

The State Bar

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& REPRESENT

On January 12, 2005, the 93rd Legislature of the State of Michigan officially began. The new House of Representatives was sworn in and the 110 members, 58 Republicans and 52 Democrats, selected their seats on the floor of the chamber for the 2005–06 legislative session.

As noted elsewhere in this publication, the newly composed legislature counts 21 lawyers among the 148 total members, for 14 percent of its membership.

Craig DeRoche, a Republican from Novi, was elected Speaker of the Michigan House. Chris Ward of Brighton Township was elected Majority Floor Leader. Scott Hummel of DeWitt was elected Speaker Pro Tem following the November election, but later gave up this position to accept the position of Chair of the House Appropriations Committee, and Jerry Kooiman of Grand Rapids was elected Speaker Pro Tem.

Dianne Byrum, a Democrat from Onondaga, was reelected as Minority Leader and Mary Waters of Detroit was reelected as Minority Floor Leader.

On January 25, the Speaker announced the new House Committees for the 2005–06 legislative session. Rather than having two committees working on legal issues as in the recent past, the 93rd House has one Judi-



Senator Alan Cropsey, Senate Judiciary Committee Chair

ciary Committee chaired by Representative William Van Regenmorter, who has 14 years of experience chairing both the House and Senate Judiciary Committees.

Across the rotunda of the Capitol, the leadership of the Senate remains unchanged from the 92nd Legislature. Senator Ken Sikkema is the Majority Leader. Senator Bev Hammerstrom is the Majority Floor Leader. Senator Alan Cropsey remains the Chair of the Senate Judiciary Committee. Senator Bob Emerson of Flint is the Minority Leader. Sen-



Representative William Van Regenmorter, House Judiciary Committee Chair

ator Mark Schauer of Battle Creek is the Minority Floor Leader.

While both Senator Cropsey and Representative Van Regenmorter have many years of experience in the legislature as well as serving as the chair of their respective committees, they both believe that the legislative process—even more particularly in this time of rapid changing of members due to term limits—is significantly enhanced by the participation of members of the Bar.

Indeed, when asked to comment on his feelings about lawyers participating in the process, Representative Van Regenmorter encouraged members of the Bar to get actively involved in the legislative process.

“The spirit of strong representation is exemplified by the members of the State Bar of Michigan being willing to participate in the legislative process. The involvement of Bar members has without question improved legislation.”

ACTIVE GOVERNMENT

And his Senate counterpart, Alan Cropsey, went even further in his encouragement.

“It’s critical that we have more lawyers running for the legislature, to maintain the preciseness that’s necessary for law. One of the most fascinating and challenging aspects of being a lawyer in the legislature is having to take common sense or intuitive thoughts from non-lawyer legislators, and fit them into the legal framework of the law. Evidentiary issues, process issues, even such common practices for us as having to score OV and PRV points for a defendant—all are best accomplished with the input of a lawyer.”

What Can You Do?

This is an open invitation to members of the Bar to take the opportunity through the organized Bar, its committees, and sections, to participate more actively in the legislative process in Michigan.

In our American form of democracy, we enjoy many precious rights reserved to all—the well trained as well as the common person. Among those is the right “. . . to petition the government for a redress of grievances.”¹ When attorneys take the oath of our profession, we make a commitment to uphold the Constitution and, by extension, to uphold this right—the right to tell our governmental leaders, without fear of governmental retribution, that a law is unjust or a new law ought to be enacted to protect some portion of our society. The lawyer’s distinctive skill set, developed through training as an advocate, puts each of us in a unique position to “petition government” in a myriad of ways. Through active engagement in the process, lawyers can advance the public debate, and the understanding of lawmakers, on many issues considered by the legislature.

The laws that constitute the social fabric of our society are often complex and difficult to comprehend. Those who are schooled in a particular area of the law can assist in helping legislators understand how a change in the law might impact or modify the situation sought to be remedied. In this way, lawyers can play an important role in fashioning legislation.

Your State Bar staff is working diligently to provide you with the tools you need to be able to “observe” the activities of the Michigan legislature, and thus position you to participate in that process, whether formally through the structure of the Bar, or individually on issues that are important to you or your practice.

In furthering the Public Policy Goal from the Strategic Plan of the Bar,² the staff has developed the Public Policy Resource Center (found on the web at <http://www.michbar.org/publicpolicy/>). On this resource page, you can access up-to-date information on the status of bills that are of interest to members of the Bar, and learn the position, if any, of various committees and sections of the Bar, as well as the Bar itself, on Keller permissible issues. You can also find a legislative directory to assist you in contacting legislators about items of interest.

Today, as in every day that our democratic form of government has existed, the body politic benefits enormously from the selfless participation of those members of society who have a particularly keen understanding of the law and of the interaction of the legislature with one of the other critical branches of our government, the courts. Please consider giving of your time and talents to further the work of the Bar and of our representative government. ♦



Bill Zaagman, Nell Kuhnmuensch, and Kurt Berryman

The State Bar of Michigan retained Governmental Consultant Services, Inc. (GCSI) in April 2004 to provide political consulting services. Nell Kuhnmuensch, a director at GCSI, Kurt Berryman and Bill Zaagman, both associates at GCSI, work with State Bar staff to closely monitor issues in Lansing of interest to the legal community.

Nell Kuhnmuensch graduated from the Thomas M. Cooley Law School and was admitted to the State Bar in 1978. After a Supreme Court clerkship with Justice James Ryan, Ms. Kuhnmuensch worked as a staff member in the House of Representatives, including service as Chief of Staff for two Speakers of the House, Bobby Crim and Gary Owen.

Kurt Berryman graduated from the Thomas M. Cooley Law School and was admitted to the State Bar in 1996. Mr. Berryman served as Chief of Staff to former Senate Majority Floor Leader Joanne Emmons and U.S. Congressman Thaddeus McCotter.

Bill Zaagman holds a Master’s Degree in Public Administration from Western Michigan University and was a 1996 participant in the Michigan Political Leadership Program. Mr. Zaagman worked as a lobbyist for the Michigan Osteopathic Association and served as Director of Government Affairs for the Michigan Restaurant Association.

Footnotes

1. First Amendment, U.S. Constitution; Article 1, Section 3, Michigan Constitution of 1963.
2. SBM will aggressively advocate for issues that support its statement of purpose, minimize divisiveness, and are achievable.