

STATE BAR OF MICHIGAN BOARD OF COMMISSIONERS MEETING MINUTES

President McGill called the meeting to order at 9:37 a.m. on Friday, April 25, 2025, in the Boardroom at the Michael Franck building in Lansing, Michigan.

Commissioners present:

David C. Anderson, Secretary
Erika L. Bryant, Vice President
Aaron V. Burrell
Hon. B. Chris Christenson
Alena Clark
Ponce D. Clay
Tanya N. Cripps-Serra
Patrick J. Crowley
Sherrie L. Detzler
Robert A. Easterly
Jacob G. Eccleston
Nicole A. Evans
Lisa J. Hamameh, President-Elect
Claudnyse D. Holloman
Thomas H. Howlett, Treasurer
Elizabeth A. Kitchen-Troop

Suzanne C. Larsen
Joshua A. Lerner
James L. Liggins, Jr.
James W. Low
Ashley E. Lowe
Silvia A. Mansoor
Gerard V. Mantese
Gerrow D. "Gerry" Mason
Joseph P. McGill, President
Nicholas M. Ohanesian
Hon. David A. Perkins
John W. Reiser III
Douglas B. Shapiro
Hon. Kristen D. Simmons
Danielle Walton

Commissioners absent:

Elizabeth L. Luckenbach
Thomas P. Murray Jr.
Takura N. Nyamfukudza

Consent Agenda

The Board received the minutes from the January 24, 2025, Board meeting.
The Board received the minutes from the January 9, 2025, Executive Committee meeting.
The Board received the minutes from the February 20, 2025, Executive Committee meeting.
The Board received the recent activities of the president.
The Board received the recent activities of the executive director.
The Board received the Model Criminal Jury Instructions.
The Board received the FY 2025 financial reports through February 2025.
The Board received the 2024 Report of the State bar of Michigan Retirement Plan.
The Board received the 2024 Report of the State Bar of Michigan Retiree Healthcare Trust.
The Board received Client Protection Fund claims.
The Board received Unauthorized Practice of Law claims.

President McGill asked if any items needed to be removed from the consent agenda. Commissioner Liggins made a motion to remove the Model Jury Instructions from the consent agenda.

The motion was seconded and approved.

President and Executive Director's Report: Joe McGill, President and Peter Cunningham, Executive Director.

Licensing Fee Status

Executive Director Cunningham reported that license renewal for 2024-2025 is complete. Suspension notices were sent on February 13, 2025. The downward trend of licensed attorneys is slightly smaller than expected due to the increase in new attorneys. Meanwhile, the number of non-paying members continues to rise as the number of Emeritus attorneys continues to grow. The average age of attorneys in Michigan has increased by 2.5 years in the last decade.

President McGill shared that he and Nathan Triplett, Director of Governmental Relations, spent two days in Washington D.C. where they spent time lobbying Michigan's Congressional delegation for continued funding for the Legal Services Corporation. The Dykema law firm scheduled all the meetings with congressional offices.

President McGill thanked staff for their help issuing the Rule of Law statement. The statement has been recognized nationally and several local bars in Michigan have endorsed the statement.

President McGill also shared that he spent time in March with Ireland's Attorney General.

Supreme Court Commissions Updates

Justice For All (JFA) Commission

Executive Director Cunningham reported that the JFA cancelled their spring meeting. There are no additional updates.

DEI Commission

Vice-President Bryant provided a brief update of the March 21 Commission meeting. A representative from SCAO provided a summary of the Court's public satisfaction survey. The public is generally satisfied with the functioning of the court, however, there are certain groups who are less than satisfied with the functioning of the court. There was an introduction to the statewide fairness and accountability administrator, Ms. Zenell Brown. The next meeting will be held on June 6 and will be virtual.

Commission on Well-Being in the Law (WBIL)

Executive Director Cunningham gave a summary of the last meeting, which was held in March. They worked to build common language as it pertains to well-being. During the meeting, they also shared updates and progress of the different workgroups. Justice Cavanagh has been promoted to Chief Justice and is expected to step down from her role as co-chair of the Commission. Another Justice will be named to step into that role.

2025 SBM Officer Election Materials

Marge Bossenbery, Executive Coordinator, shared that the submission deadline for letters of intent and completed matrices of potential candidates for the Secretary position for the Board of Commissioner must be submitted to Peter Cunningham and Joe McGill no later than June 10, 2025. Election materials will be circulated to Commissioners on July 18, 2025, and the elections will take place during the July 2025 Board meeting.

Staff Updates

Laurin Thomas, Public Services Counsel, introduced Keisha Thomas, who has recently joined the Lawyer Referral Service as a lawyer referral service representative.

Executive Director Cunningham anticipates multiple new employees who will be introduced at the July meeting.

Executive Director Cunningham also announced that Diane Ebersole will be retiring at the end of May after 19 years. Ms. Ebersole has served in several different positions during that time. She started in the Practice Management Resource Center and is retiring as the Interim Director of the IT department.

Greg Conyers, Director of Diversity Development, shared details about upcoming events, which include two Face of Justice programs, and the Brunch for Bars.

Access to Justice Campaign Update

Jennifer Bentley, Executive Director of the Michigan Bar Foundation, gave a presentation and answered questions about the work of the Access to Justice Campaign. She encouraged Board members to donate to the ATJ Fund and requested that they ask their colleagues to do the same.

Open Discussions: Challenges & Opportunities for the Profession and Justice System

Michael V. Goetz, Grievance Administrator, Attorney Grievance Commission

Mr. Goetz provided an in-depth explanation of the process the Attorney Grievance Commission follows upon receiving a Request for Investigation. Mr. Goetz also answered questions from the Commissioners pertaining to the process.

Representative Assembly (RA) Report: John W. Reiser, III, Chairperson

Chairperson Reiser shared that the next meeting is scheduled for tomorrow, Saturday, April 26, 2025, at the Hilton Garden Inn in Lansing. He shared that there will be a presentation from Judge Angela Sherigan, Chief Judge for the Little River Band of Ottawa Indians, on the legal landscape for Michigan's tribal courts. There will also be a presentation from the Workgroup on Legal Deserts on their draft recommendations for addressing legal deserts in Michigan. The plan is to gather feedback from the RA on the draft recommendations and to bring final recommendations to the September RA meeting for consideration.

Chairperson Reiser also stated that there are two proposals up for consideration at tomorrow's meeting. The first proposal focuses on establishing a new Emeritus Pro Bono Membership Class. The second involves a modification to MCR 8.119 (H) which pertains to the access of public records.

Young Lawyers Section (YLS) Report: Silvia A. Mansoor, Chairperson

Chairperson Mansoor reported that the YLS has been busy planning numerous upcoming events across the state. There are a few vacancies in the upcoming elections, and she urged the Board to reach out to young lawyers who may be interested in filling these seats. Lastly, Chair Mansoor shared that the YLS blog, Inter Alia, has been very popular in recent Google searches.

Commissioner Cripps-Serra shared that there will be two young lawyer awards given this year: the Outstanding Young Lawyer Award and the Mentorship Award. These awards will be presented at the ZooLAWgical event in July. YLS is accepting nominations for both awards.

COMMISSIONER COMMITTEES

Public Policy: Lisa J. Hamameh, Chairperson

President-Elect Hamameh provided the report for the Public Policy committee.

Court Rules

1. ADM File No. 2023-12: Proposed Amendment of MCR 3.602

The proposed amendment of MCR 3.602(A) would clarify the applicability of MCR 3.602 and the Michigan Uniform Arbitration Act, MCL 691.1681 et seq.

A motion was offered and seconded to support ADM File No. 2023-12. The motion was approved.

2. ADM File No. 2022-34: Proposed Amendments of MCR 3.991

The proposed amendment of MCR 3.991 would clarify the process for judicial reviews of referee recommendations in juvenile cases by allowing the parties to waive judicial review, limiting a judge's ability to conduct an early review, and requiring a judge to conduct a requested review in all cases within 21 days of the request.

A motion was offered and seconded to support with amendments recommended by the Children's Law Section. The motion was approved.

3. ADM File No. 2023-22: Proposed Amendment of MRPC 6.1

The proposed amendment of MRPC 6.1 would clarify and expand the scope of pro bono service.

A motion was offered and seconded to support with amendments recommended by the Justice Initiatives Committee and the Access to Justice Policy Committee. The motion was approved.

Legislation

1. HB 4174 (Wegela) Juveniles: other; presumption of admissibility for a juvenile's self-incriminating responses obtained through deceptive police practices; modify. Amends sec. 1, ch. XIII of 1939 PA 288 (MCL 712A.1) & adds sec. 17e to ch. XIII.

A motion was offered that this legislation is Keller permissible. The motion to support was seconded and approved.

A motion was offered and seconded to support the legislation.

The motion was adopted by a roll-call vote. Commissioners voting in support of the position: Anderson, Bryant, Burrell, Christenson, Clay, Cripps-Serra, Crowley, Detzler, Easterly, Eccleston, Evans, Hamameh, Holloman, Howlett, Kitchen-Troop, Larsen, Lerner, Liggins, Low, Lowe, Mansoor, Mantese, Mason, Ohanesian, Perkins, Reiser, Shapiro, Simmons, McGill. Commissioners voting in opposition: Clark, Walton.

Model Jury Instructions

M Crim JI 13.1 – Assaulting, Resisting, or Obstructing a Police Officer or Person Performing Duties

M Crim JI 13.2 – Assaulting or Obstructing Officer or Official Performing Duties

Commissioner Liggins requested these items be removed from the consent agenda so that further background information could be provided.

After staff provided additional background information, a motion was offered and seconded to approve the Model Jury Instructions as presented.

A motion was approved unanimously.

Strategic Planning and Engagement Committee (SPEC): Erika L. Bryant, Chairperson
2025 State Bar of Michigan Awards Recommendations

Vice-President Bryant inquired about which of the commissioners completed the survey about the redesign of the SBM website. She encouraged anyone who has not yet responded to do so before the deadline.

Vice-President Bryant reported that the SBM Awards Committee met and recommends the following nominees to the Board to receive 2025 State Bar of Michigan Awards.

The Committee recommends Valerie R. Newman to receive the Roberts P. Hudson Award; Retired Judge Elizabeth Pollard Hines to receive the Frank J. Kelley Distinguished Public Service Award; Marla Linderman Richelew, Keeley Blanchard, Zenell Brown, and Roshundra Graham-Simmons to receive the Champion of Justice Award; and Tanisha Davis to receive the Kimberly M. Cahill Bar Leadership Award. Recommendations for the John W. Reed Michigan Lawyer Legacy Award and the Liberty Bell Award will be presented for consideration at the June Board meeting.

2025 John W. Cummiskey Award Recommendation

Justice Initiatives Chair, Ashley E. Lowe, and Robert Mathis shared the Committee's recommendation of Kathaleen M. Smith for the 2025 John W. Cummiskey Pro Bono Award.

A motion was offered and supported to accept all recommendations of the Awards Committee.

The motion was approved unanimously.

Finance and Audit: Thomas H. Howlett, Chairperson
Financial Report

Treasurer Howlett provided a report on the committee's review of the 2025 financial reports through February 2025. The Board members received copies of the documents discussed.

Treasurer Howlett discussed the process of selecting a new auditor for the next three cycles. Andrews Hooper Pavlik provided a proposal. The Finance and Audit Committee unanimously recommended using AHP again.

A motion was offered to approve Andrews Hooper Pavlik as the auditor for the State Bar of Michigan.

The motion was approved unanimously.

Professional Standards: David C. Anderson, Chairperson
ABA House of Delegates Appointment

The Committee reviewed the materials of one applicant, Ms. Janet K. Welch, for an ABA House of Delegates appointment. A motion was made to appoint Ms. Welch to a two-year term expiring at the end of the Annual ABA meeting in 2027.

The motion was unanimously approved.

FOR THE GOOD OF THE PUBLIC AND THE PROFESSION

Comments or questions from Commissioners

Commissioner Mason acknowledged the success of the Representative Assembly and stated that Judge Melissa Pope will give a presentation at the GLCC.

Commissioner Shapiro thanked the Officers for their creation of the Rule of Law statement.

Comments or questions from the public

None.

Adjournment

The meeting was adjourned at 12:39 p.m.