

**STATE BAR OF MICHIGAN
2005-2006 ANNUAL REPORT
COMMITTEE ON JUSTICE INITIATIVES,
Including the
EQUAL ACCESS INITIATIVE
PRO BONO INITIATIVE
RESOURCE DEVELOPMENT INITIATIVE
JUSTICE POLICY INITIATIVE
and
*CRIMINAL ISSUES WORKGROUP***

COMMITTEE ON JUSTICE INITIATIVES

The standing Committee on Justice Initiatives (CJI) was created in 2003 to coordinate the activities of the former Access to Justice Task Force, Access to Justice Campaign, and Open Justice Commission. Its jurisdictional statement provides that it “Shall promote the effective delivery of high quality legal services to all Michigan citizens, and to assure that barriers are reduced so that the justice system is the strongest possible, equal and fair in its application to all.” The Committee does its work through its Initiatives: Equal Access, Pro Bono, Legal Aid and Resource Development. Additionally, the Committee commissioned a one-year planning committee whose report was adopted in May. The State Bar President appointed all Committee, Initiatives, and Planning Workgroup members.

Officers and Membership:

Initiative Chairs: Richard D. McLellan, Co-Chair; Hon. Cynthia D. Stephens, Co-Chair
Members: Teresa Caine Bingman; Hon. Alfred M. Butzbaugh; Thomas F. Cavalier; Evanne L. Dietz; Frank D. Eaman; Robert Fair Gillett; Alyce M. Haas; Daniel F. Hopp; Ronald D. Keefe; James R. Neuhard; Valerie R. Newman; Edward H. Pappas; Linda K. Rexer; Angela Kay Sherigan; Terri L. Stangl; Hon. Paul S. Teranes; Laurin’ C. Roberts Thomas; Representative Steven H. Tobocman; Hon. Kurtis T. Wilder

2005-06 Meeting Schedule (date and location):

A joint meeting of the CJI and all of its initiatives was held at the State Bar Building in Lansing, Michigan on October 19, 2005. Additional meetings occurred on January 6, 2006 (Lansing), February 21, 2006, March 21, 2006 (Lansing), April 11, 2005 (Lansing), with meetings scheduled for May 25, 2006, and July 20, 2006. An August meeting will be scheduled.

Committee Activities:

- Implemented an Annual Justice Initiatives Planning and Evaluation System, including: Annual Calendar which integrates steps and flows into SBM Budget system;
- Criteria for Justice Initiatives Work as per the CJI, Planning Work Group recommendations adopted by the BOC, June, 2005;

- Reorganized Justice Initiatives Division staff to designate primary and secondary staff for each Initiative, backup staff assignments for coverage and cross-functionality;
- Called for proposals from January 15th with a March 15th deadline and reviewed five new proposals from JI initiatives and outside groups as well as the Criminal Issues Workgroup's three new proposals (collapsed from seven per the CIW Chair's suggestion);
- Provided overall review and guidance to all initiatives and Criminal Issues Workgroup and approved its report for submission to the Board of Commissioners;
- Received information on the State Planning Body;
- Provided input to our committee member who sits on the Commission considering modifications to the ABA Law School Issues;
- Participated in national efforts to promote access to justice and equal access, including (1) sending CJI Co-Chairs and JI Director to attend and present a menu of pro bono activities at the Equal Justice Conference, (2) sending a volunteer to the National Consortium on Racial and Ethnic Fairness in the Court, and (3) sending CJI Co-Chairs and JI Director to national Access to Justice Chairs meeting;
- The Planning & Evaluation Committee's task is to evaluate and prioritize the JI division's work for the coming year review work plans of existing initiatives and evaluate them. The group should obtain some sense of whether projects are meeting expectations or not and keep in mind the reality that we can only do so much and decide if a project is valuable and should continue and if not, that will tell us what resources we have to lend to other possible work. Supported the Initiative based work as noted below.

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

Staff and operating budget

Future Goals and Activities: These are under development.

Co-Chair Contact Information:

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EQUAL ACCESS INITIATIVE

The mission of the Equal Access Initiative (EAI) is to work within the State Bar of Michigan's Justice Initiatives structure to facilitate equal justice and to work to eliminate and minimize barriers in the administration of justice, as well as entry to and participation in the legal profession and the Bar.

Officers and Membership:

Initiative Chairs: Evanne L. Dietz; Erika L. Butler-Akinyemi, Vice-Chair

Members: Hon. William J. Caprath; Ann M. Cooper; J. Kay Felt; Martha Gonzales-Cortez; Kathleen N. Harris; Daniel F. Hopp; Dale A. Iverson; Linda D. Johnson; Barbara J. Kelly; Mary Mansfield (formerly Mary K. Ross); Nelson P. Miller; Hon. Paul S. Teranes; Laurin' C. Roberts Thomas; Norris J. Thomas

2005-06 Meeting Schedule (date and location):

A joint meeting of the CJI and all of its initiatives was held at the State Bar Building in Lansing, Michigan on October 19, 2005. Additional meetings occurred on November 15, 2005 (Lansing), January 17, 2006 (Lansing), March 21, 2006 (Lansing), and May 16, 2006 (Lansing). Another meeting is set for July 18, 2006.

Committee Activities:

- Jury curriculum updated and project has been independently taken over by volunteers;
- The Law School Forum on Disabilities may be expanded to a statewide Americans with Disabilities Act training in 2007;
- The first four issues of the Electronic Disabilities Newsletter are available in hard copy;
- Juvenile Justice Brochures were converted into interactive compact discs and there are five hundred copies available for distribution;
- Request for Accommodations forms are posted on the EAI webpage;
- Results of the SBM's survey on the use of alimony guidelines were sent to all two hundred and fifteen Michigan circuit court judges. EAI members are actively looking for opportunities to publish the results of the report;
- EAI will present a program on diversity in alternative dispute resolution at the National Bar Association's Annual Meeting in Detroit in August of 2006. This program will be presented in conjunction with the Straker Bar Association, the Wolverine Bar Association and the Alternative Dispute Resolution Section of the State Bar of Michigan;
- Developed and presented a presentation on "Cognitive Disabilities in the Criminal Justice System" program at the 70th State Bar of Michigan Annual

Meeting. The program was videotaped and DVD copies are available for distribution.

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

Staff and operating budget

Future Goals and Activities: These are under development.

Chair and Vice-Chair Contact Information:

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Erika L. Butler-Akinyemi, Vice-Chair – Jaffe, Raitt, Heuer & Weiss, PC, 27777 Franklin Road, Suite 2500, Southfield, MI 48034; Phone: (248) 351-3000; Fax: (248)351-3082; Email: ekinyemi@jafferaitt.com

PRO BONO INITIATIVE

The Pro Bono Initiative is responsible for encouraging and coordinating the delivery of pro bono legal services.

This Initiative is also responsible for the activities surrounding the American Bar Association “ABA Day” in Washington DC to support increased funding for the Legal Services Corporation (LSC).

Officers and Membership:

Initiative Chairs: Robert Fair Gillett; Margaret A. Costello, Vice-Chair

Members: Kathleen L. Conklin; Evanne L. Dietz; Kirsten A. Enstice; Mark P. Fancher; Hon. Denise Page Hood; Joan Glanton Howard; Robert Ianni; Kathleen D. Kasiorek; Carol A. Martinelli; Michael K. Pope

2005-06 Meeting Schedule (date and location):

A joint meeting of the CJI and all of its initiatives was held at the State Bar Building in Lansing, Michigan on October 19, 2005. Additional meetings occurred on December 1, 2005 (teleconference), January 26, 2006 (teleconference), and March 23, 2006 (teleconference). Additional meetings are scheduled for May 25, July 27, and September 28, 2006.

Committee Activities:

- MI-LAPP opened 12 new files in 2005 through the State Bar of Michigan. An update on these new files, as well as similar information from other MI-LAPP partners will be obtained in the spring;
- Plans to implement use of the PIKA site for MI-LAPP reporting in 2006 are going forward. The system has been customized for use by MPLP and SBM staff to allow for data input and report generation;
- 2005 Domestic Violence Training Project, a collaboration between the Michigan Coalition Against Domestic and Sexual Violence was held on August 25, 2005. Over 235 participants registered and over 130 participated in the training at six sites across the state, and agreed to provide 30 hours of pro bono services in exchange for training and materials to give clients access to needed legal help.
- PBI supported the development and continuation of the Kaivo restructuring of the Michigan Legal aid website MichiganLegalAid.org;

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

Staff and operating budget

Future Goals and Activities: These are under development.

Chair and Vice-Chair Contact Information:

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Margaret A. Costello, Vice-Chair – Dykema Gossett, PLLC, 400 Renaissance Center, Detroit, MI 48243; Phone: (313) 568-5306; Fax: (313) 568-6658 ; E-mail : mcostello@dykema.com

RESOURCE DEVELOPMENT INITIATIVE

The goal of the Access to Justice Development Campaign is to raise funds to improve access to justice for low-income people with civil legal needs in Michigan.

Officers and Membership:

Initiative Chairs: Edward H. Pappas, Chair; Hon. Alfred M. Butzbaugh, Special Advisor, Kimberly M. Cahill, Chair – Statewide Campaign, E. Christopher Johnson, Jr., Chair – Corporate Committee

Members: Jonathan W. Anderson; Jon W. Bilstrom; Charles W. Borgsdorf; Lawrence G. Campbell; Francine Cullari; Anthony M. Delorenzo; Robert E. Gilbert; James F. Graves; Nino E. Green; David G. Leitch; Bruce D. Peterson; Antoinette R. Raheem; Dean A. Robb, Sr.; Reginald M. Turner, Jr.; I.W. Winsten0

2005-06 Meeting Schedule (date and location):

A joint meeting of the CJI and all of its initiatives was held at the State Bar Building in Lansing, Michigan on October 19, 2005. The Resource Development Initiative is organized into two distinct activities (ATJ Campaign and ABA Day), and the Campaign is organized into a Statewide Campaign with ten regions, two corporate committees, and a major gifts committee. An estimate of total meetings for all campaign committees is roughly twenty - five to thirty. The ABA activities were achieved with three to five meetings.

Committee Activities:

- Year-end activities for the 2005 ATJ Campaign were successful with the 2005 Access to Justice Campaign receiving approximately one million dollars in new cash and pledges. Last year's contributions from 1,753 donors was about \$225,000 more than the average collected in previous years;
- The Southeast Michigan Access to Justice Corporate Committee, led by E. Christopher Johnson of General Motors, hosted over thirty large law firm and corporate leaders for a luncheon at the Detroit offices of Miller Canfield on November 14, 2005;
- More than \$22,000 in gifts was raised in Grand Rapids on February 16, at a State Bar of Michigan corporate reception to benefit the Access to Justice (ATJ) Fund. Contributions given at the reception will directly support ATJ-eligible programs including the west Michigan-based Legal Assistance Center, Michigan Migrant Legal Assistance Project, Inc., and Legal Aid of Western Michigan;
- In an effort to capitalize on the \$115,000.00 Access to Justice contributions realized from two court awards in 2005, ATJ staff completed a twenty-three page Cy Pres "how to" manual in January 2006. The manual is a resource for judges, lawyers, professional associations, legal aid programs, staff, and others interested in directing unclaimed class action residual and settlement funds to Michigan's non-profit legal aid providers;
- A structured stewardship program involving additional recognition for the ATJ Campaign donor society members was implemented;
- An ATJ Campaign Retreat was held to broaden the annual Access To Justice Campaign through fundraising coordination with the ATJ eligible programs. This Retreat will be offered again on September 28 & 29 in 2006 in the Lansing area. Information provided will cover working through the ATJ Campaign and fundraising methods including primary fundraising techniques, strategies for soliciting funds from individuals and from organizations, and creating annual development plans for 2007-08. The Justice Initiatives Division hosted a two and one-half day retreat in East Lansing on September 12-14, 2005. Forty attendees

representing 26 programs received hands-on information on fundraising, coordinated grant seeking, and sustainability. Justice Initiatives coordinated the videotaping of twenty customized ATJ public service announcements for many retreat attendees to use to market their programs through local media outlets and on their program websites.

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

Staff and operating budget. No ATJ Fund charitable contributions were used for campaign expenses, so that 100% of each dollar contributed by donors in 2005 was directed to support the ATJ mission.

Future Goals and Activities: These are under development.

Chair Contact Information:

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Hon. Alfred M. Butzbaugh, Special Counsel – Berrien County Trial Court, 2nd Judicial Circuit, 811 Port Street, Saint Joseph, MI 49085; Phone: (269) 983-7111; Fax: (269) 982-8614; Email: abutzbau@berriencounty.org

Kimberly M. Cahill - Chair, Statewide Campaign – Schoenherr & Cahill, PC, 24735 Van Dyke Avenue, Center Line, MI 48015; Phone: (586) 757-0733; Fax: (586) 757-2968; Email: attykmc@wowway.com

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JUSTICE POLICY INITIATIVE

It shall represent the interest of persons who are unable to afford counsel in civil matters and the legal aid programs servicing such persons.

Officers and Membership:

Initiative Chairs: Terri L. Stangl, Chair; Lorry S. C. Brown, Vice-Chair

Members: Miriam J. Aukerman; Michael J. Blau; Thomas F. Cavalier; Pamela R. Galloway; Joan Glanton Howard; David M. Huntley; Frank C. Kerr; Kyle R. Kitt; Martin P. Krohner; Kenneth C. Penokie; Melinda A. Pitman; Thomas A. Stotz; Thomas K. Thornburg; Karen M. Tjapkes

2005-06 Meeting Schedule (date and location):

A joint meeting of the CJI and all of its initiatives was held at the State Bar Building in Lansing, Michigan on October 19, 2006. Additional meetings occurred on December 8, 2005 (teleconference), February 2, 2006(teleconference), and March 9, 2006 (teleconference). Additional meetings are scheduled for May 11, 2006 and July 13, 2006.

Committee Activities: The Justice Policy Initiative serves primarily as a policy review body. During the past bar year, it reviewed 30 legislative and court rule proposals. It submitted recommended policy positions to the Standing Committee on issues such as:

- Non-lawyers in Eviction Proceedings;
- Proposed Adoption of Michigan Child Support Formula as Juvenile Court Reimbursement Guideline;
- Ensuring that active military personnel retain the right to administrative proceedings while they are deployed.

The JPI also continued to provide technical assistance on JPI-recommended positions that have been adopted by the State Bar of Michigan while these positions are being considered by the legislature or Supreme Court.

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

Staff and operating budget.

Future Goals and Activities: These are under development.

Chair Contact Information:

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Lorray S.C. Brown – Michigan Poverty Law Program, 611 Church Street, Suite 4A, Ann Arbor, MI 48104; Phone: (734) 998-6100 x 32; Fax: (734) 998-9125; Email: lorryb@umich.edu

CRIMINAL ISSUES WORKGROUP

The Criminal Issues Workgroup was asked to consider whether criminal issues can or should be addressed by the CJI, a committee of a bar with compelled dues, and if so, what aspects of that work should be targeted for the next 3 to 5 years and what structure should be used to address its work.

Two topics emerged under which criminal issues work should be organized - representational issues (how to gain access to qualified legal assistance and the forums where representation is necessary) and collateral consequences (civil and social obstacles stemming from certain convictions that pose significant barriers to post conviction success.) The workgroup discussed addressing these problems with a holistic approach as a serious concern is fragmentation issues that lead to lost opportunities.

Three proposed projects were adopted for implementation:

1. Conference on Civil Collateral Consequences of Criminal Convictions (developing and disseminating checklists, tools, training module and other materials to inform practitioners and other stakeholders) – This was seen as a longer-term project. Writing, planning materials and presenters could go in tandem. This should be a secondary focus for CIW.
2. Assist National Legal Aid and Defender Association (NLADA) in Data Analysis (and best practices model for determining methodology in appointed criminal cases for appointment of counsel, payment of counsel, and expert witness support) - CIW should be a collaborator in the data collection with NLADA. Legislative resolution is clearly intended to build understanding and finding of criminal indigents. Some of the proposed data collection has the advantage of getting into people's hands right away.
3. Create Handbooks (for courts and/or assigned counsel) - CIW must be realistic regarding what can and can not actually be done. The handbook has the advantage of getting into people's hands right away. The Handbook proposal should be CIW's primary focus.

Officers and Membership:

Initiative Chair: Linda K. Rexer

Members: Sheila Spalding Blakney; Hon. Alton T. Davis; Anthony A. Derezinski; Nancy J. Diehl; Stuart J. Dunning, III; Frank D. Eaman; Sandra L. Bailiff Girard; John E. Johnson, Jr.; David C. Koelsch; Hon. Mabel Mayfield; James R. Neuhard; Valerie R. Newman; Donald L. Reisig; Angela Kay Sherigan; Terri L. Stangl; Laurin' C. Roberts Thomas; Regina Daniels Thomas

Consultant: Anne Vrooman

Liaisons: Hon. Cynthia D. Stephens, CJI Liaison; Jerome Reide, Staff Liaison

2005-06 Meeting Schedule (date and location):

A joint meeting of the CJI and all of its initiatives was held at the State Bar Building in Lansing, Michigan on October 19, 2005. Additional meetings occurred on January 14, 2006 (Lansing), February 3, 2006 (Lansing), and March 2, 2006 (Lansing). There were many telephone meetings of subgroups throughout the 2005-06 Bar year.

Committee Activities: The Planning Workgroup presented its draft Report to the Committee on Justice Initiatives May 24, 2005.

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

Staff support, consultant and operating budget.

Future Goals and Activities: The Planning Workgroup was established for one year only. Its work will be completed before the end of the 2004-05 Bar year.

Chair Contact Information:

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