollyer, P55731  
William E. Hosler, P41257  
Daphne M. Johnson, P55145  
Linda D. Johnson, P34754  
Berton K. May, P42317  
E. Thomas McCarthy, Jr., P28714  
Maria C. Miller, P41317  
Sonal H. Mithani, P51984  
Brian P. Morley, P58346  
Thomas L. Saxe, P33222  
Kathleen S. Schultz, P29278  
David L. Skidmore, P58794  
Wanda M. Stokes, P44485  
Joan P. Vestrand, P37062  
Keith D. Zick, P24154

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**2013-14 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 Investigative 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 review recommendations submitted by the District Committees, and conduct confidential applicant hearings and make recommendations to the Board of Law Examiners. One business-type meeting is held during the year to address policy issues and train new members, if determined necessary by the Chairperson. Approximately 1600 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 160 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 36 applicants for the July 2013, exam cycle. To date, 18 files have been referred for District Committee interviews for the February 2014 exam cycle, and of those, 11 interviews have either been scheduled or completed. It is expected that up to 30 additional files may be referred for the February 2014 exam cycle, based on the information received to date. New member training for District Committee members was scheduled for March 12, 2014 by members of the Standing Committee and State Bar Staff, but was unfortunately canceled due to inclement weather. Written materials were provided to all new members in lieu of training.

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From May 1, 2013 through April 30, 2014, the Standing Committee held 31 formal hearings before making recommendations to the State Board of Law Examiners. Additionally, 17 hearings are expected to be held during the remainder of the fiscal year. Three 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. Four additional hearings are currently pending.

The time commitment required to conduct formal hearings, including hearing 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, analysis of current questions on the Affidavit of Personal History, and analysis of the rules that govern this process, 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.