Due for a Change?

To the Editor:

I was amused by the exchange between Gabriel Kaimowitz and the State Bar in the October issue. Like Kaimowitz, I was an inactive member who was suspended for nonpayment of dues after a rule change that I wasn't notified about. Unlike Kaimowitz, I don't take the matter seriously, I don't want to practice law again, and I am aware of the rules, some of which are silly.

I was admitted to practice in 1978 and soon found that becoming a lawyer was the biggest mistake I ever made, because I hated practicing law. By 1981, I had become thoroughly disgusted with the legal business and began to move into a new career as a writer and editor, as writing comes naturally to me. Over the years, I have worked in journalism, public relations, corporate communications, and technical writing.

Because I had no further interest in practicing law, I took inactive status in 1982 so I wouldn't waste money on bar dues. I've moved several times since then. I was aware of the rule requiring the State Bar to be notified of address changes but, like many inactive members, I never bothered doing so because being a lawyer was a thing of the past.

So it wasn't until August 2010 when, on a whim, I looked myself up in the online directory. I didn't know if I would even find a listing for me and I was surprised to find myself listed as suspended for nonpayment of dues. I e-mailed the State Bar staff and was told that in 2003 the Michigan Supreme Court approved an asinine rule change requiring inactive members to pay bar dues of $217.50 a year. To require someone who isn't actively practicing law to pay bar dues is a rip-off, making those Supreme Court justices who voted for the rule change a gang of thieves in black robes.

At the time of the rule change, the State Bar still had my 1982 address and it was well past the time that mail could be forwarded from it. That was the address to which notice of the rule change and a subsequent invoice were sent. I didn't hear from them, they didn't hear from me, and in 2004 I was suspended for nonpayment of dues.

Since I have no desire to ever practice law again and won't waste money on bar dues, I was given two choices. One was to resign my State Bar membership. The other was to take emeritus status. To qualify for emeritus status, one must either be at least 70 years old, which I'm not, or be a State Bar member for at least 30 years. I found it hilarious that I was deemed qualified on the latter ground for 32 years of State Bar membership when it consisted of four years of active membership, 22 years of inactive membership, and six years of being suspended.

I further found it ironic that if I had kept the State Bar up to date on my address changes and been notified of the idiotic rule change in 2003, I wouldn't have qualified for emeritus status, since at that time my combined active and inactive membership amounted to 25 years. In that case, I would have had to resign. Because I appreciated the irony, I chose emeritus status.

Since then, I, like Kaimowitz, have found a number of former colleagues listed in the online directory as suspended for nonpayment of dues. Most are around my age and are in all likelihood inactive members who weren't notified of the rule change and are eligible for emeritus status.

While a mentally sound living member of whatever status can notify the State Bar of address changes, it can't be done by one who is mentally incapacitated and it's impossible for dead lawyers to notify the State Bar that they have died. I notice in every In Memoriam listing that in some cases, the State Bar received information about a particular lawyer's death months after it occurred. Perhaps the State Bar needs to devise some mechanism to be notified that a member has died or become mentally incapacitated. It would therefore be no surprise if a significant number of those listed as suspended for nonpayment of dues should really be listed as deceased.

Dave Hornstein
Birmingham

Numbers Game

To the Editor:

In her response letter to the editor on page 13 of the November 2011 *Michigan Bar Journal,* Sarah R. Prout cites crime statistics that purportedly indicate the vast majority of domestic abuse victims are women. The problem with Ms. Prout's use of these statistics is she fails to consider that many or most men do not report to the police incidents of domestic violence perpetrated by their female intimate partners. Doubtless, if men involved the police in domestic violence incidents at the same rate as women do, the "gendered pattern of victimization" (nonsensical phrase) would disappear.

The legal profession would be greatly improved if lawyers were required to take at least an introductory statistics class as a law school graduation requirement.

Jaron P. Thompson
Sterling Heights

Recommended Reading

To the Editor:

Kudos to Brian McKeen and Phillip Toutant on their excellent article, "The Case for Attorney-Conducted Voir Dire" (November 2011 *Michigan Bar Journal*). They really hit the mark when they set out with specificity how the judicial system is hurt in three ways by not allowing reasonable attorney-conducted voir dire. As an experienced trial lawyer who has tried cases in many jurisdictions, attorney-conducted voir dire improves the truth-finding function of courts. This article should be read at least three times by judges and attorneys and ordered for reprint.

James A. Johnson
Southfield

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