

JACKSON COUNTY BAR ASSOCIATION NEWSLETTER

FALL 2010



Holiday Party

Please join us for the annual Jackson County Bar Association Holiday Party, to be held on Wednesday, December 8, 2010, 6:00 p.m., at the Country Club of Jackson, 3135 Horton Road, Jackson. Dinner is free to all Bar members and their guest. Once again we will be having a food drive to benefit the Interfaith Shelter. For every 2 non-perishable food items donated, you will receive 1 drink ticket redeemable at the bar, with a maximum of 1 drink ticket per person. **Please RSVP no later than Wednesday, November 24, 2010 to Marie Matyjaszek at (517) 787-0351 or matyjasz@hotmail.com.**

New SCAO Forms for Family Law

SCAO has updated several of its family law forms, including the Uniform Spousal Support Order (FOC10b), Uniform Spousal Support Order No Friend of the Court Services (FOC10c), Uniform Child Support Order (FOC10), and Uniform Child Support Order No Friend of the Court Services (FOC10a). None of these forms can be used after December 31, 2010, but the old versions of the Uniform Child Support Orders can be used with handwritten corrections until December 31.

Case Evaluator Application (Reopening Period) for Circuit/District/Probate Court Case Evaluator Pool Covering July 1, 2011 through June 30, 2015

Please see the attached Case Evaluator application instructions from ADR Clerk Marion R. Stone, as well as the attached Case Evaluator Lists and when those particular evaluators must reapply. Those who wish to apply must do so no later than December 1, 2010.

Farewell Celebration for Legal Services' Karen Lewthwaite

Legal Services of South Central Michigan would like to cordially invite you all to attend a farewell celebration in honor of our friend and colleague, Karen Lewthwaite. Karen has devoted the majority of her legal career to assisting the under-privileged through her legal aid work for over 20 years. An open house will be held in her honor on Wednesday, December 15, 2010, from 3:00 to 6:00 p.m. in Conference Room A/B at the United Way Center, 536 N. Jackson St., Jackson. We hope to see you there.

Representative Assembly News

From Susan Murphy:

The Unsung Hero Award was awarded posthumously to Kevin J. Moody of Lansing, and the Michael J. Franck Award was given to 2 recipients – John F. Van Bolt, Executive Director & General Counsel, State of Michigan

Attorney Discipline Board, and Sheldon J. Stark, Director of Specialty Programs, ICLE.

Master Lawyers Section – This new section is for attorneys age 60 and over or attorneys with 30+ years of service. Members of this new section will be mentoring younger lawyers and helping fellow lawyers wind down business activities. The objective is for senior lawyers to continue the professional responsibilities to the profession post retirement.

New Standing Committee for Representative Assembly – A request to create a new standing committee – Past Chairperson’s Committee – was referred to Rules & Calendar for review at the April meeting. The goal is for the Rules & Calendar committee to determine what bylaws might need to be amended and what would be the purpose of this standing committee.

Revised Uniform Arbitration Act – Ongoing discussions continue as to whether the Representative Assembly should support or oppose the adoption of the Revised Uniform Arbitration Act. The Special Issues Committee was not ready to present its findings or recommendations so the matter was tabled to April 2011.

Uniform Collateral Consequence of Conviction Act – The Representative Assembly was considering whether to support or oppose the adoption of the Uniform Collateral Consequences of Conviction Act. In summary, this Act ensures timely notification of other civil consequences of criminal convictions – such as deportation, prohibition for

certain employment or licensing, and restriction to federal-subsidized housing. This matter was referred to the Special Issues Committee for further consideration.

Attorneys interested in more information should read the ABA article “Internal Exile: Collateral Consequences of Convictions in Federal Laws and Regulations” (Jan. 2009) available at:

<http://www.abanet.org/cecs/internalexile.pdf>

The Act does not create a duty on defense counsel or elevate claims of ineffective assistance of counsel, nor does it justify setting aside pleas if notice is inadequate.

Equal Access to Identification

Documentation – This issue was raised due to the fact that some individuals who have lawful presence in the State of Michigan are not able to obtain State Identification because of the Secretary of State’s interpretation of what documents it must accept to grant State Identification. After much debate over how the motion should be worded to ensure we were asking the Secretary of State to perform rule-making procedures rather than a directive of what document should be accepted, this matter was referred to the drafting committee.

Prior Disclosure of Source of Funding for All Expenditure for Electioneering Communications – This issue was presented to support an amendment to the Michigan Campaign Finance Act regarding disclosure prior to a judicial election of the sources of funding for

all expenditures for electioneering communications consistent with the recent U.S. Supreme Court cases of Caperton v Massey Coal Company and Citizens United v Federal Elections Commission. The Resolution passed.



ADVERTISEMENTS

The Advertisement Section of the Newsletter is free of charge to all Jackson County Bar Association Members. Non-members are given 1 free advertisement per year, with additional advertisements available for \$5 per ad. If you are interested in advertising, please contact Secretary Marie Matyjaszek at (517) 787-0351 or matyjasz@hotmail.com. Ads may be edited for content, size and spacing as necessary. Drafts will be sent to the advertiser prior to publication.

Bar Association Dues

Any attorneys interested in joining the Bar should contact Bar Treasurer Chadwick Perrine at (517) 592-2166. If you need another Dues Notice form, please contact Bar Secretary Marie E. Matyjaszek at (517) 787-0351. For Regular Members, the yearly cost is \$75; Young Members (those who have been practicing for less than 3 years) \$45; Lifetime Members are free.

To have anything included in future Bar Newsletters, please contact Bar Secretary Marie Matyjaszek at (517) 787-0351 or e-mail: matyjasz@hotmail.com.

Jackson County Bar Executive Committee

Brad A. Brelinski – President
Peter Langley – 1st Vice President
Rebecca Livingston – 2nd Vice President
Chadwick Perrine – Treasurer
Marie E. Matyjaszek – Secretary
Marie E. Matyjaszek – Immediate Past President

NOTICE TO THE BAR ASSOCIATION:

PROCESS FOR CASE EVALUATOR APPLICATION (REOPENING PERIOD) FOR CIRCUIT/DISTRICT/PROBATE COURT CASE EVALUATOR POOL COVERING JULY 1, 2011 THROUGH JUNE 30, 2015

In accordance with MCR 2.404 and Local Administrative Order 2003-1, applications are now being accepted from individuals applying for service as a Circuit/District/Probate Court Case Evaluator. To apply complete SCAO Form MC34/Case Evaluator Application and submit it to the ADR Clerk, Marion R. Stone, 312 South Jackson Street, Jackson, MI 49201 no later than December 1, 2010. Forms may also be obtained from the ADR Clerk's Office or at www.courts.michigan.gov/scao/courtforms/index.htm.

Eligibility requirements include:

- A. The applicant has been a practicing lawyer for at least five years and is a member in good standing of the State Bar of Michigan.
- B. The applicant resides, maintains an office, or has an active practice in the County of Jackson;
- C. The applicant must demonstrate that a substantial portion of the applicant's practice for the last five years has been devoted to civil litigation matters, including investigation, discovery, motion practice, mediation, settlement, trial preparation, and/or trial.

Applications will be reviewed by the Case Evaluator Selection Committee in early January 2011 and parties will be notified by February 1, 2011, of their acceptance or rejection to the case evaluator pool. Appeals of rejection must be made by February 15, 2011, in writing and submitted to the ADR Clerk. The Chief Circuit Judge will review all appeals and make a decision by March 15, 2011. The New Case Evaluator List will be issued April 1, 2011 to commence use on July 1, 2007. For further details please refer to MCR 2.404 and LAO 2003-1.

Submitted for immediate release by:

Marion R. Stone, ADR Clerk
Jackson County Circuit Court
312 South Jackson Street
Jackson, MI 49201
Telephone: (517) 788-4382 or 768-8501

**JACKSON COUNTY CIRCUIT-FAMILY-PROBATE COURTS
Case Evaluators for 7/01/07 to 7/01/11**

Arnold, Raymond B.	P10263	Kobrin, John P., Jr.	P24004
Beardslee, Paul	P42177	Lozier, Martin	P47775
Best, Robert F.	P10768	Luoma, Eric V.	P42678
Bower, Diane Y.	P32731	Moilanen, Philip M.	P17874
Conant, Dennis J.	P23340	Navarre, William F.	P18184
Engle, Jerry M.	P13194	Nelson, Charles A.	P18226
Flack, Robert D.	P13502	Parker, Kurt	P38259
Fleming, James B.	P42856	Perlos, Charles A.	P37963
Girodat, Frederick W., II	P45729	Potter, George E.	P19038
Hamilton, Janet L.	P33015	Rogers, Gary C.	P29083
Heyns, Anne L.	P31693	Schroeder, Keith A.	P42303
Jansen, William R.	P36688	Thomson, Kevin	P37943
Kelly, Jennifer M.	P47168	Wilson, Michael G.	P33263
Klaasen, Terry J.	P16024		

These evaluators are required to reapply by December 1, 2010.

Case Evaluators for 7/01/08 to 7/01/12

Barton, Bruce A.	P10512	Kelly, Michael J.	P56322
Best, David W.	P63627	Kendall, Robert T, III	P29862
Carroll, Sean	P44452	Kritselis, William N.	P16250
Falahee, Charles J., Jr.	P27915	Mikelonis, David A.	P17709
Goostrey, Daniel A.	P58019	Schlecte, William M.	P19991

These evaluators are required to reapply by December 1, 2011.

Case Evaluators for 7/01/09 to 7/01/13

Beer, Brendon R.	P65365	Lindsey, Richard C., Jr.	P51342
Blaske, Thomas H.	P26760	Marienfeld, Ronald L., II	P64232
Davis, Peter A.	P12563	Matyjaszek, Robert	P25583
Dungan, Michael B.	P47051	Mittleman, David S.	P37490
Hilderley, Brian T.	P60136	Odlum, Christian P.	P55575
Hofer, James M.	P49719	Philpot, Margaret M.	P62134
Joppich, Richard J.	P41709	Rappleeye, William G.	P41592
Kuhnke, Carol	P55348	Schaedler, Phillip A.	P35047
LaFlamme, Richard N.	P32641	Staley, P. Leni	P43734

These evaluators are required to reapply by December 1, 2012.

Case Evaluators for 7/01/10 to 7/01/14

Baze, Lineas, L.	P35510	Hurst, Dennis	P32409
Berkemeier, Phillip H.	P28581	Inosencio, Jr., Bruce A.	P54705
Conley, Stephen, D.	P24871	Pollard, Craig J.	P28452
Empey, Kenneth	P36272	Sweet, William M.	P28515
Fisk, Kristina M.	P64634	Zaharie, Richard D.	P32852

These evaluators are required to reapply by December 1, 2013.

An evaluator may be removed from the list by informing the ADR Clerk in writing.