

**STATE BAR OF MICHIGAN
2011-2012 COMMITTEE ANNUAL REPORT**

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Committee on Justice Initiatives

Jurisdiction: Develop and recommend proposals for the effective delivery of high quality legal services in Michigan, equal and fair to all. This committee consists of several initiatives whose activities include:

- Analyzing and making recommendations for positions on proposed legislation, court rules, and other policies relevant to the committee's jurisdiction.
- Developing policies and programs to benefit underserved populations; including juveniles and those with special needs.
- Encouraging and coordinating free or discounted civil legal services.
- Working to increase resources for civil legal aid programs.
- Examining collateral civil consequences of criminal convictions and issues of adequate representation in the criminal justice system.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Terri L. Stangl	320 S Washington 2 nd Fl Saginaw, MI 48607	989 755-3120	tstangl@ccj-mi.org
Co-Chair	Erika L. Davis	645 Griswold Suite 1300 Detroit MI 48226	313 237-6295	Erika@butlerdavis.com
Staff Liaison	Janet K. Welch Candace Crowley	State Bar of Michigan	517 346-6331 517 346-6319	jwelch@mail.michbar.org ccrowley@mail.michbar.org
Commissioner Liaison	Jules B. Olsman	2684 11 Mile Rd Berkley, MI 48072	248 591-2300	jbolsman@olsmanlaw.com

Member/Advisor/Other	Member/Advisor/Other
Miriam Jane Aukerman	
Michael J. Blau	
Lorray S. C. Brown	
Margaret A. Costello	
Robert Fair Gillett	
Valerie R. Newman	
Linda K. Rexer	
Laurin' C. Roberts	

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
CJI Meeting	June 27/July 11, 2011	Teleconference
Justice Initiatives Kickoff	October 17, 2011	State Bar of Michigan
CJI Meeting	December 12, 2011	Teleconference
CJI Meeting	February 23, 2012	Teleconference

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Resources provided by the State Bar of Michigan in support of committee work:

The State Bar of Michigan provides Committee on Justice Initiative (CJI) with staff support and a budget to facilitate projects and meetings. Please also see reports for the individual initiatives that are included at the end of this report.

Committee Activities:

June 27/July 8 Meeting Agenda items at the June 27/July 11 meeting included the ABA Proposed Language Standards, Solutions on Self Help Task Force, “Engaging the Next Generation of Justice Initiatives Leaders” summit follow-up, State Planning Body and Annual Meeting activities. It received information from Judge Stephens on the Equal Justice Conference that occurred in May. It identified October 17, 2011 as the date for the 2011-2012 kickoff meeting and discussed leadership and membership changes to recommend to the State Bar president. Members looked at the Turner v Rogers U. S. Supreme Court decision requiring procedural safeguards and fundamental fairness for unrepresented litigants.

Justice Initiatives Annual Kickoff Meeting With the new co-chair team of Terri Stangl and Erika Davis at the lead, the Justice Initiatives Annual Kickoff meeting was held at the State Bar Building on October 17, 2011. About 35 members of the initiatives gathered to hear from President Julie Fershtman, Executive Director Janet Welch, initiative members and staff on “Connecting with Our Communities,” “Identifying Our Priorities” and “Engaging Opinion Leaders.” The Judicial Crossroads Task Force Report and Recommendations, the Crossroads Access to Justice Committee Blueprint for Justice and the ATJ Crossroads Report and the State Bar’s updated Strategic Plan were used as a framework for the reports and discussions.

Janet Welch provided an update on Crossroads work. Elizabeth Lyon presented information on Michigan’s current political climate and addressed Governor Snyder’s newly formed Indigent Defense Commission. Others made separate reports on language access in the courts, pro bono developments, fees/fines and costs, child welfare and the Indian Child Welfare Act, and legal aid and Legal Services Corporation funding.

Judge Cynthia Stephens, immediate past co-chair of CJI, revisited the “Engaging the Next Generation of JJ Leaders” and the “Leaders Developing Leadership” topics during a networking luncheon. She was also presented with a certificate recognizing her long history of involvement in organized bar activities and especially for her leadership of the Justice Initiatives community.

Linda Rexer presented an update on the Solutions on Self-Help Task Force. Her handouts showed some slide shots from the centralized website that is expected to launch in the first quarter of 2012. Linda also reported that the Task Force and work group membership, now at over 80 people, is reviewing a “Resources to Assist Self-Represented Litigants – A Fifty-State Review of the ‘State of the Art’” report commissioned by the Michigan State Bar Foundation to assist the Task Force. The report was issued by Greacen Associates earlier this year.

The initiative members had a preliminary conversation on possible topics for the April 2012 Justice Initiatives Summit. Each initiative met at the end of the day, and the Committee on Justice Initiatives met to sign on to the Michigan Pledge to Achieve Diversity and Inclusion, and to set its meeting dates for the year.

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December 12, 2011 Meeting The Committee met by phone on December 12. Members were alerted to the need for them to electronically review legislative items on juvenile competency and penalty of perjury that will be sent to them from Justice Policy Initiatives after the holidays. They received a report from the Equal Access Initiative regarding the diversity survey process with large law firms, corporate law departments and law schools that is underway. The Criminal Issues Initiative reported on its readiness to assist the Indigent Defense Commission, and their possible look at a uniform definition of indigency. The committee also endorsed the concept of a partnership with the Michigan State Bar Foundation for a pro bono assessment for Michigan presented by the Pro Bono Initiative, and reviewed the list of PBI projects for the year.

CJI also received an NLADA Conference report and updates on Crossroads issues including ABA Language Standards; fees, fines and costs; child welfare/ICWA; indigent defense; and the Solutions on Self Help (SOS) Task Force. It decided to revisit the Solutions on Self Help topic for the April 2012 summit.

Members successfully accessed the meeting materials from the new State Bar portal, and reviewed “Making the Best of Virtual meetings” to assist with telephone meetings.

February 23, 2012 Meeting The Committee met by phone on February 23, 2012. They were joined by commissioner liaison Jules Olsman. The committee received reports from each of the initiatives (see below.) In addition, the committee accepted these reports:

LSC/Other Funding Cuts Bob Gillett referred to the LSAM report showing the impact of cuts. In late November of 2011 programs learned of a 15% cut in federal LSC funding, then learned in December about IOLTA cuts. Jim Sandman, President of LSC, reported that on a national level programs lost 15% of staff or 600 lawyers. In Michigan, it appears that 34 lawyers were lost and a total of 60 staff cut. Salaries are frozen or reduced; at least one office has closed. The number of citizens impacted is great; programs closed 50,000 cases last year and had to turn people away to begin with. A 20% reduction would be 10,000 fewer cases with each case affecting more than one person.

National Conferences The members discussed State Bar support for attendance of some JI members at the National Consortium on Racial and Ethnic Fairness in the Courts and the Equal Justice conference and the Access to Justice chairs meeting.

Crossroads Issues Update

1. ABA Language Standards Report. Candace reported that the revised standards were approved at the February ABA House of Delegates meeting. She reviewed some of the changes in the ten standards. The SCAO workgroup is expected to publish something for comment in March or April and any action will be deferred until that publication is available.
2. Fees, Fines, Costs. See the CII report. Also, the State Planning Body has had an ongoing dialogue with SCAO about collections policies which are problematic and exacerbate the incarceration problems because of an individual's inability to pay. SCAO is modifying its policies to define the inability to pay and provide protections. They asked for SPB members to sit on its workgroup.
3. Child Welfare/ICWA. The State Planning Body took these issues on after its chairs discussed it with Janet Welch. There are three main areas of work in the ICWA arena. The court and DHS created a race equity coalition and the SPB is trying to engage them in dialogue. SPB appeared as amicus in litigation re ICWA and it continues to look for appellate cases to advocate its positions. A Michigan ICWA statute has been drafted and is at the Legislative Services Bureau and waiting for the green light to advocate for that legislation. The Michigan Association of Judges unanimously supported the draft legislation and created a standing committee on the topic. Regarding child welfare, the Supreme Court reversed a Court of Appeals decision terminating a father's rights because of a foreclosure/poverty issue. Vivek Sankaran did an opinion piece stating that poverty is an inappropriate reason to terminate rights. There

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is an interest in introducing legislation on the issue; half of the states have legislation that prevents termination because of poverty.

4. Indigent Defense. The commission has two meetings left, one in March and one in April. It has organized into two groups, policy and funding. It will make recommendations at the April meeting.
5. SOS. The Solutions on Self Help pilot website will be launched in March. The RFP for local self-help centers is receiving a lot of interest. Proposals are due on March 7. Three curricula with Michigan Judicial Institute are nearly finished. The five existing self-help centers will have access to the pilot website.

Justice Initiatives Summit Update This is the third annual summit and was held on April 16. The title was “2012 Solutions on Self-Help: Update, Opportunities and Challenges.” National expert John Greacen and State Court Administrator Chad Schmucker were among the speakers. There was a panel presentation, breakouts, speakers and a closing plenary. A Summary of Events is available online.

Annual Meeting The meeting will be held in Grand Rapids on September 19-21. JI will have a booth with materials. EAI and DIAC plan to co-host a program on unintentional bias featuring speaker Steve Robbins of Grand Rapids. The Thursday night reception will have a diversity theme.

Throughout the year, the CJI met to assess the work of its initiatives to keep informed of the work of the **Access to Justice Crossroads Task Force**. Separate reports for each of the four initiatives are included below.

It is anticipated that in 2012-2013, most of the initiatives will be continuing with the projects and efforts that are already underway, especially those connected with the Crossroads Report. The Initiative Co-chairs will be talking about their plans at the next meeting of the Committee later in May 2012.

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Committee Name: Criminal Issues Initiatives

Jurisdiction: The dual purposes of this initiative are to address issues of indigent criminal defense in Michigan and to educate the legal community on civil collateral consequences.

Co-Chairs and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Miriam J. Aukerman	ACLU of Michigan, 89 Ionia Ave NW, Grand Rapids, MI 49503-3034	(616) 301-0930	maukerman@aclumich.org
Co-Chair	Valerie R. Newman	State Appellate Defender Office, 645 Griswold St Ste 3300, Detroit, MI 48226-4215	(313) 256-9833	valerie@Sado.org
Staff Liaison	Elizabeth K. Lyon	State Bar of Michigan, 306 Townsend, 48933	(517) 346-6325	elyon@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Miriam J. Aukerman, co-chair	Hon. Katherine L. Hansen, member
Sheila Spalding Blakney, member	Stacy A. Hickox, member
Cardiad Pastor Cardinale, member	David C. Koelsch, member
Daryl M. Carson, member	Martin P. Krohner, member
Julianne Claydon, member	Daniel E. Less, member
Regina Daniels Thomas, member	Hon. Mabel Johnson Mayfield, member
Frank D. Eaman, member	Rico D. Neal, member
Pamela Chapman Enslen, member	Valerie R. Newman, member
Heather J. Garretson, member	Angela Kay Sherigan, member

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
Description		
In Person Meeting	October 17, 2011	State Bar of Michigan
Teleconference	December 15, 2011	
Teleconference	February 16, 2012	
Teleconference	April 19, 2012	
Teleconference	May 17, 2012	
Teleconference	June 21, 2012	

Resources provided by the State Bar of Michigan in support of committee work:

The committee receives staff support from Elizabeth Lyon and Carrie Sharlow.

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Committee Activities:

At the October 17, 2011 meeting the Initiative set the meeting calendar for the entire year, expecting to meet on the third Thursday of each month unless members were notified otherwise.

During the December 15, 2011, guests Monica Jahner and Sherrie Guess gave a brief presentation on the Fair Chance Coalition and the planned kick-off event on January 17, 2012.

At this same meeting, the Initiative discussed two reports from the ACLU: (1) Challenging a “Pay or Stay Sentence: How to Represent Yourself; and (2) A Court Rule Proposal for Evaluating Ability to Pay Fees, Fines and Costs. The Initiative expressed interest in partnering on the court rule proposal to help move it forward; and develop self-help materials to assist individuals challenging a ‘pay or stay’ sentence. Both projects were approved by the Committee on Justice Initiatives. Members of CII commented on and edited both the report and the self-help materials.

At the April 19, 2012 meeting it was decided that the Court Rule Proposal report drafters would take the report to the State Planning Body and CII will be thanked in the acknowledgments. CII itself will finalize the self-help packet and work with the State Bar to develop a dissemination plan targeting local self-help centers and jails.

The Initiative offered a recommendation on Youthful Trainee Bills HB 5214 and SB 0880, supporting the concept of increasing the upper age requirement but opposing the bills. This recommendation was reviewed by the Committee on Justice Initiatives and moved onto the Board of Commissioners for consideration. However, it was ultimately determined that these bills were not *Keller* permissible.

The Initiative intended to provide assistant to the Indigent Defense Advisory Commission. While CII received regular updates on the work of the Indigent Defense Advisory Commission, the Commission did not seek assistance from CII

CII has also worked with staff to promote the Uniform Collateral Consequences of Conviction Act. To date, this work has primarily involved answering questions from stakeholder organizations.

More Initiative positions on public policy items are expected before the end of the State Bar Fiscal Year due to upcoming meetings in May and June.

Future Goals and Activities:

CII will:

1. Complete the self-help materials on fines, fees, and costs, and work with the Bar to ensure they are appropriately disseminated.
2. Continue to promote the UCCCA.
3. Identify additional projects. During the last CII meeting, the group reviewed possible additional projects (in light of the fact that support for the Indigent Defense Advisory Commission had not consumed as much time as expected), and is now in the process of identifying additional projects going forward.

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Committee Name: Equal Access Initiative

Jurisdiction: This group develops projects, programs and trainings to benefit underserved populations on issues such as race and ethnicity, gender, and disability.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Erika L. Davis	Butler Davis PLLC 645 Griswold St Ste 1300 Detroit, MI 48226	(313) 237-6295	erika@butlerdavis.com
Co-Chair	Laurin' C. Roberts Thomas	Thomas Law & Consulting Group PLC PO Box 12058 Lansing, MI 48901	(517) 490-1679	thomlaw91@sbcglobal.net
Staff Liaison	Gregory Conyers			
Commissioner Liaison	Laurin' C. Roberts Thomas			

Member/Advisor/Other	Member/Advisor/Other
Teresa Caine Bingman	Dale Ann Iverson
Aaron Vaughn Burrell	Linda D. Johnson
Hon. William J. Caprathe	Ayanna D. Jones
Mark A. Cody	Jay D. Kaplan
Yasmin J. Elias	Mark D. McWilliams
Pamela Chapman Enslin	John R. Nussbaumer
J. Kay Felt	Nicholas M. Ohanesian
Hon. Patricia P. Fresard	Paul S. Teranes
Coffiann U. Hawthorne	Maya K. Watson

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

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Meeting Type	Date	Location
Description		
Teleconference	January 10, 2012	Conference call
In Person	March 6, 2012	State Bar of Michigan
Teleconference	May 5, 2012	Conference Call
In Person	July 17, 2012	State Bar of Michigan

Resources provided by the State Bar of Michigan in support of committee work: The State Bar of Michigan provides the Equal Access Initiative (EAI) with staff support and an initiative budget to facilitate projects and meetings.

Committee Activities: EAI has various workgroups which include:

- Alternative Dispute Resolution Task Force on Diversity
- Disabilities WorkGroup
- Diversity Project
- Jury Curriculum Program

The Alternative Dispute Resolution Task Force on Diversity

The role of EAI as a convener is completed and the plan going forward is to examine the information that is contained in the final report of the task force to identify potential topics for future projects.

The Disabilities Workgroup

The Disabilities Workgroup continues to look at opportunities to educate and inform the profession and has used the information from the 2011 Annual meeting program “Who Decides?” regarding DNR decisions for the disabilities community to create a DVD that is available and has been widely disseminated.

The workgroup is looking for opportunities to support the development and promotion of problem solving courts that were a part of recommendations contained in the Judicial Crossroads Task force on Access to Justice final report. Another area of focus continues to be the issue of young persons with cognitive disabilities as they relate to school to prison pipeline issues.

Also the workgroup continues to focus on a quarterly online e-newsletter with concise, utilitarian articles regarding disabilities issues; over six years of these newsletters have been completed and the project is ongoing www.michbar.org/programs/equalaccess.cfm.

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The **Diversity Project** is planning to work with the Diversity and Inclusion Advisory Committee on developing focus groups to review information that comes from the 2011 Survey of Law Firms and Corporate Law offices.

The **Jury Curriculum Program** is one that requires the collaboration of the legal and educational communities. Working with the Michigan Center for Civic Education, lawyers, judges and teachers throughout the state, come together to teach the concepts of due process, equal protection, individual rights and justice as they apply to the importance of jury service and the value of diverse jury pools. The curriculum has been presented to school districts in Kent, Genesee, Berrien and Wayne Counties; the most recent programs were held in Benton Harbor and Detroit. EAI members continue to look for new avenues to promote the program to schools.

Future Goals and Activities: The Diversity Project will continue to act as the program implementation group for activities identified as moving diversity and inclusion forward and will be partnering with the DIAC to present an Annual meeting on unintentional bias. The Disabilities WorkGroup is interested in collaborating with other entities focused on children with cognitive disabilities and the school to prison pipeline. The Jury Curriculum program is looking into more programs with the schools.

EAI will continue to review the list of recommendations that are the result of the work done by the Access to Justice Committee of the State Bar Judicial Crossroads Task Force and the ADR Task Force for future projects.

Other Information:

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Committee Name: Justice Policy Initiatives

Jurisdiction: Analyzes and recommends positions on proposed legislation, court rules, and other policies relevant to the Justice Initiatives.

Co-Chairs and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Lorray S.C. Brown	Michigan Poverty Law Program, 220 East Huron St, Suite 600A, Ann Arbor, MI 48104	(734) 998-6100	lorrayb@lsscm.org
Co-Chair	Michael J. Blau	The Sam Bernstein Law Firm, 31731 Northwestern Hwy Ste 333, Farmington Hills, MI 48334-1669	(248) 737-8400	mblau@sambernstein.com
Staff Liaison	Elizabeth K. Lyon	State Bar of Michigan, 306 Townsend, 48933	(517) 346-6325	elyon@mail.michbar.org

Member/Advisor/Other	Member/Advisor/Other
Roland C. Fancher, Member	Nancy L. Mullett, Member
Marcia E. Femrite, Member	Kenneth C. Penokie, Member
Jessica S. Fox, Member	Christine N. Seppala, Member
Adrienne Hinnant Johnson, Member	Hon. Cynthia D. Stephens, Member
Hemant Madhusudan Keskar, Member	Thomas K. Thornburg, Member
Martin P. Krohner, Member	Hollie J. Wallace, Member
Daniel M. Levy, Member	

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
Description		
In Person Meeting	October 17, 2011	State Bar of Michigan
Teleconference	November 16, 2011	
Teleconference	December 21, 2011	
Teleconference	February 15, 2012	
Teleconference	March 21, 2012	
Teleconference	May 16, 2012	
Teleconference	June 20, 2012	

Resources provided by the State Bar of Michigan in support of committee work:

The committee receives staff support from Elizabeth Lyon and Carrie Sharlow.

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Committee Activities:

From May 1, 2011 to March 21, 2012, the Initiative reviewed 27 public policy items and provided thirteen positions that were subject for review by the Committee on Justice Initiatives before being provided to the Board of Commissioners or Executive Committee.

More Initiative positions on public policy items are expected before the end of the State Bar Fiscal Year due to upcoming meetings in May and June.

Future Goals and Activities:

JPI would welcome more opportunities to participate in discussions about important policy positions with other bar entities.

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Committee Name: Pro Bono Initiative

Jurisdiction: To support and encourage lawyers' efforts to comply with the Voluntary Pro Bono Standard by performing pro bono legal services and by making donations to organizations providing free legal services to the poor.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chair	Margaret Costello	651 E Jefferson Ave Detroit, MI 48226	(313) 596-9854	costelma@udmercy.edu
Co-Chair	Robert F. Gillett	420 N 4 th Ave Ann Arbor, MI 48104	734-665-6181 ext. 24	rgillett@lsscm.org
Staff Liaison	Candace Crowley Robert Mathis	SBM	517-346-6319 517-346-6412	ccrowley@mail.michbar.org rmathis@mail.michbar.org
Commissioner Liaison	n/a			

Member/Advisor/Other	Member/Advisor/Other
Jennifer Z. Belveal	Ashley E. Lowe
C. Michael Bryce	Todd M. Morgan
Thomas F. Cavalier	Keith L. Morris
Christopher Desmond	Heidi A. Naasko
Kirsten A. Enstice	Sandra D. Parker
Mark P. Fancher	Linda K. Rexer
Hon. Denise Page Hood	Amy L. Sankaran
Joan Glanton Howard	Justin M. Sheehan
	Nathaniel R. Wolf

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
Teleconference	June 6, 2011	n/a
Teleconference	August 29, 2011	n/a
In-person/teleconference	October 17, 2011	State Bar of Michigan
Teleconference	December 1, 2011	n/a
Teleconference	March 1, 2011	n/a

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Resources provided by the State Bar of Michigan in support of committee work:

The State Bar of Michigan provides the Pro Bono Initiative (PBI) with staff support and an initiative budget to facilitate projects and meetings.

Committee Activities:

The PBI has numerous committees and workgroups, including:

- 1.) Pro Bono Month Workgroup
- 2.) QDRO Administration Group
- 3.) Spring Pro Bono Workshop Workgroup
- 4.) John W. Cummiskey Award Selection Committee
- 5.) Circle of Excellence Committee
- 6.) ATJ Fund Approved Organization Workgroup
- 7.) Pro Bono Menu of Opportunities Committee
- 8.) Wayne County Pro Bono Website Workgroup
- 9.) Government Attorney PBI Involvement Workgroup
- 10.) Paralegals and Pro Bono Workgroup
- 11.) Voluntary Standard Committee
- 12.) Pro Bono Reference Manual Workgroup
- 13.) Master Lawyers Section / PBI Involvement Committee
- 14.) Statewide Pro Bono Assessment Committee
- 15.) Pro Bono Newsletter Workgroup
- 16.) Pro Bono Honor Roll Workgroup

The **John W. Cummiskey Award** was presented to attorney **Elizabeth J. Fossel** at the SBM awards dinner at the annual meeting in Dearborn. The award includes a \$2,000 donation to an ATJ program to be made through the Access to Justice Fund. Ms. Fossel asked that the award be designated for Legal Aid of Western Michigan.

Nominations for the **2012 John W. Cummiskey Award** will be reviewed and a nominee identified in May 2012.

PBI Co-Chair **Bob Gillett** was honored at the 2011 State Bar Annual Meeting in Dearborn with the **Michigan State Bar Foundation's Access to Justice Award**.

The **Third October Pro Bono Month Celebration** occurred in 2011. There were **four Michigan Pro Bono Fairs** during the month of October in the Oakland and Macomb, Grand Rapids, Detroit, and Lansing service areas. A total of 114 attorneys, 91 students, and 76 organizations participated in the pro bono fairs. For each of the pro bono fairs, a menu of pro bono opportunities was created which provided information about participating organizations, the types of pro bono opportunities available, the expected time commitment, and the contact information for the organization's pro bono coordinator. The menus of pro bono opportunities were posted to the PBI webpage. See <http://www.michbar.org/probono.cfm>.

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The **Fourth Annual Celebrate Pro Bono Month** is set for October 2012.

The **Pro Bono Month website** included a list of upcoming pro bono month events, talking points, a sample speech, and many other resources. During the month of October alone, more than **35** Michigan pro bono events were reported.

Governor Snyder signed a proclamation recognizing October as Pro Bono Month in Michigan.

The State Bar's "**A Lawyer Helps**" website continued to highlight the good work of many Michigan attorneys. "A Lawyer Helps" focuses first on the legal profession's priority of pro bono—free legal help for the poor and financial donations to help nonprofit legal aid agencies. But "A Lawyer Helps" also honors lawyers who additionally volunteer time to other efforts that benefit their communities.

2011 was another successful year for **MI-LAPP's QDRO Referral Program**. In 2011, the program closed 39 QDRO referral cases and 53 cases were referred to the QDRO program by Michigan legal services providers. The great success of the program in 2011 was due in very large part to the program's dedicated volunteer Drafters. In 2011, the program's volunteers included: **Joseph Cunningham, Bob Treat, Nancy Keppelman, David and Jackie Roessler, Mary Ade, Warren Widmayer, Micheal Friedman, Gregory Schermerhorn**. Each QDRO case that is prepared by a Drafter, on average, requires four hours to complete. MI-LAPP continues to rely on the QDRO Administration Committee, spearheaded by Joseph Cunningham of Joseph W. Cunningham JD CPA PC and Robert Treat of QDRO Express LLC.

Expansion of the MI-LAPP malpractice insurance program continued. Private lawyers that accept pro bono cases can be covered by the State Bar's malpractice insurance. Also, lawyers that accept cases from ATJ programs without malpractice insurance can also be afforded that coverage. In 2011, many pro bono attorneys utilized the MI-LAPP malpractice insurance program; attorneys that otherwise would have been unable to offer pro bono legal services due to their lack of malpractice insurance.

The special **October 2011 Bar Journal was dedicated to pro bono**. There were several great articles about pro bono legal services, including one by the Honorable Damon J. Keith, as well as stories about pro bono legal services from the perspectives of both clients and attorneys.

During 2011 Pro Bono Month, **PBI Co-Chair Peggy Costello** led a free attorney training that was provided by **Project SALUTE**, a program designed by the University of Detroit Mercy School Of Law to assist Veterans in Federal Disability and Pension Benefits matters. The training was designed to teach pro bono attorneys how to assist Veterans with legal issues regarding disability and pension benefits.

The **Third Annual Spring Pro Bono Workshop, "Nurturing Pro Bono,"** occurred on **May 25, 2011**. About fifty-five attendees, including pro bono attorneys and various legal aid agencies were welcomed by State Bar of Michigan Executive Director, Janet Welch. The evaluations from the workshop were all very positive, with 100% of the attendees reporting that they would attend the 2012 workshop.

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The Fourth **Annual Spring Pro Bono Workshop**, entitled, *“The Power of Pro Bono,”* is slated for May 23, 2012 at the State Bar. This year’s workshop sessions are designed to encourage interactive discussions, with many opportunities for attendees to network to discuss strategies for increasing pro bono legal services in Michigan.

The **Circle of Excellence** was published in the June 2011 issue of the Michigan Bar Journal. There were 48 law firms and corporations on the Circle of Excellence in 2011.

Late in 2011, **LSC field programs were notified of a 15% funding cut in federal Legal Services Corporation (LSC)**. Additionally, LSC programs are faced with an additional 10% funding cut in 2013 as a result of the super-committee failing to reach a resolution. These cuts will have a very significant impact on legal services programs in the state—all programs will be losing staff. The capacity of LSC organizations to support their pro bono programs will be significantly challenged.

The first **Michigan Pro Bono Assessment Project** was initiated in 2012 by the **Michigan State Bar Foundation and the State Bar of Michigan Pro Bono Initiative**. The objective of the Pro Bono Assessment is to bridge the gap between private attorneys desiring to offer pro bono services and resources and legal aid community organizations seeking greater participation and resources to respond to their clients’ legal needs. In these especially difficult times, exacerbated by continued decreases in LSC funding, bridging this gap is more important than ever. The primary emphasis of the assessment was on program pro bono delivery systems, coordination of resources, leadership and support, including institutional and structural support to facilitate that result.

The PBI is working with the **State Bar of Michigan’s Paralegal/Legal Assistant Section** to create a pro bono referral program. Many paralegals and legal assistants throughout Michigan have expressed an eagerness to provide pro bono services, and the Paralegal/Legal Assistant Section Pro Bono Referral Program will make it easier for paralegals to provide pro bono service.

The PBI is partnering with the State Bar of Michigan’s Tax Section to establish the **Tax Section / Low Income Taxpayer Clinic (LITC) / Referral Match Program**. The initial phase of the tax section referral program will accept referrals from the MSU and UM Low-Income Taxpayer Clinics (LITC). The referral match program will accept referrals from other LSPs once the program gets up and running. The tax section will recruit attorneys for the referral panel from their members.

On September 28, 2011, the **Michigan Supreme Court** had an administrative hearing and discussion on the proposed amendment of MRPC 6.1, ultimately resulting in the Court declining to adopt the proposed amendment and closing the file without additional action. The **State Bar’s Representative Assembly** previously adopted the Voluntary Standard which provided that all active members of the State Bar of Michigan should participate in the direct delivery of pro bono legal services to the poor, which also includes contributing a minimum of \$300 to not-for-profit programs organized for the purpose of delivering civil legal services to low income individuals or organizations. The minimum recommended contribution level is \$500 per year for those lawyers whose income allows a higher contribution.

The **2011 ABA Day Delegation** included Elizabeth Lyon, Bruce Courtade, Jim Erhart, Julie Fershtman, W. Anthony “Tony” Jenkins, Reggie Turner, Jr. The congressional visits included

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Dave Camp, Hansen Clark, John Conyers, Jr., John Dingell, Bill Huizenga, Dale Kildee, Sen. Carl Levin, Sander Levin, Thaddeus McCotter, Candice Miller, Gary Peters, Mike Rogers, Sen. Debbie Stabenow, Fred Upton, Tim Walberg. The primary issues emphasized by the delegation included the Federal Tax Intercept and **Legal Services Corporation** Funding.

Robert Mathis, along with the Hon. Cynthia Stephens and Erika Davis, attended the **2011 ABA Equal Justice Conference** in Las Vegas.

Robert Mathis attended the **2012 Pro Bono Institute Annual Conference** in Washington, D.C.

Future Goals and Activities:

Most of the project work described in this report occurs annually, and efforts will be directed to replicating and improving those projects. In the coming year, the PBI will continue efforts to improve the delivery of pro bono services to the poor throughout Michigan.