

SBM State Bar of Michigan

2014-2015 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 sub-entity 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 sub-entity.

Committee Name: Standing Committee on the Unauthorized Practice of Law

Jurisdiction: Pursuant to SBR 16, the State Bar of Michigan is authorized and empowered to investigate matters pertaining to the unauthorized practice of law (UPL). The Standing Committee on the Unauthorized Practice of Law (UPL Committee) investigates and provides guidance on matters involving the alleged unauthorized practice of the law. The UPL Committee makes recommendations to the Board of Commissioners to file and prosecute actions seeking to enjoin those engaged in the unauthorized practice of law. The UPL Committee proposes and supports measures to educate the public and the legal profession about unauthorized practice of law issues. The UPL Committee may have more than 15 members.

Chair and Committee Members:

Officer	Name	Address	Telephone	Email
Chair	Kathleen Marie Branigan (P75132)	312 S Jackson St Jackson, MI 49201-2231	(517) 788-4283	kbraniga@co.jackson.mi.us
State Bar Liaison	Danon D. Goodrum-Garland (P53603)	306 Townsend St Lansing, MI 48933-2012	(517) 346-6333	dgarland@mail.michbar.org
State Bar Liaison	Laurin` C. Roberts Thomas (P45515)	306 Townsend St Lansing, MI 48933-2012	(517) 346-6335	lcthomas@mail.michbar.org
State Bar Liaison Assistant	Amy Emmons	306 Townsend St Lansing, MI 48933-2012	(517) 346-6343	aemmons@mail.michbar.org
Members		Members		Members
Robert C. Anderson (P30102)		Christopher G. Hastings (P40861)		Phillip A. Schaedler (P35047)
Howard H. Brauckmuller (P69745)		Nadine R. Hatten (P73789)		Edwin H. Selwocki, Jr. (P54828)
James Booth Burr, Jr. (P11444)		Christine Marie Heckler (P73382)		James Albert Smith (P20667)
Sean Michael Cowley (P72511)		Patsy L. Holmes (P72380)		Theresa Valentine (P38857)
David M. Dell (P61778)		Clinton J. Hubbell (P72321)		Corey J. Wiggins (P71603)
Richard M. Delonis (P47904)		Nora M. Hudson (P33991)		
Amy Jo Dugan (P76129)		Lisa M. Robinson Martin (P58801)		
David R. Dyki (P66167)		David S. McDaniel (P56994)		Advisors
Katherine Sue Gardner (P59050)		Philip M. Moilanen (P17874)		Barbara Baker Omerod (P52724)
Ronald D. Griffith, Jr. (P72255)		Peter M. Neu (P68725)		Stephen J. Gobbo (P56521)
Michael A. Gunderson (P28487)		Meghan Kennedy Riordan (P44184)		
Lisa C. Hagan (P64721)		Kandra K. Robbins (P53974)		

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Committee Meeting Schedule:

Meeting Type	Date	Location
Description		
Regularly scheduled meeting.	July 24, 2014	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
<p>The UPL Committee reviewed and discussed UPL complaints, directed the administrative closing of several matters, requested additional follow-up by staff counsel on a few matters to informally resolve them, and recommended seven matters for litigation. Staff counsel reported on the progress of the UPL Trust Mills/Estate Planning Outreach Committee regarding the August 6th “Who Should You Trust?” program, indicating that 112 centers in 51 counties across the state would be hosting the program, utilizing over 180 volunteer attorney presenters. Staff noted that approximately 120 additional attorneys volunteered, who were not needed. UPL Subcommittees were formed to work on projects and programs intended to educate the public and the legal profession about unauthorized practice of law issues. Reports by the Subcommittee Chairs on the major focus of each Subcommittee were received as follows: UPL Trust Mills/Estate Planning Outreach (Chair Kathleen Branigan), UPL Family Law Outreach (Chair Katherine Sue Gardner), UPL Petitions for Guardianship (Chair Christine Marie Heckler), UPL Immigration Subcommittee (Chair Meghan Riordan Kennedy), UPL Real Property Outreach (Chair Brian Henry), UPL Communication (Chair Sean Cowley), UPL Social/Web-based Media (Chair David Dyki), and Strategic Planning Subcommittee (Chair Barbara BakerOmerod).</p>		
Regularly scheduled meeting.	October 23, 2014 (rescheduled to December 18, 2014)	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
<p>Chair Branigan conducted new member orientation and reviewed the quarterly meeting schedule. The UPL Committee reviewed and discussed UPL complaints, directed additional follow-up by staff counsel on several matters to informally resolve them, and recommended five matters for litigation. Staff counsel gave a brief update on the “Future of Legal Services” program. The UPL Subcommittee Chairs gave a brief overview of activities/projects underway.</p>		
Regularly scheduled meeting.	January 22, 2015 (cancelled)	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
<p>After discussion with Staff, Chair Branigan canceled the meeting scheduled for Thursday, January 22, 2015, as additional investigation was ongoing regarding the UPL claims requiring review by the Committee and there were no Subcommittee projects ready for review.</p>		
Regularly scheduled meeting.	April 23, 2015	State Bar of Michigan Michael Franck Building 306 Townsend Street Lansing, MI 48933
<p>Chair Branigan discussed preparation for the 2015/16 Bar Year and requested Members to reconfirm their commitment to the Committee for the next Bar year in response to Staff’s email request. The UPL Committee reviewed and discussed UPL complaints, directed the administrative closing of several matters, requested additional follow-up by staff counsel on a few matters to</p>		

informally resolve them, and recommended five matters for litigation. The Committee was provided a brief overview of Subcommittee reports. Staff Counsel provided a brief introduction of SBM Connect.

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

The State Bar provides staff support via the administrative assistance of a paralegal and two staff counsel who provide legal services and manages the State Bar's UPL Department. The UPL Department received legal services provided by a contract lawyer from April 2013 through September 30, 2014, who became a full-time staff counsel in the Professional Standards beginning October 1, 2014.

The State Bar also provides meeting facilities, food and beverage for meetings, SharePoint, teleconferencing services, meeting materials, document production services, and a small budget to support the UPL Committee's community outreach projects. In addition, the State Bar staff provides informational pamphlets to SBM members, the general public, and to other institutions serving the public to educate the public and legal profession about the UPL.

Committee Activities: On August 6, 2014, as a result of the community outreach planning efforts of the UPL Trust Mills Subcommittee, the UPL Committee in conjunction with the SBM Probate and Estate Planning and the Elder Law and Disability Rights Sections presented the "Who Should You Trust?" seminar at 112 senior centers in 51 counties across Michigan to warn about estate planning scams and "trust mills" and provide practical estate planning information. This was a substantial expansion of the program first done in August 2012, at 28 senior centers, in 9 counties across Michigan.

Future Goals and Activities: The Committee will continue to expand its community outreach activities to educate the public and State Bar members regarding the UPL and develop and use creative and proactive measures in addressing the UPL. The UPL Committee once again embraced educational and outreach efforts through UPL Subcommittees as part of its strategic planning process in August 2014. The current Subcommittees are as follows: UPL Trust Mills/Estate Planning Outreach (Chair to be determined based on program in 2016, every other year), UPL Family Law Outreach (Chair Katherine Sue Gardner), UPL Petitions for Guardianship (Christine Marie Heckler), UPL Immigration Subcommittee (Meghan Riordan Kennedy), UPL Real Property Outreach (Chair Patsy Holmes), UPL Communication (Sean Cowley), UPL Social/Web-based Media (David Dyki), and Strategic Planning Subcommittee (UPL Standing Committee Chair for next bar year). All of the Subcommittees have regularly met telephonically and are actively working on educational materials that will be disseminated in a variety of ways in the upcoming months.

As result of the efforts of Member Meghan Riordan, the Committee has formed an active partnership with USCIS – Detroit Office to address persons engaged in the unauthorized practice of law regarding immigration matters. The USCIS' fraud unit does the initial investigation based on information presented to it and then submits the UPL Complaints to the State Bar with its investigative information. Plans for a community outreach program focusing on a specific immigrant community is underway.

The UPL Committee's last quarterly meeting for this bar year is scheduled for July 23, 2015.

Other Information: Not applicable.