

MICHIGAN'S LAWYER-LEGISLATORS of the 98th State Legislature

By Peter Cunningham



On January 14, the 98th legislature of the state of Michigan officially convened. After the 2014 election, Republican majorities in both the House and Senate increased. The House is composed of 63 Republicans and 47 Democrats, and the Senate has 27 Republicans and 11 Democrats.

Kevin Cotter (Mount Pleasant) was elected House Speaker and Tim Greimel (Auburn Hills) was elected House Democratic leader. In the Senate, Arlan Meekhof (West Olive) was elected majority leader and Jim Ananich (Flint) was elected minority leader.

Of 148 legislators, only 13 are attorneys—10 in the House and three in the Senate. This ties the lowest number of lawyer-legislators at the start of a legislative session since the State Bar of Michigan became unified in 1935. Nine of the lawyer-legislators are Republicans and four are Democrats. Only two of the attorneys serving in the legislature are women.

The attorneys in the legislature have rich and varied law practice experience. Among them are former assistant prosecutors and criminal defense attorneys, an in-house corporate counsel, and a former municipal attorney. Collectively, they have practiced probate and estate planning, tax, bankruptcy, business, labor, employment, and family law.

At the start of previous legislative sessions, the State Bar profiled the lawyer-legislators by asking them to respond to the same questions. Their responses were published in the March issues of the *Michigan Bar Journal* beginning in 2005. This year, we will publish a series of in-depth features about each lawyer-legislator throughout several issues of the *Bar Journal*. We hope this format gives State Bar members a better opportunity to get to know the lawyers serving in the legislature.

In this first installment, we profile the highest-ranking Republican and Democrat in the House—Speaker Cotter and Democratic Leader Greimel. Both enjoyed successful careers in the law before being elected to the legislature, and their experiences as attorneys have helped inform their policy positions and priorities. ■

Peter Cunningham is assistant executive director and director of governmental relations for the State Bar of Michigan.

SPEAKER OF THE HOUSE KEVIN COTTER HAS NO REGRETS

By Samantha Meinke

Kevin Cotter never planned to run for political office. But when he sees a problem, he can't resist fixing it.

Back in early 2009, before he first ran for a seat in the Michigan House of Representatives, he was concerned about the economic landscape in Michigan. He heard again and again how young people, students, and even members of his own family felt that Michigan wasn't a viable place to pursue a career. He sat at his desk at Kerr Law Firm in Mt. Pleasant, where he should have been focused solely on his clients, and instead thought about a family member who had recently left Michigan for a career opportunity in Florida. He worried about his family's future in Michigan and wondered what he could do to make a positive impact on the state.

That's when he came up with the idea to run for a seat in the Michigan House of Representatives. He decided to tell his wife about his idea, thinking she'd shoot him down since he had only been practicing law for three years.

That didn't happen.

"I knew he had already thought long and hard about making the decision," Jennifer Cotter said in an e-mail. "I encouraged him to run because he is a man of action, not one that just talks about something, but one

that follows through and delivers. I knew he would represent our district well."

But Cotter didn't immediately throw his hat into the ring.

"Like any good attorney, I started arguing the other side of it," he said.

He told himself that even if he won the seat, he would only have six years to make an impact before term limits would force him out of office. That would mean he'd have to hit reset on his career before he turned 40.

But the more he argued with himself, the more running for office appealed to him. He decided to go for it, and ran for the 99th District seat in 2010.

Cotter hasn't looked back since.

"I've had zero regrets," he said. "I'm so happy with the decision I made. I'm not focusing on what will happen a couple of

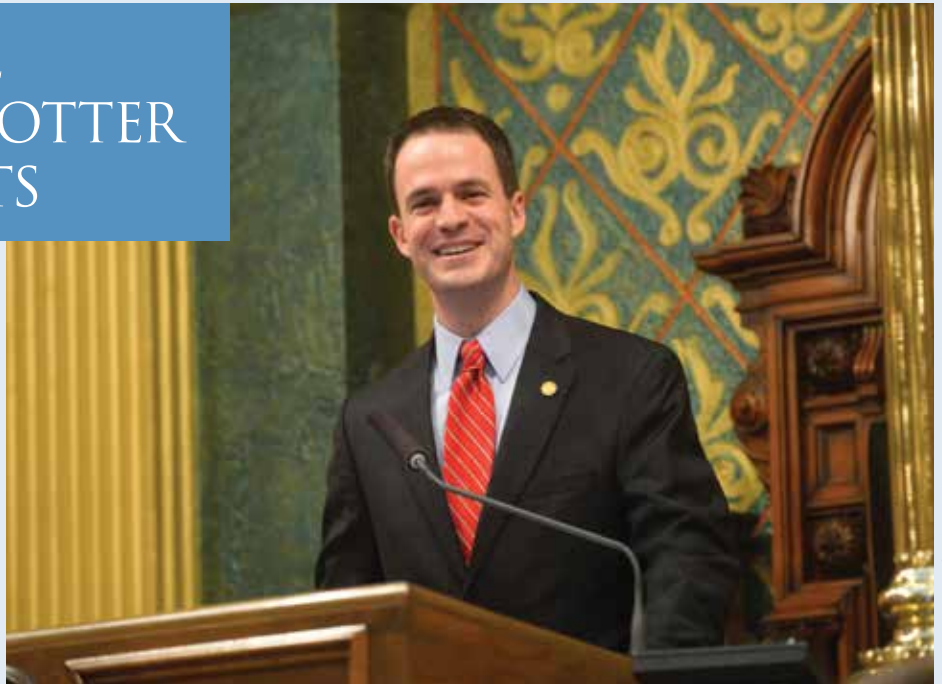
years from now. I'm trying to have the biggest impact I can."

A Lawyer in the House

Being a lawyer has served Cotter well in the House of Representatives.

"Having had the years in law practice beforehand, I really have an appreciation for the words that we use," he said. "Even one wrong word, or one careless word, can open up a sea of litigation. And so, as legislators, we have to be thoughtful because we're putting the public in a situation where they may have to spend massive amounts of dollars to litigate things—either mistakes that we make or situations that we don't appreciate on the front end."

Cotter has served as chair of the House Judiciary Committee and majority vice chair



Photos courtesy of Mike Quillinan, House Republican Communications

Kevin Cotter, Speaker of the Michigan House of Representatives

First elected in November 2010; represents the 99th House District, encompassing Isabella County and 10 Midland County townships

Age: 37

Legal life: Served as a partner at Kerr Law Firm PLLC, Mt. Pleasant

Business life: Worked in the transportation industry supervising shipments, managing human resources, and overseeing safety operations

Education: JD from Thomas M. Cooley Law School; bachelor's degree in business administration and entrepreneurship and master's degree in public administration from Central Michigan University

Hobbies: Golfing, snowmobiling, hunting, boating, and spending time with friends and family

of Elections and Ethics in his second term. He has also served on the Insurance, Michigan Competitiveness, and Tax Policy committees.

He is particularly proud of sponsoring legislation codifying mental health courts while serving on the Judiciary Committee.

"That is a fascinating issue, because we have been grappling forever and will continue to grapple with the intersection of crime and mental health issues," Cotter said. "This was a really neat opportunity because before I came along, 10 courts across the state had pilot [mental health court] projects. We were able to look at their results after they were three years in when [the State Court Administrative Office] put out their reports, and they showed a reduction of recidivism rates of, like 300 percent. So this wasn't just some pie-in-the-sky idea; we could point to the evidence showing this works."

In the coming years, Cotter hopes to expand specialty court programs, and thinks the opportunities to rehabilitate people and lower recidivism rates should make securing funding for the programs a no-brainer.

David Kerr, Cotter's mentor and founding partner of Kerr Law Firm, fully expects Cotter to succeed.

"Kevin has an excellent facility with numbers—he sees relationships and can think outside the box when it comes to numbers and problem solving," Kerr said in an e-mail. "In the public arena, I consider

this a rare gift because it can facilitate the resolution of problems."

House Speaker Kevin Cotter

At the end of the 2014 term, Cotter was voted the next Speaker of the House.

He hopes to make the next two years as productive as possible by working with his colleagues from across the state and across the aisle.

"I've had some really good interactions with some of my colleagues from Detroit," Cotter said. "We've had some great conversations about better understanding how a

particular policy may affect their district differently than mine."

Cotter says it's important to learn to listen to each other and respect each other's differences while trying to find common ground.

"I've always tried to say there's no such thing as a stupid bill," he said. "There's a bill that may not seem really important to me, but it's important to someone, or they wouldn't have introduced it. I've always tried to be understanding of that."

The coming year is shaping up to be very busy for the legislature. Cotter has said he will encourage Michigan's residents to pass the sales tax increase to fund road construction. He has also talked about examining the state's debt, a possible income-tax cut, and revisiting the state's prevailing wage law.

But his biggest goal as House Speaker is far simpler. He has one hope, above all others.

"Not to mess anything up," he says with a laugh. "I'm very conscious of the fact that I have less than two years in the House. I want to make the best use of that time." ■

Samantha Meinke is the communications manager for the State Bar of Michigan. She manages all of the State Bar's interactions with the news media and established and manages its social media accounts. She regularly consults with lawyers, bar associations, and law-related groups on using social media to their best advantage, and has been a featured speaker on social media at ABA TECH-SHOW for the last three years.



Speaker of the House Kevin Cotter (center) shakes Gov. Rick Snyder's hand as Lt. Gov. Brian Calley (right) observes.

HOUSE DEMOCRATIC LEADER TIM GREIMEL ON THE FAST TRACK

By Mike Eidelbes

Tim Greimel has always wanted to serve the public.

“My parents raised me to believe we have an obligation to be involved in civic life and engaged in public service in some form, and I was drawn to service in government because of the potential it has to improve the quality of life for people,” the Auburn Hills resident said. “I’ve always been interested in government and the ability and potential for government to do good things.”

He has dedicated a great deal of his career to public service.

He was a member of the Rochester Community Schools Board for seven years and was president for a short time. He served for more than five years on the Oakland County Board of Commissioners, including a stint as chair of the Democratic caucus.

Greimel also was a board member for Transform Pontiac Now, Pontiac Youth Assistance, and the Pontiac Veterans Memorial Committee.

When Rep. Tim Melton resigned mid-term in 2011, Greimel seized the opportunity to continue his commitment to public service and ran for the 29th District seat, which includes the cities of Auburn Hills, Keego Harbor, Orchard Lake Village, Pontiac, and Sylvan Lake.

Less than a year after becoming a state representative, he was elected by his colleagues to be leader of the House Democratic caucus.

Once a lawyer, now a representative

Greimel has experienced a lot of similarities between his work as minority leader of Michigan’s House of Representatives and being a lawyer.

“As an attorney, one advocates for their client and what they believe is right, and as



Photos courtesy of the House Democratic Caucus

a legislator, one argues for their position and attempts to accomplish what they believe is right,” Greimel said. “At the end of the day, we win some and we lose some, but as long as the argument is not personal, there should never be any hard feelings.”

Greimel’s legal background and experience have shaped his legislative priorities. Before running for the legislature, he focused on labor and employment and

Greimel has also brought a strong passion for education with him to Lansing. He earned a juris doctorate and master’s degree in public policy from the University of Michigan, and also a dual bachelor’s degree in economics and political science. Between understanding the value of his own education and his experience as a school board member, he is zealous in his fight for education.

“I was drawn to service in government because of the potential it has to improve the quality of life for people.”

civil rights law, and his experience with the Elliott-Larsen Civil Rights Act convinced him to advocate for changes to the act.

“Under existing Michigan law, members of the LGBT community can be legally discriminated against in housing and employment,” Greimel said. “I’ve litigated a number of cases under the Elliott-Larsen Civil Rights Act. It’s hard as an attorney to have a member of the LGBT community come to you and express they’ve been discriminated against in housing or employment and there’s very little you can do to help them.”

“Schools in Michigan have long been underfunded and there remain huge inequities in funding between different school districts,” Greimel said, noting he’s encouraged that colleagues from both sides of the aisle see the need to work on reducing that funding disparity. “It’s deeply offensive that we have a funding system in Michigan that says some students are worth more than other students.”

Changing the way public school educators are evaluated is one of Greimel’s priorities for the current term.



House Democratic Leader Tim Greimel responds to Gov. Rick Snyder's State of the State address. With him are, from left, Rep. Wendell Byrd, Rep. Vanessa Guerra, Rep. Gretchen Driskell, Rep. Fred Durhal III, Rep. Robert Kosowski, Senate Democratic Leader Jim Ananich, Rep. Tom Cochran, Rep. George T. Darany, Rep. Jeremy Moss, Rep. Marcia Hovey-Wright, and Rep. Sarah Roberts.

"That's important in terms of accountability for local school districts and educators," he said. "It's also important in terms of fairness for educators to make sure that they're all being treated fairly and in accordance with what is important for student achievement. We should be holding every taxpayer-financed school to very high standards."

Among his proudest achievements during his first term, Greimel counts working with the governor and GOP lawmakers to pass the Healthy Michigan plan for Medicaid expansion and enacting the "grand bargain" to help the city of Detroit emerge from bankruptcy.

He hopes people get involved

Certainly, not everyone shares Greimel's zeal for civic duty. That's fine, he says, but it is vital for Michigan citizens to familiarize themselves with the issues the state faces and share their viewpoints with the people representing them at the local, state, and national levels.

"It's really important that those who follow politics—whether they're attorneys or nonattorneys—communicate to legislators the importance and implications of what they're voting on," Greimel said. "There are

certainly some legislators who read every bill and really understand what they're voting on but, unfortunately, there are plenty of legislators who don't. It's incumbent on their constituents to inform them and hold

them accountable if they make ill-informed voting decisions."

Although Greimel values the diversity of professional backgrounds of his colleagues in Lansing, he believes lawyers are uniquely qualified to serve as lawmakers.

"It certainly shouldn't be all lawyers or predominantly lawyers but, having said that, there are a lot of parallels between being an effective attorney and being an effective advocate in the legislature," Greimel said. "We need more legislators who are smart, who are thoughtful, who are deliberative, and who ultimately care about making a positive difference in people's lives. That's what being an attorney is about, and it's what being a legislator should be about." ■

Mike Eidelbes is a copy editor and writer for the State Bar of Michigan. He has been a journalist and public relations professional for more than 20 years. He has a bachelor's degree in broadcast journalism from the University of St. Thomas (Minn.) and a master's degree in public relations from the University of Denver.

Tim Greimel, Michigan House of Representatives Democratic Leader

First elected in a 2012 special election to fill a vacancy created by the resignation of Rep. Tim Melton; represents the 29th House District, which includes the cities of Auburn Hills, Keego Harbor, Orchard Lake Village, Pontiac, and Sylvan Lake

Age: 40

Legal life: An attorney focusing on labor and employment law and civil rights law, Greimel most recently worked at the Detroit-area firm of Miller Cohen PLC.

Education: Bachelor's degree in economics and political science, master's degree in public policy, and law degree from the University of Michigan

Hobbies: Rep. Greimel keeps active in his community through Transform Pontiac Now, Pontiac Youth Assistance, the Optimist Club, and the Oakland County Veterans Group. A former Sunday school teacher, he enjoys traveling internationally and has recently visited Belize, Guatemala, Japan, and Turkey.