

State Bar of Michigan
U.S. Courts Committee Meeting
Wednesday, January 30, 2008
6:00 p.m.

Members Present: Irene Hathaway, Hon. Ellen Carmody, Charles Chamberlain, John Ferroli, Sheldon Light, Mark McInerney, Thad Morgan, Robert Neaton, Michael Puerner, John Smietanka, Christopher Tracy, Michael Riordan.

Members Absent: David Weaver, Ron Weston, Hon. Paul Gadola, Hon. David Lawson, Pamela Enslin, Jason Klingensmith, Francis Ortiz, Andrew Portinga

Staff Present: Cliff Flood, Anne Smith

Welcome/Introductions

Chair Irene Hathaway called the meeting to order at 6:10 PM and members made introductions.

Approval of Minutes of Last Meeting: There were no minutes from the Committee's last meeting in May 2007. Chair Hathaway requested that Cliff Flood keep minutes.

Eastern District Report

- A Bench Bar one-day program is being scheduled for April, with details still being worked out. Irene will follow up with Judge Rosen for more details and report accordingly.
- A committee has been formed to consider revisions to the local rules, with the goal of tracking the recent federal rule changes and also to coordinate with WD local rules.
- An Ad hoc Committee comprised of Judges Edmunds, Tarnow and Cleland is being formed to look at retroactive sentencing for cocaine possession convictions. It is anticipated that more than 200 petitions could be received.
- There is continued interest in replacing the courthouse in Detroit, which suffers numerous infrastructure problems. Judge Rosen is working on this issue.
- The district's New Lawyers program was well attended.
- May 1, 2008 is Law Day and there will be a program in which many of the federal agencies will be sponsoring booths and events.
- IT assets continue to educate lawyers on E-filing.
- Russian judges will visit Detroit again this year; the Federal Bar Association is looking for host families and whatever other support can be garnered.
- A Civility Committee reviewed the civility rules and while it decided against making revisions, it is promoting a civility oath to which counsel of record will be asked to submit. There is also a new civility award, yet to be named, that will be presented at the Federal Bar Association meeting in June.
- The next FBA meeting is on February 5, 2008. It was also noted that the FBA has a book club that is meeting on a monthly basis.

Western District Report

- The three new judges have been sworn into the Western District.
- Federal Bar brown bag lunches are continuing to be very well attended.
- There is an Ad hoc Committee being formed to look at retroactive resentencing for crack possession convictions. The court anticipates about 200 petitions.
- The court is considering renovations to the 4th and 6th floor judge's chambers, although funding for the work is uncertain.
- There has been some turnover in the clerk's office due to new judges hiring the staff for their respective offices.
- Voluntary Facilitative Mediation remains robust in the district, with some of the highest success rates in the country. VFM training is set for February 3; Jon Muth will lead the full day event, with help from John North, to be followed by a dinner.
- The Western Bench/Bar Conference is set for October 10-12, 2008 at Shanty Creek. There was discussion regarding promoting and encouraging participation from attorney of the Eastern District. And the role US Courts committee could play in promoting success of such events. Following discussion, the Committee considered the following motions"

Motion by Puerner, supported by Carmody, and passed unanimously that the US Courts Committee assist in publicity regarding the Western District's Bench Bar Conference in October, in response to any request from the Federal Bar Association of the Western District.

Motion by Mike Riordan, supported by Mike Puerner, and passed unanimously that the US Courts Committee work actively with the Federal Bar Associations of the Eastern and Western Districts in publicizing and promoting district events, including cross-districting events.

May Bench-Committee Dinner Meeting

The dinner tentatively has been scheduled in the Lansing area for Tuesday, May 20, 2008. Thad Morgan was graciously volunteered to make arrangements. Once a location has been determined, a "Save the Date" email will go out to the committee and the Western District Judges.

Future Meetings

The next meeting is scheduled for 6:00 PM on Wednesday, March 19, 2008.

Old Business

There was none.

Adjourn

On motion by Mike Riordan and a host of supporters, the meeting adjourned at 7:10 PM.

Submitted by Cliff Flood and Anne Smith
February 1, 2008