



Obiter Dictum



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Angels needed for Child Haven party

Women Lawyers Association Of Michigan, Lakeshore Region, invites you to the annual **Child Haven Christmas Party** from noon to 1:30 p.m. Saturday 22 December at the facility, 1364 Terrace, Muskegon. Bring your kids and join in the pizza party and ice cream fest.

Donations and gifts welcome. To RSVP or make donations: Jenny McNeill at 744-6218/jennymcneill@comcast.net.

Also consider donating to the Eugene I. Fisher/Child Haven Emergency Care Fund at the Muskegon Community Foundation. This fund helps the shelter meet its constant and changing needs.

Assistant Probate Registrar plans 2007 retirement

Sue Perreault, assistant probate clerk, is retiring after 26 years of service to Muskegon County. A luncheon will be held at



Sue Perreault

House of Chan at noon Friday 14 December with a reception following in the law library from 2 – 4 p.m. Please RSVP Kathy Larkin (724-6233) or Diane Scott (724-6225) by 11 December. Contributions toward a retirement gift may be endorsed to Kathy Larkin.

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Law Education Fund hits \$111k; MCBA deciding best uses

In the beginning, Jim Kobza had an idea – bring the awareness of law to the greater Muskegon community, particularly its young people. To do so, he'd need funds, and Jim turned to his colleagues for funding and help.

In the years since Jim's innovative idea, the MCBA's Law Education Fund has grown and now boasts about \$111,000. It's managed by the Community Foundation of Muskegon County. The fund hasn't been tabbed – until now.

This year, the fund's three-member advisory committee

met several times, including one session with CFMC's Arn Boezart.

Afterward, the committee agreed to allocate \$3,500 for the annual Law Day

2008 observance. The funds will be used for additional scholarships and prizes, said Jenny McNeill, MCBA president.

Boezart recommended the expenditure together with future fund-raising to continue increasing the fund while not jeopardizing the

principal, McNeill said.

"As the end of this year approaches, please consider donating to the Fund," Ms. McNeill said. Contributions should be made payable to CFMC and mailed to the Muskegon County Bar Association Law Education Fund, 425 W. Western Ave, Suite 200, Muskegon, MI 49440. "We're also working on a campaign for the coming year to increase donations, so look for us next year," she said.

Law Education Advisory Committee members are Shon Cook, Jenny McNeill and John Schrier.



Jenny McNeill

SBM President Keefe joining us for annual gala

North Muskegon native and 73rd President of the State Bar of Michigan will join us at this year's annual holiday party at Muskegon Country Club. **Ronald D. Keefe** and his wife, **Marilyn**, also will join with us in honoring **Jim Kobza** and **Anna Duggins** for their years of service to the MCBA.

The holiday party begins with cocktails at 6:00 p.m. Friday 7 December and dinner at 7:30 p.m. Dancing follows. Please RSVP.

According to the State Bar of Michigan, Mr. Keefe is the first association president from the

UP of Michigan in almost 50 years. He and his family live in Marquette where he serves that Upper Peninsula city as its attorney. Mr. Keefe's practice includes civil litigation, mediation, and municipal law



Ronald D. Keefe
Photo courtesy of SBM

Board of Commissioners since 1998, he's served on a variety of committees, including professional standards.

As state bar president, Mr. Keefe intends to focus on the association's efforts to protect the public, support its members, and promote the administration of justice.

Further information about Mr. Keefe is available in the October edition of the Michigan Bar Journal.

A member of SBM's

Probate chief judge honored with namesake award

The Westshore Dispute Resolution Center has honored Chief Probate Judge Neil G. Mullally not only with an award, but also by naming the award for him.

Judge Mullally in October became the first recipient of the Neil G. Mullally Award for Restorative Justice in what is hoped to become an annual distinction for individuals involved in the restorative justice process. The award came at the third annual Restorative Justice Conference held at the Muskegon Holiday Inn.

“There is no greater honor than to be recognized by my peers in this rewarding work, and I thank the Westshore board and staff for their passionate support and implementation of Restorative Justice in our community,” Judge Mullally said.

David Cotter, WDRC director, said Muskegon’s Restorative Justice program has become a leader throughout the region in large part due to Judge Mullally’s vision and leadership.

“He sold the idea to the community by bringing together schools, courts, probation officers and – through a se-



Hon. Neil G. Mullally

The Neil G. Mullally Award will reside at the WDRC offices and each year a new recipient’s name will be added, Director Cotter said.

ries of brown-bag lunches – developed the program we now offer today,” Cotter said.

Judge Mullally said he was gratified by the award but the honor should be shared with those who are doing the work.

“They’ve done all the heavy lifting, and I could not be more grateful to them,” Judge

Mullally said of the volunteers and WDRC staff. “There is any number of people that this award could be named for, and this Restorative Justice Award is a tribute to every one of them.”

For the judge, the power of the program speaks for itself.

“When you see the power of restorative justice for the victim, the community, and the offender, you are compelled to adopt that approach to justice, and that is what happened to me ten years ago (after discovering the concept,” Judge Mullally said.

WDRC oversees about 400 cases annually involving restorative justice – making victims whole while offering insight and education to offenders. “Muskegon now is the only jurisdiction to have a dedicated restorative justice center, and it’s all because (Judge Mullally) enlisted people and fostered it,” Mr. Cotter said.

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JOIN THE ADVENTURE: Follow the sea saga of the Gibbs’ Retirement “Loophole” Eastern U.S. Cruise

MCBA member Jerry Gibbs and wife, Linda, have arrived in Florida by water aboard their trawler “Loophole.”

You’re invited to follow the adventures of the now-retired Muskegon County Family Court referee/magistrate and his wife on their year-long retirement cruise.

Jerry and Linda left Muskegon Yacht Club aboard the “Loophole,” on 2 October. They navigated via waterways to the Gulf of Mexico..



Linda and Jerry Gibbs

Six weeks later they tied up for the winter in Florida. In the spring, they’ll continue the water route home.



Log on to <http://loopholemi.spaces.live.com> to follow the adventure.

Journey of The Loophole along the Great Loop Cruise.

Email Jerry and Linda:

Gwgibbs2001@yahoo.com
lindakgibbs@hotmail.com



Muskegon's Chief Kleibecker opens city's new fire station to private tour for MCBA members

Architects of Muskegon's new Central Fire Station had one mission: Build a structure that combines history, form, and function that satisfies today's needs and anticipates the community's development over the next century.



Modern fire stations don't use the 19th Century's "high-tech" brass pole, but Muskegon will preserve its history in entranceway display.

The facility, as delivered by Muskegon's Hooker/DeJong Architects in conjunction with an Ohio firehouse architectural firm, provides views of Muskegon Lake and of Muskegon's regenerating downtown. It is an impressive structure from its interior to its exterior views.

Anthony Kleibecker, Muskegon's Public Safety Director, who supervised construction of the \$3.7 million structure, brought along about 15 Muskegon Bar Association members on a 7 November tour.

The fire department's past survives at the new entrance where the hub of the 78-year-old brass fire pole from the old station greets visitors. The new facility has no "fire pole" because fire-

fighters no longer live above their equipment, but next to it.

A commercial-grade, state-of-the-art kitchen allows firefighters to enjoy meals they prepare over their 24-hour shifts. Nearby not only are there a big screen television and recliners, but also a large exercise room with state-of-the-art equipment to keep staff in top shape.

The 23,000-square-foot station at 770 Terrace offers training opportunities for firefighters, Kleibecker said. In years past, firehouses were built with towers that were used as hose-drying rooms. The new firehouse not only has a "hose tower" that is not needed for drying hose, but serves as a three-story room that is a self-contained structure that can be used for rappelling, smoke-infestation training, and even water coursing.



Chief Kleibecker shows training tower, reminiscent of 19th Century firehouse hose-drying rooms.

Window slits of various sizes allow staff to practice emergency entries from the equipment level, a floor below. A second-floor opening allows staff to practice delving into confined spaces – that double as first-floor office space.

Firefighters are not alone in the new structure. The city is landlord to Mus-



Hon. Maria Ladas-Hoopes (l) and Faye Redmond listen as 911 Central Dispatch employee explains the emergency communications systems.

kegon County Central Dispatch operators who moved earlier this year from the Verizon building to new, state-of-the-art facilities at the new building's second floor that overlooks Muskegon Lake and downtown Muskegon. Their job is to receive every 911 emergency call in Muskegon County, 24 hours daily, and to dispatch police, paramedics, and fire crews whenever and wherever needed.

The Walton Street fire station, is now for sale. City officials think it might make a great site for almost any commercial enterprise, including – maybe *especially* – law firm offices.

While Chief Kleibecker provided tour-guide-like facts and figures to MCBA members, he neglected one fundamental question: Why do firefighters wear red suspenders?

Answer: To hold up their pants, of course.

Hillman Advocacy Program training future stand-out trial lawyers

The United States District Court, Western District of Michigan, together with volunteer firms and attorneys each year sponsors a rigorous trial skills workshop. Named in honor of

the late **US District Judge Douglas Hillman**, the Hillman Advocacy Program is now accepting candidates for the 2008 seminar.



Judge Hillman

Interested attorneys may contact MCBA President **Brian Lang**, who serves on the Hillman program board. Mr. Lang may be reached at 231-727-2612 or at blang@wnj.com.

Are your colleagues receiving the Obiter? If not, remind them to send us their email addresses.

2007 MUSKEGON

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WE WANT YOUR NEWS and PICTURES

We want news about you, your colleagues, your firm.

- * What's that special talent you have?
- * Tell us about your trip of a lifetime.
- * Who retired? Who joined your firm?

Send to Mike Walsh at mgwalsh@yahoo.com
 Or mgwalsh@famlawcenter.com.

HAPPY HOLIDAYS
 Wishing you and your family a wonderful Holiday season.

UPCOMING MCBA, LAW EVENTS

7 December: Annual Christmas Party—Muskegon Country Club. MCBA member **ROY PORTENGA** and his band, **Karton Goodman**, will entertain.

Wednesday 9 January 2008: MCBA meeting, Noon, Holiday Inn. Speaker: Paul Keep, publisher-editor, Muskegon Chronicle.

Friday 11 January 2008: How to Start a Law Practice. Lansing Community College. Details: 800-341-9715.

Friday, May 2, 2008: Law Day Celebration, the nation's 50th, at noon, at Muskegon Holiday Inn. Theme: "The Rule of Law." Urge your local schools—the elementary,

LAW COMMUNITY BULLETIN BOARD

Robert Engle, recently named as 14th Circuit Family Court referee/magistrate has a newer photocopy machine for sale or sublease: Toshiba e-Studio 282 Digital Copier. Details: **Penny** at 722-0216.

HELP WANTED: Tutor to teach our attorneys and staff how to use **AMICUS ATTORNEY-7**. Please call Jamie Palmer at Family Law Center of West Michigan, 231-726-1400.

Parmenter O'Toole welcomes two associates

A former accountant and college writing teacher turned trial lawyer have joined Muskegon's Parmenter O'Toole law firm.

Rachel Terpstra, a GVSU-trained accountant and business consultant, graduated magna cum laude this year from Thomas M. Cooley Law School, Lansing. Her practice will focus on municipal law, business law, and civil litigation.

Outside the office, Rachel enjoys spending time with her family, boating, and running along Lake Michigan.



Thomas O'Toole, founding member of the firm that bears his name, sponsored Rachel Terpstra at the swearing-in ceremony this month in the 14th Circuit courtroom of Hon. William C. Marietti.

Michelle Heckman, who taught writing courses at Indiana and Arizona State universities before attending ASU's law school, is a veteran trial lawyer with experience in criminal defense, employment law, and homeowners' association law.

Michelle's current practice concentrates on municipal law.

Outside the office, Michelle's focus is her two young sons, Will and Joseph. She also finds time to serve on the board of the Nuveen Community Center for the Arts in the White Lake area where she lives. Michelle enjoys golf, tennis, boating, kayaking, and walking along the beach.