



# OBITER DICTUM



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Summer-Fall 2009

## Legal Aid's Bonner wins Franck Award



**Daniel Bonner** and his wife, **Dolores Trese**, also a Legal Aid attorney, display the MCBA's recognition of Dan's statewide recognition. Retiring MCBA President **Jenny McNeil** revealed the award at this year's Law Day gala. Dan received the actual award 17 Sept.

### *State Bar of Michigan gives highest honor to Muskegon Legal Aid attorney*

The State Bar of Michigan has awarded Muskegon attorney Daniel F. Bonner its 2009 Michael Franck Award for contributions to the legal profession.

David Kortering, also of Muskegon and serving on the state bar's Representative Assembly, presented the award 17 September during the association's annual meeting in Dearborn.

"I could hardly keep it together," said Mr. Bonner, a former MCBA president. "I was touched beyond words."

Mr. Bonner is the managing director of Legal Aid

of Western Michigan, an agency he's served for 26 years. In that role, he and other Legal Aid lawyers assist the indigent.

"I've had just wonderful moments," Mr. Bonner said of his career. "I remember one woman who hugged and thanked me, saying she couldn't afford a 'real lawyer.' There is no billable hour that could mean more than the look in that lady's eyes."

The award is named in honor of the late state bar director who built the

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## Groundbreaker UM-Law alum

**Aloise Gillard**, 81, one of the earliest women graduates of the University of Michigan Law School and the earliest licensed female attorneys in West Michigan, died 6 September 2009 after suffering a heart attack. She was an active member of MCBA, participated in activities frequently, and practi-

ced law until last year.

Ms. Gillard was active in her Christian faith and in various community organizations that included The Service League, Junior League, Vikings Lodge Zeta Tau Alpha, and the Muskegon Chamber of Commerce.



**Aloise Gillard**

She is survived by her husband of 52 years, Richard, three children, and six grandchildren.

### *Liberty Bell Award lauds social worker for career in the front lines to protect vulnerable*

Social workers are a vital part of the community, working on the front lines against abuse and neglect of the vulnerable. So said **Hon. Neil G. Mullally** as he lauded his nominee for this year's Liberty Bell Award, **Rosemary Stellino**, recently retired from DHS.



**Probate Chief Judge Neil G. Mullally** nominated **Rosemary Stellino**, right, for this year's Liberty Bell Award. They appear with Rose's mother, **Ruth Stellino**.

## ***Bonner wins Franck Award***

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organization to what it is today. Mr. Bonner said he accepted it on behalf of all Legal Aid attorneys to honor their work.

Nominated by Jack Bulger, attorney and Friend of the Court referee in Mason County, Bonner first was first notified of the honor during the Muskegon Bar Association's annual Law Day assembly on 1 May.

**“In a profession where our growing lack of civility is a concern, Dan is the epitome of courteous but effective representation,” Mr. Bulger stated in his nomination.**

Bonner now joins a roster of distinguished Franck Award recipients who include Dennis W. Archer, Justice Marilyn Kelly, and Justice Thomas Brennan.

Also on hand for the Dearborn presentation were Dolores Trese, Mr. Bonner's spouse and an attorney at Legal Aid's Holland office, and Mike Chielens, Legal Aid's executive director.

Legal Aid of Western Michigan serves clients from Ludington through Big Rapids south to the Indiana state line.



2009 Law Day Keynote Speaker, Michigan Supreme Court Justice Robert P. Young, Jr., meets with Muskegon County judges. From left, Neil G. Mullally, chief probate judge; Maria Ladas-Hoopers, 60th District; Gregory C. Pittman, 14th Circuit; Timothy G. Hicks, 14th Circuit; Michael Nolan, 60th District; John C. Ruck, 14th Circuit Chief Judge; Tom Linck, probate-retired, and Richard J. Pasarela, 60th-retired.

## **MCBA's Law-Education Fund — “A powerful, positive force”**

Jim Kobza in 1996 served as MCBA president. Through his efforts, the association began the “Law Education Fund” through the Muskegon County Community Foundation. Today, the MCBA fund has become a model for other professions and a “powerful positive force” in our community.

Robert Chapla, of the Foundation, updated MCBA members of the trust's progress at the association's September meeting at the Holiday Inn and urged members to “do more” with the funds available.

The current balance is about \$75,000 and it receives contributions of between \$2,000 and \$3,000 each year. Annually, the endowed fund can make available about \$3,800 for MCBA scholarships, Law Day costs, and other uses.

**“The more you use the funds, the more people become aware of the good they can do,” Mr. Chapla said.**

“I'd encourage you to do more with these funds.”

The Community Foundation accepts funds from about 4,500 donors each year and manages over 900 funds. It is the



**Robert Chapla**

largest holder in the state of Michigan. Of those, 95 percent are endowed, as is the Law Education Fund, and the assets will remain in perpetuity to help area residents.

The recession took its toll on the foundation as well as others, Mr. Chapla said. But it has regained 16 percent of lost assets so far. The foundation is hopeful the market will continue to rebuild.

## ***Quilt raffle to benefit MCBA Law Education Fund***

“Wreath of Roses, a 76” by 89” applique of roses and flowers will be raffled off 1 December to benefit the MCBA Law-Education Fund. Tickets are \$1 each or six for \$5 and are available from committee and board members. The quilt may be seen at Parmenter-O'Toole.



**Nancy Hornacek models roses quilt.**

# Justice: Don't confuse personal beliefs with the law

Michigan Supreme Court Justice Robert P. Young Jr., the 2009 Law Day keynote speaker, said judges must carry out the law that is, not the law they wish it would be.

Using the infamous Dred Scott pro-slavery decision of the U.S. Supreme Court, Justice Young said judicial activism leads to the creation of "rights" not contemplated by the Constitution. The majority on that court believed in slavery and acted accordingly, perpetuating an evil as they acted for what they perceived was a good.

"Courts have no constitutional authority to make up rules as they go along," Justice Young said. "(Courts may not use) their own judgment for that of the general public." Activist judges, usually associated with politically liberal individuals, cannot impose their own goals for the law, no matter how right they believe they are in doing so. "The role of judges is not to 'do good.' It is to do justice under law," he said. This year's Law Day theme was "A Legacy of Liberty: Celebrating Lincoln's Bicentennial."



Justice Robert P. Young chats with Joseph Bader, MCBA president

## MCBA catching community recognition through its annual awards

The greater Muskegon area each year becomes more aware of attorneys and their role in helping their community through the annual Law Day awards program. These include cash scholarships for graduating seniors and savings bonds for younger students.

**Liberty Bell:**  
**Rosemary Stellino Breed**, recently retired as administrator of the Muskegon County Child Haven program. She spent her career as an advocate for the vulnerable and disadvantaged, particularly children.



**Rosemary Stellino Breed**

**Golden Apple Award:** Muskegon Heights High School teacher **Zeke Ohan** has won the teaching award for outstanding contribution to law-related education for the second consecutive year.

**Frank D. Scott Award:**

**Dennis J. Vennema**, field supervisor of the Muskegon County probation office of the Michigan Department of Corrections.



**Dennis J. Vennema**

**High School Speech Contest:** **Marissa Bo**, Fruitport High School. Second through fourth-place winners: Angelina Mosher, Oakridge HS; Kaily McCastle and Zach Porter



**Marissa Bo**

of Holton High School.

**Middle School Essay Contest:** First-Fourth: **Nicole Rumsey**, Montague Nellie B. Chisholm MS; **Katelyn Flores**, Holton MS; **Dylan Lohman**, Nellie B. Chisholm MS.

**Elementary School Art Contest:** Top four winners: **Louis Robert Lytle**, Calvary Christian School; **Madeline Peterson** and **Kendall A. Parker**, Ravenna Beechnau Elementary; and **Alex Slocum**, North Muskegon Elementary.



### Kortering honored for service

The State Bar of Michigan honored **David Kortering** for his years of service to the Representative Assembly for the 14<sup>th</sup> Circuit in ceremonies 17 September during the State Bar of Michigan's annual meeting at Dearborn. **Elizabeth Moehle Johnson** presented the commemoration to the former MCBA president, as he steps down from the role. He will be succeeded by **Michael G. Walsh**, MCBA secretary.

# SMILE: MCBA picture page



In July, MCBA’s annual steak fry brought together friends and firms— including the “retiring” Frank Carrozza, bottom left — at the Muskegon Yacht Club.



Photos by David Kortering



## Legends Before the Fall: Law Day Golf Outing at Stonegate



Photos by David Kortering

### CALENDAR

**21 October:** The Lake Michigan Estate Planning Council dinner meeting at Muskegon Country Club. Speaker is Mark Harder, of Warner, Norcross and Judd, on the new Michigan trust code. Mark is the reporter for the code. The event includes dinner and is \$15 per person. RSVP **David Covell** at 727-3108 or dpclaw@aol.com.  
**12 December: Barrister’s Ball, Muskegon Country Club.**

### MCBA Officers for 2009-2010

**Joseph J. Bader**, President, 231-724-6435 baderjo@co.muskegon.mi.us; **John C. Schrier**, VP, 231-722-5401 jcs@parmenterlaw.com; **David L. Bossenbroek**, Treasurer, 231-726-6603 britboslaw@aol.com; **Michael G. Walsh**, Secretary, 231-726-1400 mgwalsh@yahoo.com.