



From the BENCH & BAR

Compiled by Naseem Stecker

Michigan judges and attorneys gathered at the Soaring Eagle Casino in Mt. Pleasant, May 24 and 25th for the Third Invitational Bench and Bar Conference entitled "2001—A Court Odyssey: Effective Practices for the New Millennium." In small groups and large sessions, they talked, listened, argued, and shared ideas. I asked some attendees which practices/changes they personally would like to see in our justice system.

"I'd like to see the large counties be able to design their court system to accommodate the needs of their county rather than have the legislature dictate to us how we should be handling it in 80-some counties. It's got to be more tailored than it is now in order to accomplish good judicial and court management. Second thing is, I think we ought to be tied together all over the state and not just county-wide, not only for the efficacy of the court system but for the economics of the court system."

Hon. Carolyn A. Archbold
Chief Judge, 29th District Court, Wayne

◆ "We need to look for ways to use technology to make things more efficient. To better serve the public with good technology—whether it would keep people from having to travel long distances or file things more easily, or saving time and money in making the courts more user-friendly for the public. I think that's where we're headed right now. I don't think necessarily specializing judges. I think we can over-specialize. I don't think we need to specialize any more than we are now but I think we need to look for ways to better serve the public."

Hon. George S. Buth
Chief Judge, 17th Circuit Court, Grand Rapids

"I would like to see the court system become more diverse in order to reflect the true make up of the ethnic groups within the state of Michigan."

Teresa A. Caine-Bingman
East Lansing

"I'd like to see the courts more involved in diversion programs and status of vendors, drug cases, gun cases, soliciting cases, and also [I'd like to see] the creation of a specialty docket just to deal with drug forfeiture cases, to take some of the abuse out of it that we see."

Hugh Barrington Clarke, Jr.
Lansing

"What changes need to be made have to be directed towards serving the consumer—the public—in a more efficient, fair, and justified fashion. And whatever it takes in order to accomplish that, so that the bench and bar are working in unison to attempt to address the public's concerns, that's what we need to be working on."

Hon. Peter E. Deegan
Chief Judge, 31st Circuit Court, Port Huron

"They define whether or not there's a problem in existence before they come up with a solution. The problem is that they are always coming up with solutions for nonexistent problems. So what I'd like to have them do for changes in the system is to define what the problem is before they start looking for solutions. . . . They talk about structural changes. They won't tell us what the problem is with the existing system. They'll say that we'll have to have a family division. And what was the problem that had to be solved? They say they want a constitutional amendment and they won't tell us what the constitutional problem is. So we have this whole set of analyses where there are solutions running around looking for problems."

Hon. Kurt N. Hansen
Chief Judge, 55th Circuit Court, Gladwin

"[We need] to improve the quality of our profession from the inside, which will then improve our reputation out in the public as well. If we feel better about what we're doing and the way we are doing it, then we're going to be better at it. The community is also going to feel better about the legal profession."

Elizabeth A. Jamieson
Grand Rapids

“I would like to see us go back in time a little bit—back to a bygone era when lawyers used to be almost a fraternity. . . . Back at that point of time you were able to leave the fight in the courtroom, as opposed to now. It seems like you have to fight in every telephone call, in letters, it seems like a war all the time. . . . I would like to go back to the older school that I was indoctrinated in. The first time that I went to court and we got out, I thought I was Perry Mason and the other guy put his arm around me and said, ‘let’s go down to the cafeteria, I’ve got things I’ve got to tell you son!’ And we went down and he told me about what we now call civility. Through the course of that one case I got to know the gentleman, who I think is now deceased. We went out and played golf. I found out that the people on the other side were human beings just like me and we did things other than go out and fight in court.”

William A. Roy
Bloomfield Hills

“Prosecutors and city attorneys should do a better job of packaging plea agreements and have better coordination between the felony division, the misdemeanor division, and the civil infraction division for that matter.”

Stephan A. Savickas
Grand Rapids

“I would want to see a greater degree of cooperation between bench and bar and less antagonism and less of an adversarial relationship. . . . I think that both bench and bar are part of the same system and we both have an obligation to make it work. The attor-

neys are officers of the court and as such they have obligations to the system as well as to their client and very often because of. . . the pressure on the judiciary, there is less of the sense of working together than there used to be. I think in order for the system to work well there has to be that. Additionally, I would like to see less personalization in the adversarial system that is, attorneys represent clients and clients are the people at war. You don’t have to be at war on a personal level with opposing counsel. It makes things more expensive, it creates much more of a problem in terms of management of cases, it makes it less possible to receive equitable settlements, and it also creates less respect for the profession both in terms of attorneys for each other, clients’ respect for the profession, and also just simply the public’s perception of matters.”

Lynn H. Shecter
Bloomfield Hills

“The number one change I’d like to see would be a more efficient process in the judiciary and also closer tracking or evaluation of judges. Also, making sure that we’re all fulfilling our roles in competency and efficiency and using the system the way it’s designed to be used, efficiently, effectively, and more swiftly so that our cases are not just slowly creeping and crawling through the courts but that they’re expedited. In the process, we can also find more alternative ways of resolving disputes such as mediation and more creative dispute resolution processes.”

Kara Zech
Kalamazoo

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