

# Obiter Dictum

E-Volume I, Issue I

4 September 2007

**Special points of interest:**

- OBITER DICTUM joins the electronic age.
- Bar Association's Family Law Section continues successful "brown-bag" lunch meetings.
- Jerry Gibbs retires; plans one-year water adventure.

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## Changes under way in Muskegon County Probate Court

This has been a year of change for the Muskegon County Probate Court.

Longtime Probate Clerk Nick Mason retired in January. Judges Neil G. Mullally and Gregory C. Pittman later announced the appointment of Kathy



Kathy Hoogstra, an MCBA member, as clerk.

"I would like to thank everyone in the Bar for their

patience and kindness as I settle into the Probate Court," Ms. Hoogstra said. "It is an amazing place that unceremoniously turns over an incredible amount of work.

Each week presents something unique."

Ms. Hoogstra praised the response from MCBA members to the notices regarding delinquent fiduciaries. In the month of July, over 260 cases were identified as delinquent and noticed for a hearing. "Because of the diligent work of both the Probate Court staff and the Bar, only seven cases remain unresolved," she said.

New projects and - alas — new costs also are coming.

The Probate Court expects to debut a website next month that is user-friendly to attorneys and the public. The site will include general informa-

tion on probate matters. These include topics such as decedent estates, guardianships, and conservatorship.

Of particular value to MCBA members, the site includes SCAO-approved court forms that can be printed out or downloaded after being filled out. "I'm very excited about how this tool can be used by the Bar members and the public," Ms. Hoogstra said.

As for fee changes, beginning 1 September, each page copied will cost \$1.00. This creates a uniform pricing policy and increase costs only slightly. For example, Letters of Authority will now cost \$11 instead of \$10.

## Jim Kobza "retires" –but only from 'Obiter,' the Law Community Newsletter

Veteran Muskegon attorney Jim Kobza, of counsel at Williams, Hughes, & Cook PLLC, remains on the job there, but he's putting down his editing pencil. With this decision, your MCBA board has opted to continue the tradition, long

ably handled by Mr. Kobza, but to do so in a totally electronic format.

By publishing electronically, the association hopes to save hundreds of dollars annually in postage.

"We owe a huge debt of gratitude to Jim Kobza for

his contributions over the years – not only to the 'Obiter,' but for the Law to Teens Program and his willingness to mentor young attorneys and interest teens in law," said Brian Lang, board president. "He's been our anchor for decades."

# Obiter Dictum joins the electronic era

The newsletter now will be edited by Mike Walsh of Tolle & Walsh PLC, and formerly of The Chronicle.



Mike Walsh

Walsh said he views the publication as a company newsletter. Its purpose: share news important to our members and to bring us together, not divide us in controversies. Content likely will include news of firm transitions, retirements, new associates, promotions, births, deaths, our kids' accomplishments, our travel photos—you name it.

"I'm no longer in the investigation end of journalism," Walsh said.

DEADLINES: 15<sup>th</sup> of every month.

CONTACT: Phone: 726-1400  
Fax – 726-1408 or mgwalsh@yahoo.com or mgwalsh@famlawcenter.com

CONTENT: Everything that's new or interesting in your life or your firm's. Anything you believe might be of interest to your colleagues.

PHOTOS: JPG files.

NOT WANTED: Legal stuff – no briefs, no argument, no controversy.



SUMMER STEAK FRY – Jim Rose and retired 60<sup>th</sup> District Judge Richard J. Pasarella socialize at the Muskegon Yacht Club, venue of the Bar Association's annual summer steak fry.

## MCBA's Family Law Sections schedules high-interest "brown bag" lunch meetings

MCBA's Family Law Section continues its very successful monthly "brown bag" lunch meetings in Judge Mulally's courtroom.

Created and shepherded by Carolyn Marcus, now with the Westshore Dispute Resolution Center, the monthly programs provide information from a wide variety of sources—DHS personnel, judges, FOC staff, and others.

Attorneys and their firms volunteer to

provide lunch. Pizza, gyros, and sandwiches are a small investment in informal, continuing education in this vital area of law.



Carolyn Marcus

Here is the upcoming schedule:  
Wednesday September 19: Dr. Joseph Auffrey  
Friday October 19: Elizabeth

Sadowski, former Chairperson, State Bar's Family Law Section and current moderator of its Listserve.

Wednesday Nov. 14: John McGarry, Muskegon County Museum Director. Further information: Contact: Carolyn Marcus at 231-727-6001. or attycmarcus@cs.com.

"Pizza, gyros, and sandwiches are a small investment in informal, continuing education in this vital area of law."

## Jerry Gibbs weighs anchor, plans retirement adventure

Family Court Referee/Magistrate Gerald W. Gibbs retired 31 August—just in time to get his trawler, "Loophole," ready for a year's adventure.

Jerry and his wife, Linda, a retired teacher, plan to leave Muskegon Yacht Club in October aboard



Linda and Jerry Gibbs

"The "Loophole." They'll transit Lake Michigan to the Illinois River via Chicago, to the Mississippi then on through the Tennessee-Tombigbee Waterway to the Caribbean. After wintering in Florida, the couple will head north on the Intercoastal, up the Hudson River and eventually home again.

# Staff Focus: Muskegon County's Probate Court

Muskegon County's Probate Court, under the direction of **Clerk Kathy Hoogstra**, keeps a massive flow of case files moving. "Our staff is incredibly efficient and well-qualified," Ms. Hoogstra said. "They're very knowledgeable, hardworking, and work with the public quite well."

Judge Gregory C. Pittman is assisted by Jan Moore.



Jan Moore

Judge Neil G. Mullally's assistant is Kathy Larkin.



Diane Scott



Kathy Larkin

Diane Scott is the office's utility player, assisting the public and other staff.

Sue Perreault is deputy clerk and a veteran of the office's complex systems.



Sue Perreault

The court handles matters as diverse as juvenile criminal cases, decedent estates, involuntary commitments for the mentally ill, guardianships, conservatorships, will challenges, and trust administration.

"We don't give legal advice, but we want to be as helpful as possible," Ms. Hoogstra said.

## ENJOY MICHIGAN: Send us YOUR best photos of the Michigan way of life.



Appalachian State topples Michigan



Sleeping Bear Dunes



Tahquamenon Falls, Upper Peninsula

## Renovation continues at Kobza Hall of Justice

Renovation continues this summer and fall at the Kobza Hall of Justice.

This phase involves renovation to the fourth floor of the structure that houses courts and some county offices.

With every renovation comes in-

convenience. In this case, Judges John C. Ruck and William C. Marietti had to relocate their offices and courtrooms. Judge Ruck's office and courtroom have been relocated to the Baker Campus on Apple Avenue. Judge Marietti's office is temporarily on the third floor. His courtroom, however, changes from

day to day and week to week.

Websites of interest:

\* 60th District Court: [www.co.muskegon.mi.us/60thdistrict/](http://www.co.muskegon.mi.us/60thdistrict/)

\* USDC, WD: [www.miwd.uscourts.gov/](http://www.miwd.uscourts.gov/)

\* Ottawa County government: [www.mriottawa.org/](http://www.mriottawa.org/)

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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.

## UPCOMING MCBA EVENTS

**12 September:** Don't miss your rendezvous with history—a 12 September lunch meeting aboard the LST 393, a U.S. Navy "landing ship-tank" that hit the beaches of Normandy in June 1944. The ship is at the Mart Dock, 560 Mart Street, downtown Muskegon.

Enjoy a presentation regarding the history, restoration, and future of the USS LST 393. Reservations are necessary by **Fri-day 7 September**. Please call Marcy at Jenny McNeill's office at 744-6218 or marcy-sorito@comcast.net.

**10 October:** Michigan Coalition for Justice to speak on efforts to change public defender system at the state level.

**7 December:** Annual Christmas Party—Muskegon Country Club.

### PLEASE, Do the Dues

Invoices for 2007-2008 MCBA dues have been mailed. Please return a check no later than 14 September 2007 to the association .

Your support helps provide funding for ongoing educational and social gatherings, monthly meetings, and programs such as Law Day, our website and the Obiter Dictum.

## TRANSITIONS

### *McNeill moves from Legal Aid to Ladas, Hoopes*

Jenny McNeill, veteran family law attorney, has moved from Legal Aid of Western Michigan to Ladas Hoopes, PC. Jenny also serves as MCBA's Vice President.



Jenny McNeill

### *O'Brien joins Legal Aid*

Jason T. O'Brien joined Legal Aid of Western Michigan Muskegon office as a staff attorney as of 1 August 2007. Jason is originally from Traverse City. He earned a Bachelor of Arts degree from Western Michigan University. Jason graduated from Michigan State

University College of Law in May 2006 and became a member of the State Bar of Michigan in November 2006. Prior to joining Legal Aid, he interned in the Family Division of the 17<sup>th</sup> Circuit Court in Kent County.

### *Matt Miller joins Tolle & Walsh, PLC*

Matthew T. Miller, 28, a Muskegon native, has joined TOLLE & WALSH PLC as an associate in the general practice of law. Matt's duties will include drunken driving defense, criminal matters, and family law coverage. Matt is a graduate of Grand Valley State University and a 2005 graduate of



Matthew T. Miller

Cooley Law School. He previously worked for a Holland law firm.

### Wanted

Attorneys provide community leadership and direction. We serve on numerous boards and volunteer our time and expertise to a variety of organizations.

We'd like to know who you are and where you're serving.

mgwalsh@yahoo.com.