

MEMORANDUM

To: Secretary, State Bar of Michigan

From: Susan Wilson Keener, Chair, Litigation Section

Re: 2007-08 Litigation Section Annual Report

Date: May 30, 2008

Dear Secretary,

As Chair of the Litigation Section, it is my privilege to report on our Section's Activities for the 2007-08 year. Our officers and council members are most proud of our accomplishments this past year, and we are confident that our Section will remain strong into the future. I have attached a current roster of the Section's officers and council members and the minutes from our Council meetings for the year. Our Section seeks to maintain diverse representation of practice background, geographic location and minority representation.

I. Financial

Our Section is very strong financially. Per our most recent treasurer's report, as of April 30, 2008, the Section has total revenues of \$53,303 and a balance forward of \$91,207, with a total cash in account of approximately \$139,852 after expenses so far this fiscal year. A copy of our Section's Budget for October 1, 2007 through September 30, 2008 is attached. The Section's projected surplus/balance, after deducting the budgeted items for the year, is approximately \$83,687. Thus, based on current projections, the Section should remain in strong financial condition as it moves into the next annual term. The Section has concentrated this year on investing its budget surplus in key areas targeted to benefit the section membership and enhance the image of the section in the legal community. To this end, the Section increased its long-standing annual contribution to the Michigan Center for Civic Education for its High School Mock Trial Program. The Section's newsletter co-editors recommended a fresh new look to the Litigation Section newsletter and additional section funds were invested in this project.

II. Programs

A. Summer conference

Since its inception approximately fourteen years ago, the Litigation Section has developed a tradition of hosting quality summer conferences at various Northern Michigan resorts which are consistently educational, motivational and family friendly. They also provide a unique opportunity for litigators and Judges across the State of Michigan to socialize in a relaxed setting. This year's summer conference, scheduled for July 25-27, 2008 at Shanty Creek Resorts will continue this fine tradition. This year's summer conference also continues a partnership between the Litigation Section and ICLE in regards to the summer conference.

This year's program, being held at the newly renovated Summit Village at Shanty Creek Resorts in Bellaire, features Gerald R. Williams, Professor of Law Emeritus with Brigham Young University, Provo, Utah. Mr. Williams is thought of as the person "who wrote the book" on negotiation. His one-of-a-kind program will allow participants to perfect their negotiation skills with his expert guidance and to improve negotiation results immediately with insights gleaned from this multimedia hands-on program. Mr. Williams is recognized internationally as a dynamic and engaging seminar leader who is consistently evaluated by seminar registrants as "second to none." Our council members are proud to be partnering with ICLE to host such a wonderful program.

B. Masters in Litigation Seminar Series

The Litigation Section has for several years partnered with ICLE to host several educational seminars targeted to experienced litigators, popularly known as the Masters in Litigation series. These programs are frequently hosted at St. John's Conference Center in Plymouth, and this year's programs have been enjoying record and, in some cases, sell-out attendance. The Masters in Litigation programs kicked off this year with Clarence Darrow: Crimes, Causes and the Courtroom, a unique, full-length play presented by Graham Thatcher of Periakto Productions. The second program presented was Internet Investigative Research: The Cybersleuth's Guide to the Internet. Judging by the attendance and feedback received, these programs continue to be a great success, and our Section is proud to be a co-sponsor of these programs with ICLE. These programs are also very affordable and provide a great service to our Section members.

C. Litigation Boot Camp Series

The Litigation Section continued with its award-winning program, Litigation Boot Camp II, designed to create the foundation for a successful career in litigation. Top trial lawyers from the best firms in Michigan share their secrets and coach attendees on essential concepts. A series of 9 sessions occurred throughout the year and ended with a meet and network reception with Litigation Section leaders and Boot Camp faculty sponsored by our Section.

III. Publications

The Litigation Section puts out seasonal newsletters of consistent quality to our Section members. The Section began with a newsletter in September featuring articles about an Attorney's Duty to Google and Law Firm Litigation Technology Considerations and Best Practices. The Section next rolled out its Winter newsletter with an updated and more user-friendly look and magazine cover. The newsletter was dedicated to the subject of litigating in cyberspace and featured articles such as Litigating an Online Case: The Real World Challenges and Counterfeit Software: An Overview of "Willful Blindness" and Best Practices. The last article was Enforcing Rights Against Online Infringers: Brandishing the Double-Edged Sword of the DMCA. The newsletter also provides a useful means of notifying section members of upcoming activities.

IV. Rules and Legislative Committee

The Litigation Section has continued to review recent developments in court rules and legislation of interest to litigators. The Council has devoted a portion of its bi-monthly meetings to a robust discussion of various proposed court rule changes and legislation. This is a key area which the Section would like to see grow within its Council and Section efforts.

V. Partnering With Other Sections

This year the Litigation Section has continued to explore and develop partnerships with other sections which may serve as networking opportunities for our members and provide economies of scale to sponsor joint programming and increase attendance of existing programs. Partnerships are being explored with the Alternative Dispute Resolution and Negligence Sections for possible joint programming at future Annual Meetings.

Finally, I wish to thank my Executive Committee: James Partridge, Chair-Elect, Bonnie Sawusch, Secretary, and Thomas Cavalier, Treasurer. Their hard work this year was essential to the Section's accomplishments, and I am grateful to have served with them.

/s/ Susan Wilson Keener
Susan Wilson Keener
Chairperson