

Scott S. Brinkmeyer

at the Helm



69TH PRESIDENT OF THE STATE BAR OF MICHIGAN

A new voyage begins for Scott S. Brinkmeyer as he takes on the job as the 69th president of the State Bar of Michigan. As he embarks on this year-long journey, he's very clear about one thing—that this position is not about him or any one individual who takes on this responsibility. In his own words, “It’s about what we can do to make this a better organization and profession for all of us.” Specifically, it is about the membership and his role as leader to “help make this the best bar association that it possibly can be.”

As one of only two former chairpersons of the Representative Assembly to become president of the Bar, Brinkmeyer brings considerable experience to the job. He is one of a handful of leaders involved in charting the course of the Bar, by eliminating annual presidential agendas in favor of a comprehensive blueprint, a Strategic Plan, for the future. He has served as the Bar’s former vice president, secretary, and treasurer, not to mention the chair of many Bar committees. He is a Fellow of the Michigan State Bar Foundation and the American Bar Association Foundation, a Paul Harris Fellow of Rotary International, and a member of the Michigan Defense Trial Counsel, the Defense Research Institute, and the Grand Rapids and American Bar associations. Scott is also listed in *Marquis Who’s Who in American Law*, 13th edition.

Born in Chicago but raised mostly in Springfield, Illinois, Scott Brinkmeyer came from very humble beginnings. He was the first person to graduate from college from either side of his family. His undergraduate degree is from DePauw University in Indiana and his law degree from St. Louis University School of Law. He was an editor of the Law Journal and also clerk for the Missouri Court of Appeals. By his own account, college friends and roommates have played a pivotal role in his life. By virtue of those relationships, he was persuaded to attend business graduate school in Chicago, where he happened to land a part-time job in a downtown law firm. The partners there encouraged him to pursue a law career. His college roommate had introduced him to Michigan and later urged him to consider practicing law there. Yet another college friend fixed him up on a blind date that turned out to be love at first sight—“I got hit by the thunderbolt!” Brinkmeyer said of his first meeting with Carol, his wife of 28 years. They have three grown children—Lara, Megan, and Matt.

Scott practices with the Grand Rapids-based firm of Mika, Meyers, Beckett and Jones PLC, where he has focused on civil litigation and dispute resolution since early 1975. Following are excerpts from an interview with him in July.

What are some of the most striking changes that you’ve noticed during your three decades in practice? What are your views about these changes?

The three most remarkable changes that come immediately to mind are first, the transition of the law as a profession into the law as a business; secondly, the impact of technology on everyday practice; and, finally, the increasing numbers of minorities, and especially women, entering the practice. As for the former, I cannot say this has necessarily been a good thing for lawyers. It has been brought about in part by the tremendous increase in the numbers of lawyers and other people entering the profession. There is of course a need for lawyers at all levels—in government and business, in private practice, in providing legal aid, and assisting the courts. By the same token, this evolution has greatly increased competition, it has put enormous pressures on lawyers to bill hours, to find and keep clients, and to balance their professional and personal lives in ways that I don’t believe existed to the same degree when I came into practice in 1975. Added to this mix is the unprecedented debt burdening young lawyers graduating into the practice. So, it’s been a very troubling and difficult transition for the profession and I think we will continue to struggle with it for quite some time.

A correlative issue has been the increasing fungibility of legal services. Traditionally, lawyers and law firms had established clients whom they served and there was a high degree of loyalty from lawyer to client and client to lawyer. This was sustained by virtue of quality and responsiveness in the provision of legal services—commitment to service for clients was rewarded by the loyalty of the client. Today we find client loyalty is disappearing as the practice of law becomes less of a distinct vocation and blends more into multidisciplinary business. Unquestionably, the focus is more and more on the bottom line. Increasing emphasis upon client development, marketing, and business cultivation necessarily detracts from the pure practice of law.

As for what the remarkable changes in technology have meant to lawyers—it’s a two-edged sword in my judgment. Current technology



The Brinkmeyer family from right to left: Scott, Carol, Lara, Megan and Matt.

allows very immediate communication. It allows us the ability to serve clients better, quicker, and more efficiently than we were able to in the past. But it also makes us immediately accessible and I think it elevates the level of expectation in terms of expediency and cost. Since I began practicing, we have traded carbon copies, dictaphones, and stenography for faxes, e-mails, voice mails, cell phones, and video communications. On balance, if lawyers embrace and utilize technology in a positive way, I expect that we can provide better service to our clients and to the public. Avoiding these advancements will leave the practitioner standing alone in the station after the super train is long gone.

Given the burgeoning minority population in the United States and the proliferation of women and other minorities in the workplace, the profession must continue to embrace diversity. When I began law school in 1972, there were only a handful of women or other minorities in each class. Today, they are in the majority. Our country was founded on the principle of equal rights and opportunities for all, and lawyers have been at the forefront of efforts to assure that those principles are sustained. In an increasingly diversified marketplace, both here and abroad, we should embrace this transition as a good thing.

What's your focus going to be as president?

The Strategic Plan specifies various goals that have been approved by the Board of Commissioners and the Representative Assembly representing our membership. Based upon input from lawyers and judges throughout Michigan, those goals were prioritized in six areas: programs and services; public policy; image and identity; human resources; fiscal; and structure and governance. During the initial implementation of the Strategic Plan, the leadership of the Bar was necessarily focused on organizational restructuring and financial improvements. Having balanced our fiscal budget, reduced expenses across the board, re-emphasized our core functions and strengthened our internal divisions and personnel, we need to place even greater emphasis upon improving services to our members.

One of the messages that has come to us loud and clear from our members is that they want more help at their desks, in their practices, and more assistance from the State Bar along those lines. I

would like to see us do everything that we reasonably can to respond, whether that is in areas of education, technology, or improving relations with courts and legislators, assuring high ethical standards through the disciplinary process and hopefully helping to create more opportunities for lawyers. Along those lines, we have just introduced a new Public Policy Resource Center coordinated with the Bar website. This is an interactive site that will provide a wealth of information to our members about local and statewide legislation, court proposals and other initiatives, and allow them to communicate directly with their own representatives in the State legislature and with the Bar. I am also very committed to continuing to improve our relations with our sections. In fact, we recently met with incoming section chairs and discussed with them certain Bylaw amendments and internal policy changes that I am confident will help to strengthen our relations in the future.

I also remain very committed to upper Michigan lawyers. I have been fortunate to have had a truly statewide practice, which has given me the opportunity to handle cases from Marquette to the Sault, from the thumb to southwestern Michigan, and across northern lower Michigan—so I've worked with lawyers and judges all over the state. I want to bring back The Upper Michigan Legal Institute (UMLI) and I am optimistic that we are going to be able to do that with our dues increase. That's part of what I want to see happen in the short term.

You mentioned a dues increase. We got word in July that there would be a \$20 increase in general lawyer dues. The Bar had asked for \$40. Will we be able to work with this amount and how will we do it to achieve our objectives as outlined in the Strategic Plan?

We clearly will not be able to fully implement and achieve the goals of the Strategic Plan with only one-half of the amount we requested from the Supreme Court. We appreciate the Court's explanation that present economic conditions and fiscal uncertainties warrant caution; hence, the partial increase. Nevertheless, in recognition of our commitment to our members to effectuate the Strategic Plan, we must return to the Court at the earliest opportunity to hopefully obtain the balance of the funds required to do so. John Berry and Bar staff were scrupulously precise in developing the cost estimates upon which the requested increase was based. There simply was no "fat" included in those estimates. For now, State Bar staff will re-evaluate and re-prioritize the work of the Bar during the forthcoming year and make do with what we have. I can assure our members that even this partial increase will help us to improve services to our members and our staff is currently involved in analyzing how that can best be accomplished.

You've been very active in the matter of the Bar's Strategic Plan. What has been accomplished over the past two years in terms of Strategic Plan objectives?

It really goes back about four years to the transition between Al Butzbaugh and Tom Ryan. I think that a key issue that we dealt with was the elimination of the presidential agenda. They really focused us on planning strategically for the future of the Bar and

that was the starting point. We went from an organization that responded annually to the announced agenda of the incoming president to one in which our direction has been carefully evaluated, and all of the current leaders are committed to the goals and success of the Strategic Plan. Don't get me wrong. Prior Bar leaders surely wanted to accomplish very good things for the profession and the public we serve, but their many projects became an organizational "octopus," with too many arms, excessive staff time, and too much expense.

Just this past year John Berry and staff gave us a preliminary "report card," analyzing where we are in the process, what we have achieved, and what remains to be done. On all of the primary goals, we are pretty much on target, but much remains to be done. I am dedicated to meeting as many of those goals as we can by the end of my term and expect to receive budget options from staff at the September meeting. At that point, I should be able to provide a better forecast of where we may expect to be by the end of the next Bar year.

What's going to happen at the end of your presidency? Will there be a new Strategic Plan?

Like all strategic plans that are well devised, ours contemplated periodic review. The Plan has a three-year forward focus and provides for periodic review on that cycle. I would anticipate that some time in 2004, our officers, the Board, and staff will assess what remains to be done within the prioritized objectives of the Plan. I expect that we will then determine what the next three-year strategy should be in order to assure that we stay on track and that we are meeting the expectations of our membership.

Is lawyer image a big problem? What can the Bar do to improve matters?

As many members will recall, we spent a lot of time and money a few years ago on an image campaign and we have undertaken various projects in the past that were intended to improve the public's view of the profession. In my estimation, these efforts had varied results at best. What such organizational efforts prove is that nothing can be done by an association without the commitment of its individual members.

In my view, the image of lawyers begins with each lawyer and how he or she conducts himself or herself as a professional. Whether dealing with other lawyers, with specific clients, with judges, or the public at large, lawyers cannot expect any better image than they demand of themselves. I spoke earlier about the many pressures put upon us in practicing law today and I appreciate the difficulties associated with being a lawyer. Nevertheless, I do not believe that we can allow that to translate into inappropriate, unprofessional behavior in practicing law. Nor should the insistence upon professionalism stop with our own behavior. Both lawyers and judges need to be active in assuring adherence to the highest ethical and professional standards. I am not saying lawyers should be filing grievances at the drop of a hat, but I do believe that we should address inappropriate behavior by other practitioners when we observe it.

I remember when I first became a lawyer, one of the things I enjoyed most about being a litigator was the professional decorum

exemplified by the vast majority of the lawyers I dealt with. There is no reason why that cannot persist and flourish in this profession today. Despite the competition, the stress, the pressure on lawyers to win, and to win big, we have it in ourselves to do something about the behavior that has tarnished the image of lawyers in the public eye. If we live up to the oath that we took when we became lawyers and demand that of our fellow lawyers, that's the way lawyer image will improve and that's the best way for it to change. There is not a whole lot the Bar can do as an organization if individuals that make up the profession aren't willing to take those kinds of steps themselves. If we will do that, I believe that there can be a very positive view of lawyers in the future.

The Grand Rapids legal community appears to be very active and productive. The level of involvement for example in the creation of the Legal Assistance Center and the leadership of lawyers like John Cummiskey, Bruce Neckers, Jon Muth, and many others show a very high degree of social consciousness. Why has it all come together so well in Grand Rapids?

It's hard to put a finger on the exact pulse of it. I do believe that Grand Rapids is a special community. It's looked at from the outside as being pretty conservative and it has been. I think that's changing. I believe a big part of it has been the large number of individuals who have been willing to invest both their time and their financial resources for the betterment of the Grand Rapids community. Many fine Grand Rapids lawyers have played a major role and have committed their fiscal resources, time, and talents through many, many organizations and projects over many years. That commitment has carried over from generation to generation. To borrow a phrase from our governor, I think Grand Rapids has become a really "cool" place to live. Expanding in diversity of all kinds and constantly increasing activities, organizations, and benefits that make a city a cool place to live, where people will want to come and stay to raise their families.

You're the former president of the Grand Rapids Rotary—how long have you been involved with this organization and what are some experiences that you've had with service organizations.

I've been involved in Grand Rapids Rotary since the early 90s. It is a wonderful, international service organization with thousands of clubs around the world. Interestingly, it was founded by a lawyer, Paul Harris, in the early 1900s. I was impressed not only by Rotary's motto of "Service Above Self," but by the way in which the members of Rotary actually personify that motto in their everyday lives. The Grand Rapids Rotary is the largest in the state and offers opportunities to participate in many worthwhile community efforts. One example is our Strive mentoring program, which provides scholarships largely for minority high school kids who can qualify by improving their grades, school attendance, and behavior. We have had a remarkably high success rate over the past 10 years in motivating kids who are on the edge to help themselves to improve and go on to higher education.

About Scott...

"I describe him as a lawyer's lawyer—meaning that integrity and honesty are in the forefront as well as his planning and follow through. His skills are impeccable. In a profession in which peoples' word has lost meaning, Scott clearly is not that and it's really nice to deal with lawyers who are of that character...If I was looking for a lawyer on a case that I had to bet the company on—he's one of a few lawyers that I would go to."

**Glen W. Johnson, J.D., Vice President—Wealth Management Group,
Fifth Third Bank, Grand Rapids**

"To me, Scott is right on top of the list as far as attorneys are concerned. Every time he appeared in my court he was always fully prepared, did an excellent job on a motion or during the course of a trial. I was impressed with his demeanor. He is always polite to everyone, including the witnesses, opposing counsel, just a complete gentleman. It was always a pleasure to have him in the courtroom. He's a very nice person. He comes across as being straightforward, completely honest."

**Charles M. Forster, Retired former chief judge of the
Grand Traverse County Circuit Court, Williamsburg**

"Scott is a person of integrity, his client is always number one. He is very thorough in that sometimes he used to work me to death! Tracking down what might be something small...he was a stickler for details...we'd turn over every stone at his direction and he was seldom wrong about something. He's very even tempered. Didn't let things get under his skin...We wish him very well as president of the State Bar and he will represent the State Bar as well as he's represented his clients. There's bigger and better things for Scott Brinkmeyer."

**George A. Valrance, Retired, Former client and Manager of Claims
for Michigan Consolidated Gas Company, Detroit**

"Scott's contributions to the Indian Trails Camp over the years have been tremendous! His history with the camp is both heart warming and worth honoring. Scott's legal counsel, fund-raising efforts, 'hands on' involvement, advice, and compassion for our mission has helped ITC build its programs and establish the quality of both our facility and its mission! Indian Trails Camp is only one out of five camps of its kind in the U.S. Scott is one of the brightest individuals I know. His intelligence goes beyond academics—he is a true humanitarian! He is caring, articulate, dedicated, and committed to that which he is assigned to and commits to. I have only the best to say about Scott Brinkmeyer, for I believe he manifests characteristics we all should be living by."

Lynn Gust, Executive Director, Indian Trails Camp, Grand Rapids

I came to Rotary through a long standing involvement with Indian Trails Camp, a remarkable facility offering a summer camp program for handicapped children and adults throughout Michigan. Grand Rapids Rotarians helped to establish the camp over half a century ago and it was through Rotary's continuing commitment to the success of the camp that I sought to learn more and ultimately became a member. The partnership has allowed me the opportunity and experience of helping to bring enjoyment and respite to so many children and adults who cannot otherwise help themselves.

What are your ambitions following your Bar presidency?

I fully appreciate that I owe a large debt of gratitude to the members of Mika, Meyers, Beckett & Jones for their support of my

"In the fall of 1996, I was having dinner with Victoria Roberts, who was then the President of the State Bar. Victoria said that she recently had been talking with Scott about a variety of State Bar issues, and then Victoria said, 'Scott is going to be a star!' Victoria's prediction certainly has proven true. No one has been better prepared to be President of the Bar than Scott, and he has intimate knowledge of all the difficult issues with which the Bar and our profession have been faced in recent years. Foremost in Scott's mind is the welfare of our profession, of all Michigan lawyers, and of our justice system...Scott will be a strong and focused leader who will confront the issues that come before him and the Bar in a straightforward manner, with an intent to get those issues resolved so as not to leave them for those who follow... Scott, none of us can predict what unexpected pleasures will come before you during your watch, but I know you will use your excellent judgment and find solutions. Good luck, and begin making plans now for a long, restful trip for you and Carol when your term is over—both of you will need it and deserve it."

**Alfred Butzbaugh, President, State Bar of Michigan, 1999–2000,
Butzbaugh & Dewane, PLC, St. Joseph**

"Scott is loyal, hard-working, bright, and honest. He is passionate about the advancement of the law and legal profession. You will not find anyone who is more concerned about his fellow lawyers—he goes to bat for them every time he can...Scott will be a strong leader whose first concern will be the welfare of the members of the State Bar and the integrity of the legal profession. He will also be concerned about strengthening the relationship between the bench and bar."

**Kimberly M. Cahill, Treasurer, Board of Commissioners,
Schoenherr & Cahill, P.C. Center Line**

"He is sincere, committed, has a desire to do more than average, pursues excellence. He is intense, dynamic...He helped organize our Rotary office and our staff and challenged us to look outside the way that we had typically been doing it to see if there were better opportunities and better ways of running our office primarily from a fiscal standpoint. I know Scott's going to do a good job and he'll be a great leader and I gained a lot of respect for the State Bar and the other lawyers in the state knowing that they would want somebody of this quality to be their chosen leader. I will absolutely wish him the best and am excited for him and for Western Michigan that one of our distinguished people would be the leader of the State Bar."

**H. M. "Skip" Baxter, Managing Partner, Strategies LLC,
Former president of the Grand Rapids Rotary Club**

work with the Bar. After my term, my objective is to continue private practice and to work with them to assure the future success of our firm. I also hope to resume my other activities in the community and I will certainly do what I can to assist future Bar leadership in staying the course outlined in the Strategic Plan. The enormous efforts of the many excellent lawyers who contributed along the way must not go unrewarded. They have helped to set the right course. I must say it's been a genuine privilege to have been along for the ride. ♦

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