

President Pappas called the meeting to order at 1:20 p.m. on Wednesday September 16, 2009 at the Hyatt Regency Hotel in Dearborn.

Commissioners present:

Danielle Mason Anderson
David R. Brake
Lori A. Buiteweg
Beverly Hall Burns
Laura A. Chappelle
B. D. "Chris" Christenson
Margaret A. Costello
Bruce A. Courtade, Treasurer
Richard L. Cunningham
Brian D. Einhorn
James N. Erhart
Elias J. Escobedo, Jr.
Robert K. Fergan
Julie I. Fershtman, Secretary
W. Anthony Jenkins, Vice-President
Elizabeth M. Johnson

Katherine Kakish
David A. Kallman
Edward H. Pappas, President
Donald E. McGinnis, Jr.
Hon. William B. Murphy
Lambro Niforos
Eric J. Pelton
Victoria A. Radke
Michael J. Riordan
Donald G. Rockwell
Thomas C. Rombach
Kurt E. Schnelz
Richard J. Siriani
Julie A. Sullivan
Charles R. Toy, President-Elect
Gregory L. Ulrich

State Bar Staff present:

Janet Welch, Executive Director
Margaret Bossenbery, Executive Coordinator
Nancy Brown, Director, Member Services and Communications
Gregory Conyers, Director, Pro Bono Initiative
Candace Crowley, Director, External Development
Dawn Evans, Director, Professional Standards
Mary Frook, Director, Human Resources
Clifford Flood, General Counsel
James Horsch, Director, Finance and Administration
Elizabeth Lyon, Director, Governmental Relations
Anne Smith, Administrative Assistant
Naseem Stecker, Manager, Media and Communications Division
Anne Vrooman, Director, Research and Development
Nkrumah Johnson-Wynn, Professional Standards Service Counsel
Danon Goodrum-Garland, Professional Standards Investigative Counsel

Guests:

Stephen J. Gobbo
Krista Haroutunian
Mary Hinker, Institute of Continuing Legal Education
Ronald D. Keefe, Immediate SBM Past President
Laurie Pappas
Angelique Strong Marks, incoming 2009-10 commissioner
Reginald Turner, American Bar Association State Delegate

Consent Agenda

Minutes

The Board received the minutes from the July 25, 2009 Board meeting.

President's Report, Edward H. Pappas, President

The Board received a written report on the President's recent activities.

Executive Director's Report, Janet K. Welch, Executive Director

The Board received a written report on the Executive Director's recent activities and a Litigation report.

Finance, Bruce A. Courtade, Chairperson

The Board received the preliminary financial reports through July 31, 2009

Professional Standards, Julie I. Fershtman, Chairperson

The Board received the Client Protection Fund Claims.

A motion was offered, supported, and carried, to approve the consent agenda.

COMMISSIONER COMMITTEES

Finance, Bruce A. Courtade

Mr. Courtade provided the commissioners with a financial update.

Professional Standards, Julie I. Fershtman, Chairperson

Ms. Fershtman offered a motion to approve Kandra Robbins and Tayna Wagendsht as representatives from the SBM to the Michigan Indian Legal Services Board of Directors. The motion was supported and approved.

Ms. Fershtman offered a motion to approve Larry Shoffner as representative from the SBM to the Institute for Continuing Legal Education Executive Committee. The motion was supported and approved.

Proposed Revision to CPF Rule C 3

Ms. Evans informed the Board of a recommended revision from the Professional Standards Committee to CPF Rule 9 (C) (3). A motion was offered and supported to adopt the change. Motion approved.

Programs and Services, W. Anthony Jenkins, Chairperson

Mr. Jenkins provided the Board with a request from the Monroe County Criminal Defense Bar Association to be recognized as a special purpose bar association. A motion was offered and supported to approve their request. Motion approved.

Public Policy, Image and Identity, Charles R. Toy, Chairperson

The commissioners were provided with a Justice Initiatives (JI) report and were invited to attend the JI open reception on Friday, September 18.

Michigan Court Rules

The commissioners were informed that ADM File No.,2008-09 Proposed Amendment of Rules 3.210 and 3.211 of the Michigan Court Rules, ADM File No. 2009-7 Proposed Amendments of Rules 7.105, 7.204, 7.205, and 7.302 of the Michigan Court Rules, and ADM File No 2009-14 Proposed Amendment of Rules 7.101 and 7.105 of the Michigan Court Rules are upcoming items and that there are currently no recommendations from sections or committees. The Executive Committee will review these items before the comment deadline of November 1, 2009. Commissioners who wanted to make comments on these proposed amendments were advised to submit them to Ms. Lyon.

Legislation

HB 4222 Civil Proposal, PPO

Motion offered and supported. Motion approved

HB 5036 Civil Procedure; civil actions; strategic lawsuits against public participation; limit.
Deferred

HB 4640 Occupations; notaries public; requirement for record keeping of certain notarial acts
Motion offered and supported. Motion approved

LEADERSHIP REPORTS

President's Report, Edward H. Pappas, President

Mr. Pappas provided the commissioners with an update on the activities of the Judicial Crossroads Task Force.

Mr. Pappas thanked the SBM staff for all of their efforts on his behalf during his year as President.

Executive Director's Report, Janet K. Welch, Executive Director

Bowling Challenge

Ms. Welch extended the challenge to Commissioners to try and beat Mr. Toy's high game in the Wi bowling game that was taking place to raise funds for Access to Justice.

Meeting with Michigan Supreme Court

Ms. Welch informed the Board that she received a call from the general counsel of the MI Supreme Court inviting the Board to a lunch meeting with the Justices on November 19. It was decided by the Board that the November meeting will be moved from November 20 to November 19 to accommodate this meeting.

Representative Assembly Report, Kathy Kakish, Chairperson

Ms. Kakish expressed her appreciation to the Board and to SBM staff during her year as Chair.

Ms. Kakish provided the Board with an overview of the September 17, 2009 meeting.

American Bar Association (ABA) Report, Reginald Turner, State Delegate

Mr. Turner provided the Board with a report on the activities of the American Bar Association. He thanked the MI delegates for all of their efforts.

Young Lawyers Section Report, Chris Christenson, Chairperson

Mr. Christensen provided the Board with a report on the Young Lawyers Section activities.

Recognition of the Retiring Commissioners

Beverly Hall Burns resolution prepared and presented by Julie I. Fershtman.

Robert K. Fergan resolution prepared and presented by Chris D. Christenson.

Kathy Kakish resolution prepared and presented by Elizabeth M. Johnson.

Eric J. Pelton resolution prepared and presented by Michael J. Riordan.

Recognition of President Edward H. Pappas

President-Elect Charles Toy presented President Edward H. Pappas with a scrapbook and plaque honoring his year as President of the State Bar of Michigan.

Comments or questions from Commissioners

There were none.

Comments or questions from the public

Adjournment

The meeting was adjourned at 3:00 pm.