



# OBITER DICTUM



Obiter News:

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SPRING 2011

## MCBA hosting June Party in the Park

The MCBA will host a **Party in the Park** on 17 June to benefit the Law Education Fund that provides scholarships to local students, **President John Schrier** announced. We'll need your help to make this a success.

**Nancy Hornacek**, MCBA chairperson for the event, has been negotiating with the City of Muskegon for months to win – and reserve - the popular Friday night Hackley Park community party.



**Nancy Hornacek**

“We thought we had a good shot at 2012,” Mr. Schrier said. “I’m surprised but happy to announce it will happen this year.”

Parties in the Park, Inc. partners with the City of Muskegon and various non-profit agencies during summer months to host fund-raising events at the city’s his-

toric Hackley Park. Visitors pay an admission fee and pay for each beverage or snack.

After fixed costs – for insurance, beverages, and security - are paid, the proceeds then belong to the MCBA for contribution to the Law Education Fund.

This fund-raising event will require the cooperation of all MCBA members. Members are needed for set-up and clean-up, ticket sales and ID checks, wine and beer sales, and water and pop sales. All funds raised will benefit the LEF to enable the LEF to continue its mission, which is to provide legal services and educational opportunities in the Muskegon community.

### We need YOU to volunteer for this first-time event

From **Jenny McNeill**: We are required to have at least one person who has taken the City of



**Jenny McNeill**

Muskegon Alcohol Awareness Training, be at each alcohol station during the event. The police randomly check the volunteers for compliance, and I am betting they will check us lawyers!

Please attend one of the trainings and be willing to serve alcohol on the 17th for just one of the two shifts - 4:45-7pm; and 6:45-9 pm.

Trainings are at 7 p.m. on 18 May, 8 June or 15 June at the Muskegon Fire House, corner of Terrace and Western. I did the training last Fall, and it was about an hour and pretty painless.

**Help us bolster our profession’s reputation in the community: Please volunteer for this worthy event.**

**RSVP:**

Sally @ Ladas & Hoopes; 231-744-6218 [williamssal@comcast.net](mailto:williamssal@comcast.net)

### David Wells shares MCC stage with Governor Snyder

Muskegon Community College this spring honored MCBA Member **David Wells** with its 2011 Distinguished Alumni Award on a stage he shared with Michigan Gov. Rick Snyder.



**David Wells**

The college feted Mr. Wells at a 3 May Distinguished Alumni Award Dinner attended by MCC board members, staff, and Mr. Wells’ family, friends, and business associates. The award is the college’s highest honor for alumni and salutes the achievements of outstanding graduates “whose personal lives, professional achieve-



Full Law Day 2011 coverage inside.

Con’t. Page 7

**Party in the Park  
17 June  
It’s our turn to party.**

## Little River Band still fighting for Muskegon casino proposal

A Muskegon casino faces legal and political hurdles, but supporters throughout West Michigan remain optimistic local gaming will become reality and bring with it hundreds of jobs and satellite business opportunities.

**Larry Romanelli**, a Muskegon resident and *ogema* (chief) of the Little River Band Ottawa Indians, spoke to an overflow 9 March general meeting of the MCBA. He was joined by **Dan Green**, the tribe's general counsel, and **Robert Memberto**, the tribe's commerce director.



**Larry Romanelli** said, "We're really proud of what we're doing." Former Gov. Jennifer Granholm and Mr. Romanelli last year signed a compact to allow the casino to go forward. It was subject to legislative approval, but law makers focused instead on other areas of the state. This year, Mr. Romanelli said, he's expecting a major push now that a new administration sits in Lansing and West Michigan has new representatives.

The issue is less gambling than jobs. After all, he said, gaming is not new to the site. For decades the racetrack brought gambling to the lakeshore. Now it's time to make the site pay for itself by providing additional revenue to local

The tribe purchased the Fruitport Township site of the former Muskegon Race Course, 233 acres near Lakes Mall. It intends to use 60 acres for a casino with the balance reserved for other economic development,

Mr. Romanelli said. "We're really



**Daniel Green**

schools and governments. "Even those opposed to gambling still have to look at jobs. The money stays local."

At least 2 percent of revenue would be earmarked for local units of government. "This offers a major financial impact on local government," Mr. Green said.

Mr. Romanelli's message to local legislators: "Don't ignore the shore! All too often, our tax dollars go the eastern side of the state."

Mr. Green said the primary legal hurdle is amending the Tribal Gaming Compact, which allows for only one casino, that being in Manistee. Tribal leaders have met with the new governor's staff, who appeared supportive. "We're quite optimistic about our likelihood of success." If political support materializes, the casino could be in operation as early as 2012.

Mr. Memberto, also from Muskegon, said marketing research indicates a Muskegon casino can be profitable to the community as well as the tribe and citizen support exists for it. "This is an underserved part of the gaming market," he said. "And the community indicated a desire to have a casino here by referendum."

Opportunities exist to expand West Michigan tourism by partnering, for example, with the cross-lake ferry and local tourist-related industries in every season, Mr. Romanelli said. Ownership – the tribe – is local and experienced. "We're here, we're honest, and we're dedicated to doing this the right way."



**Robert Memberto**

## Muskegon Chronicle enduring tough times, but will survive: Editors

Like newspapers throughout the nation, The Muskegon Chronicle has weathered tough economic times, but it's survived and is looking to a new era, its general manager and editor told MCBA's February general membership meeting.

"We're doing a lot better," said Steve Westphal, general manager who oversees business operations. "Things have changed a lot from three or four years ago when our revenue fell off a cliff."

The Newhouse Family, through Advance Publications, Inc., owns The Chronicle, one of 25 newspapers throughout the country. Sister papers include the Cleveland Plain-Dealer and the New Orleans Times-Picayune as well as most major papers in Michigan such as in Grand Rapids, Jackson, Kalamazoo, Flint, Saginaw, and Ann Arbor.

The company weathered the economic storm better than others because of its debt-free philosophy. "There was no debt at the corporate level so things were more scalable. That helped us come to grips with revenue realities," Mr. Westphal said.

While newspaper profitability and survivorship have declined over the last quarter century, it was only since 2007 that tough times struck our local paper. For the first time in its 160-year history, the paper "bought out" senior staff members.

In a later development, layoffs became necessary as has consolidation of some operations with the Grand Rapids Press and Kalamazoo Gazette.

Today, The Chronicle is lighter, but regaining profitability Mr. Westphal said. It's also focused on remaining the lakeshore's preeminent source of news, both in 7-day print editions and by Internet.

Cindy Fairfield, editor, said the Internet has transformed the paper from a four-edition daily into a 24-hour news cycle, but the basics remain the same. "We vet materials we print. We don't go with rumor," Ms. Fairfield said.

Focus of the publication is local news, although a page is devoted to international, national, and state issues and events. "We've lost some resources—reporters, staff. And people have to take more beats and responsibilities," she said.

# LAW DAY 2011 bigger, better than ever

## *Journalism changing, but independent media needed*

Despite massive economic challenges facing journalism today, media independent of government remains a necessary element of a free society.

“Government is not particularly good at policing itself,” M.L. Elrick, this year’s Law Day keynote speaker, told a crowd of about 200 attorneys, award winners, and community members at the Muskegon Holiday Inn.

Journalism’s job, as government watchdog, is to “make sure you get your money’s worth” from taxes.



**M.L. Elrick**

Mr. Elrick and a Detroit Free-Press colleague won the 2009 Pulitzer Prize in local reporting for their coverage of Detroit Mayor Kwame Kilpatrick, whom he described as a charismatic person who lost his way and changed his ideals from “public service to more about self-service.” Mr. Elrick had won an Emmy Award for investigative reporting, also in Detroit.

**Right: Hon. Neil G. Mullally presents his award-winning photograph of the White Lake Channel to M.L. Elrick, Law Day 2011 keynote speaker. Hon. Maria Ladas-Hoopes invited the Pulitzer Prize-winning journalist to the event.**

Noting that each of us is responsible for the communities where we live, Mr. Elrick said attorneys have been particularly good sources for investigative reporters.

Lawyers are on the ground floor of developing investigations and litigation, have knowledge of court filings, can subpoena information, and have an innate sense of justice. “There aren’t enough reporters... You are on the front lines.”

If there is a problem in the community that needs to be aired, “think of your friendly neighborhood reporter,” he said. “We really need your help to get the truth out. The law is about justice... that truth triumphs.”



## *MCBA recognizes area educator, juvenile probation officer*

MCBA’s annual Law Day celebrates not only our nation’s legal heritage, but also supports our community by recognizing individuals who help make Muskegon County a better place to live. In addition to the Liberty Bell Award, the MCBA honors teachers and probation and parole agents with, respectively, the Golden Apple and Frank B. Scott awards.

### *David Vermeulen*

A social studies teacher at Montague’s Nellie B. Chisholm Middle School, David Vermeulen is this year’s recipient of the **Golden Apple Award**. The award is presented annually to teachers who excel at motivating students to a greater understanding of our government and law.

An educator with 21 years’ experience, he captures students’ interests not only with classroom instruction but also with hands-on projects. “His education (techniques go) beyond the four walls of the classroom,” said NBC Principal Curt Hansen.



**L: D. Waterstradt, Mr. Vermeulen, Mr. Hansen**

### *Maryanne Leech*

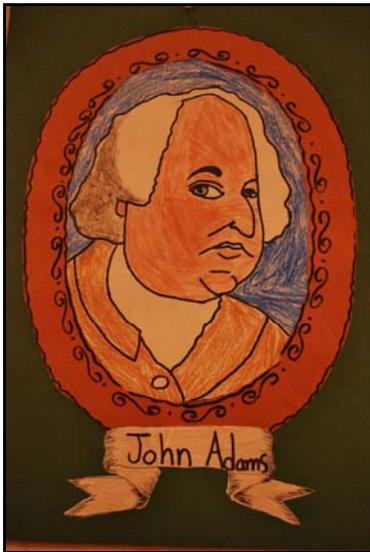
Young offenders know her as a tough but understanding woman they can rely on. Maryanne Leech, this year’s recipient of the **Frank B. Scott Award**, is a 25-year Muskegon County employee who inspires not only young people on her caseload but also fellow employees. Eric Stevens, MCBA member and family court supervisor, said Ms. Leech earned a master’s degree in counseling while working full-time. In addition to her full-time family court caseload, she works part-time as a counselor for Muskegon Catholic Charities. “Maryanne is still moving forward,” Mr. Stevens said. “And she has a heart of gold.”



**Maryanne Leech**

**Party in the Park  
17 June  
It’s our turn to party.**

# Law Day 2011 biggest, best ever



**MCBA  
Law Day 2011**



**LAW DAY** is a gift to Muskegon County from members of the MCBA.

Awards carry scholarships ranging from \$2,000 for the top high school speech to a \$50 savings bond for elementary art contest. The Golden Apple Award presents a \$500 stipend to the winning teacher.

Events like Law Day 2011 don't just happen. They result from the hard work of many — our Law Day Committee. Please thank members, who include: **Hon. Maria Ladas Hoopes, David Waterstradt, Belinda Barbier, Jenny McNeill, Jennifer Hylland, Heidi Hagen, David B. Korterling, Kevin Huss, D.J. Hilson, and Rachael Terpstra.**



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## LAW DAY 2011

### *2011 Liberty Bell Award goes to two law enforcement veterans*

An assistant Muskegon County prosecutor and two defense attorneys teamed up to nominate two area law enforcement veterans to share this year's Liberty Bell Award.

**D.J. Hilson** nominated Henry Roesler Jr. while **Richard Catalino** and **Sean Davis** nominated the late Muskegon Heights Police Chief Clifton Johnson.

The annual award recognizes non-lawyers who have promoted a better understanding of the Constitution, fostered respect for law and the courts, and contributed to the effective functioning of government.

#### *Henry Roesler Jr.*

Born in Chicago, Mr. Roesler's parents brought him to Montague 72 years ago. In those years, there's hardly a role he hasn't played in working to improve his community, Mr. Hilson said.

Hardware store owner; funeral director; Montague police department from 1956 through 1972 where he served as chief. He's now in his 18<sup>th</sup> year as that community's mayor.

The Roesler name is synonymous with public service throughout West Michigan, all because of Henry Roesler's efforts that his children and grandchildren took to heart, Mr. Hilson said.

Mr. Roesler said he's enjoyed his years in public service but his "greatest gratification is that my children followed... They are my pride and joy."

A lesson he shared with this year's Law Day audience: "Each of you, teach your children to give back a part of their lives in community service."



**Henry Roesler Jr.**

#### *Clifton Johnson*

The community mourned after learning that "Cliff" Johnson died 1 November 2009 of natural causes. He was 47 at the time of his unexpected death. A friend to many, a mentor to those whose lives had unraveled, and a tough cop when necessary, Mr. Johnson had the widespread not only of Muskegon Heights, but throughout the county.

In an emotional address, Mr. Catalino read a Muskegon Chronicle editorial written soon after Mr. Johnson's death. "By all accounts, Johnson was a perfect example of what a police chief should be..."

His professionalism won the community's trust. He was a "tough lawman with a big heart."

In addition to the community, Mr. Johnson was dedicated to his family, many of whom were on hand for the ceremony. They included his mother, Dorothy Johnson, his widow, Fatina Johnson; and their children, Clifton Jr., also known as "C.J." and Charde Johnson. Dorothy Johnson, accepted the award.



**Clifton Johnson**



*Above, from left: David Waterstradt, MCBA Law Day Committee Chairman, and D.J. Hilson, present Henry Roesler Jr. with this year's Liberty Bell Award.*



*Above, Johnson family members take the stage to accept this year's Liberty Bell Award, posthumously, for Clifton Johnson. "This has brought back a memory today," said Dorothy Johnson, left.*

# MCBA members dance to help community's needy



Clockwise, from left: **Maria Ladas Hoopes** wows the crowd with her Fire Dance and fire-eating.

**Brenda Sprader** and **Chuck Young** cha cha and waltz the night away while Sean Patrick Davis and Mary Switzer show the crowd how it's done.



Three MCBA members recently helped the Women's Division of the Muskegon Area Chamber of Commerce to raise nearly \$60,000 in funds to support area food banks by "Dancing with Local Stars."

**Hon. Maria Ladas Hoopes** literally lit up the three performances with a wild and dramatic Fire Dance with "local star," Patrick Johnson.

Dancers had to learn opening and closing numbers together with their own routines. This year's theme was "Viva Las Vegas."

**Sean Patrick Davis**, a "community star," danced with Mary Switzer. **Brenda Sprader** danced with community star Chuck Young, dean of students at Reeths-Puffer High School.

Sponsors of this year's event included **Ladas & Hoopes Law Offices, PLC, Chris McGuigan, and Gary Neal.**

## BY THE NUMBERS

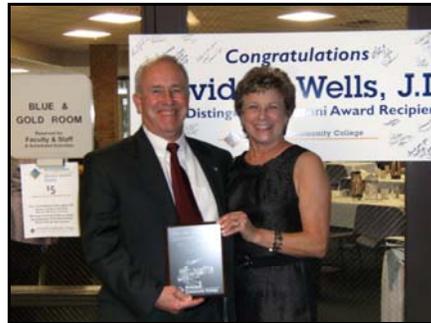
A number of area food banks benefit from the dancing. Average grant: \$2,222. A sampling of the distribution:

AgeWell Services (Meals on Wheels)..	\$5,000
Catholic Charities Loaves & Fishes:	\$4,000
Every Woman's Place.....	\$2,500
First Congregational Sat. Breakfast....	\$3,500
Hope Lighthouse.....	\$3,000
LOVE, Inc.....	\$9,000
Mission For Area People.....	\$5,000
Rescue Mission.....	\$4,000
Our Savior's Lutheran Church.....	\$ 750
St. Paul's Episcopal Church.....	\$ 750
Holiday meals @nonprofits.....	\$5,500

**Party in the Park  
17 June  
It's our turn to party.**



Above, *David Wells* speaks at Gov. Snyder, far left, looks on during MCC's 4 May graduation. *Right*, Mr. Wells and Nancy Wells enjoy the MCC dinner in his honor.



**David Wells, from P 1**

ments, and community service exemplify the mission of MCC."

At the following night's commencement ceremony at the L.C. Walker Arena, Mr. Wells spoke to about 200 graduates, as did the governor.

"It was an exciting experi-

ence," said Mr. Wells, a 1969 Mona Shores graduate, who completed MCC in 1971, University of Michigan in 1973, and Valparaiso Law in 1976. MCC has also nominated Mr. Wells for statewide honors.

Gov. Snyder told graduates he is "a product of our community college system, and I'm proud of it."



**Jim** and **Sue Kobza** with **Mike Walsh** at Law Day 2011. Jim is the only attorney to have received MCBA's **Liberty Bell Award** and he wears his tie proudly.

Muskegon County Bar Association

**Law Day Golf Outing**

Moss Ridge Country Club  
13545 Apple Avenue  
Ravenna, MI

Wednesday, June 8  
12:00 pm Registration  
1:00 pm Shotgun start  
Dinner after the outing in the clubhouse

TEAM MEMBERS

1. \_\_\_\_\_ Handicap \_\_\_\_\_

2. \_\_\_\_\_ Handicap \_\_\_\_\_

AMOUNT OF CHECK ENCLOSED \$ \_\_\_\_\_

COST OF SPONSORSHIP: \$150  
NAME TO GO ON TEE BOX PLACARD: \_\_\_\_\_

The cost to play is \$65 per person  
Make check payable to: Muskegon County Bar Association

Please send completed entry form & check to:  
Muskegon County Bar Association  
PO Box 88  
Muskegon MI 49443  
Matthew Miller, Chairperson: 231-725-000

MUSKEGON COUNTY BAR ASSOCIATION

**Parties in the Park**  
Friday, June 17

Hosted by Law Education Fund  
Sponsored by MCBA for Law Education Fund

Special Volunteers Needed for:  
One hour training class to assist with serving alcoholic beverages  
Training Dates: May 18 or June 8 or June 15; all times are at 7PM.

**Volunteers Needed: Deadline to sign up is June 8.**

- Set Up
- ID Checkers
- Ticket Sales
- Serve Beverages
- Clean Up

**To Volunteer:**  
Sally, Ladas & Hoopes  
231-744-6218  
[williams.sally@comcast.net](mailto:williams.sally@comcast.net)

NOTICE

Annual Meeting  
Thursday 19 May  
Muskegon Country Club

MCBA will hold its annual meeting at **noon Thursday 19 May** at the **Muskegon Country Club**.

RSVP  
Call Tonya at 725-4200 or 726-1400 .

<p><b>MCBA OFFICERS</b> 2010—2011</p> <p><b>PRESIDENT</b> John C. Schrier 231-722-5401 jcs@parmenterlaw.com</p> <p><b>VICE PRESIDENT</b> Mike Walsh 231-725-4200 lawwalsh@gmail.com</p> <p><b>TREASURER</b> David L. Bossenbroek 231-726-6603 britboslaw@aol.com</p> <p><b>SECRETARY</b> David E. Waterstradt 231-727-2698 dwaterstradt@wnj.com</p>	<p><b>MCBA BOARD</b> 2010—2011</p> <p><b>Karen Groenhout</b> 231-366-4444 Karenslawoffice@gmail.com</p> <p><b>D.J. Hilson</b> 231-724-6435 Hilsonda@co.muskegon.mi.us</p> <p><b>Hon. Maria Ladas Hoopes</b> 231-724-6349 Hoopesma@co.muskegon.mi.us</p> <p><b>Carolyn Marcus</b> 231-727-6001 Attycmarcus@cs.com</p>
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