

The Mentor

THE NEWSLETTER OF THE STATE BAR OF MICHIGAN'S
MASTER LAWYERS SECTION



"The voice of trust through experience."

Spring 2016

Message from the Chair

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The council of the Master Lawyers Section of the SBM is busy planning events of interest for its 18,000 section members. Described herein are some of the major events planned.

Seminar

On June 23, 2016, from 9:30 a.m. to 3 p.m. is our seminar designed to help our section members learn more about the problems of the elderly and what lawyers can do to assist them. This seminar is being held in downtown Rochester, Michigan at the Mama Mia Tuscan Grille Restaurant in the shopping center of 543 Main Street.

The event's first speaker will be Dr. Peter A. Lichtenberg, PhD, director of gerontology and professor of psychology at Wayne State University. His topic will be "New Assessment of Financial Decision Making."

Next, Ruthmarie Shea, J.D. will speak on the topic "Informed Health Care Decision Making: Know Before You Go." A tasty Italian buffet will follow, all being included in your \$25 registration fee.

The afternoon speaker will be Tish Vincent, J.D. speaking on the topic "Anxiety in Late Life: A Silent Struggle." A round table discussion of participants will conclude the day's program event.

This promises to be a very interesting event, so if you plan to attend, please fill out the enclosed registration form and mark the date of June 23 on your calendar. Our enrollment capacity for the seminar is 130, so sign up and mail in your registration form and check now.



Richard J. Ruhala, Chair

Train Travel Tours

Our train tours are sold out for this year, but two 2017 dates are now available if you sign up soon. The "America the Beautiful" trip departs on May 19, 2017 and returns on June 1, 2017 with Amtrak coach accommodations for Double Occu-

Continued on the next page

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pancy priced at \$2,985. The Canadian Rockies trip departs on July 8, 2017 and returns on July 17, 2017 with Amtrak coach accommodations priced at \$2,995 for Double Occupancy. Details and registration will be available at <http://connect.michbar.org/masterlawyers/home>.

The Mentor

Our section publication entitled *The Mentor* is available to all 18,000 members on the Internet. It is made available in four issues yearly—winter, spring, summer and fall. Our Council at its April meeting approved the printing of 500 copies to be mailed to key Bar Leaders to better spread the word on our section's activities. We hope you enjoy reading *The Mentor* publication as edited by Roberta Gubbins.

Richard (Dick) Ruhala, Section Chair

Notes from the Editor

Spring is struggling to come to Michigan, but there are flowers out there and the sun is shining and the temperature is climbing. Now that the spring issue of the *Mentor* is out, it's official—spring is here.

Thanks to our talented members we have some enjoyable and diverse articles.

Margaret O'Donnell, specialist in Social Security, shares her expertise in "The Story of Roosevelt's Dream;" Gary Bauer reflects on his time as air force navigator/bombardier in the Pacific in the 1970s ("Typhoon June and I Got Personal"); and Shelley Spivack tells us about her adventures "Cycling from Saigon to Bangkok."

David Barnes has a book published, *Blood, Sweat and Gears*, now available on Amazon.

You can learn about Michigan high school basketball in "Michigan's Untold Story" by James Johnson, and Myra Mossman writes about transitioning in her article "A Method of Transitioning."

Thanks to our writers who send exciting and informative articles and pictures and the SBM staff who use their design skills to put it together making our section newsletter the stellar publication it is.

Enjoy, and we'll see you in the summer.

—Roberta



Roberta M. Gubbins, Editor



 MASTER LAWYERS SECTION

Summer Seminar

June 23, 2016 • 9:30 a.m.-3:00 p.m.

Mamma Mia Tuscan Grille • 543 N Main St #311 • Rochester, MI 48307

This seminar will help you understand the aging process and the silent struggle of anxiety late in life relating to financial and health care decision-making, and give you the skills to assist your clients and yourself.

Program Schedule:

9:30 a.m. Registration

10:00 a.m. **New Assessment of Financial Decision-Making**

With more individuals living to their late 80s and 90s, there is heightened concern about cognitive impairment. Attorneys executing transactions must be confident that the older adult's decisional abilities are intact. We have created a new method of assessing decision-making capacity, rooted in the actual decision of the older adult. In this presentation we will examine the latest information on financial decision making, aging, and cognitive impairment and introduce our new scale and the reliability and validity research we have conducted.

Dr. Peter A. Lichtenberg, PHD, ABPP

Dr. Lichtenberg is currently the director of the Institute of Gerontology at Wayne State University, and is a national expert in financial capacity assessment and the financial exploitation of older adults. He has published several articles on evaluating psychological vulnerability and fraud using his new instrument, the Lichtenberg Financial Decision-Making Rating Scale. He is currently collaborating with colleagues from multiple disciplines in examining the validity of this new scale, a separate screening scale and an informant scale. He has also briefed members of the US Senate and House on the susceptibility of older adults to financial exploitation.

11:00 a.m. **Informed Health Care Decision Making: Know Before You Go**

What is decisional incapacity? Who will decide for you when you are temporarily or permanently incapacitated? Documents for health care directives are readily available, but what are the pros and cons of the available instruments? This presentation will include recent changes in laws and mores, along with societal and ethical implications and practical applications.

Ruthmarie Shea, JD, MA, MAT, BSN, BS, RN

Ruthmarie Shea is a health law attorney, nursing service administrator, moral theologian, and bioethicist. She consults on matters of corporate health law and health care ethics, specializing in the ethical and religious directives pertaining to Catholic health care services.

12:00 p.m. Luncheon Buffet

1:00 p.m. **Anxiety in Late Life: A Silent Struggle**

Each stage of life brings its blessings and burdens. Seniors experience changes in their daily routines that can allow them more time to think. Late in life people can suffer from regrets and anxiety. They have tried to live their life according to certain values and principles and often worry that those following them are making choices that are not guided by the same values and principles. This presentation will educate about anxiety in the later decades of life. How it manifests differently in this developmental stage and healthy methods of coping with it will be presented.

Tish Vincent, MSW, JD, LMSW, ACSW, CAADC

Tish Vincent is a licensed clinical social worker with expertise in the treatment of substance use and mental health disorders, as well as a licensed attorney with experience in health law and alternative dispute resolution. She is the program administrator for the State Bar of Michigan Lawyers and Judges Assistance Program.

2:00 p.m. Roundtable Question & Answer



MASTER LAWYERS SECTION

REGISTRATION

Summer Seminar

June 23, 2016 • 9:30 a.m.-3:00 p.m.

Mamma Mia Tuscan Grille • 543 N Main St #311 • Rochester, MI 48307

This seminar will help you understand the aging process and the silent struggle of anxiety late in life relating to financial and health care decision-making, and give you the skills to assist your clients and yourself.

REGISTRATION DEADLINE: June 20, 2016

Cost (includes lunch)

- Section Members..... \$25
- Guest \$25

Total: \$ _____

Register One of Two Ways

Online: Pay by credit/debit card at <http://e.michbar.org>

Mail your check and completed registration form to:
State Bar of Michigan
Attn: MLS Seminar Registration
306 Townsend Street, Lansing, MI 48933

Make check payable to: STATE BAR OF MICHIGAN

Questions

For additional information regarding the seminar contact Amy Castner at 517-346-6322.

P #: _____

Name: _____

Guest Name: _____

Firm: _____

Address: _____

City: _____ State: ____ Zip: _____

Telephone: (____) _____ E-mail Address: _____

Enclosed is check # _____ for \$ _____

Cancellation Policy

Cancellations must be received at least 48 business hours before the start of the event and registration refunds are subject to a \$20 cancellation fee. Cancellations must be received in writing by e-mail, or by U.S. mail. No refunds will be made for requests received after that time. That notice can be made by e-mail (tbellinger@mail.michbar.org), fax (517-372-5921 ATTN: Tina Bellinger), or by U.S. mail (306 Townsend St., Lansing, MI 48933 ATTN: Tina Bellinger.) Refunds will be issued in the same form payment was made. Please allow two weeks for processing.

The Story of Roosevelt's Dream

By Margaret O'Donnell

By the time you get to an age that qualifies you to participate in the Master Lawyers Section, you may have developed an interest in Social Security that extends beyond their annual list of most popular baby names ([babies right here](#)), and wondering how much you will get from them ([show me the money right here](#)). Or maybe it's just me and the other members of the Social Security Lawyers Section. But there is so much, much more to it.

The Social Security Administration, and particularly its Disability Program, has been the target of much media hyperbole and political posturing. Inevitable, considering the lofty goals of the social legislation that initially created the agency, and the subsequent tremendous growth (some would say overgrowth) of the program.

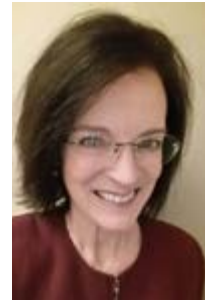
The Social Security Act was [signed into law in August 1935](#) by Franklin D. Roosevelt, on the heels of the Crash of 1929 and the worst economic crisis of our nation which served to define its purpose: to provide public insurance coverage for economic security to workers and their families, and to reclaim "the nationwide frontier of insecurity, of human want and fear."¹

The collection of taxes to fund the program began in January 1937, and the first monthly payment was made in 1940 to Ida May Fuller, a legal secretary in Vermont, in the amount of \$22.54.² Since then, more than 435 million Social Security Numbers have been issued. By 2010, the program had received \$13.8 trillion in income, and expended \$11.3 trillion in benefits.³

At first, only retirement benefits were paid. When the disability program came along in 1954, it initially consisted of no cash benefits at all, but rather, only provided a disability "freeze" of a worker's Social Security record during the years when he was unable to work. This prevented such periods of disability from reducing or wiping out the worker's retirement and survivor benefits.

Cash benefits to disabled workers aged 50-64 and disabled adult children started in 1956, and in September 1960, President Eisenhower signed an amendment extending them to disabled workers of any age and to

their dependents. Medicare was implemented in 1966, and automatic annual COLA increases began in 1975. Also in the 1970s, the SSA became responsible for the Supplemental Security Income (SSI) program for the needy aged, blind and disabled (those in poverty who had not earned sufficient "work credits," or had not earned them within the required time frame to be covered by the disability insurance program).



Margaret O'Donnell

It is no wonder that, by the 1980s, the agency was faced with both a serious short-term financing crisis and prospective long-term funding shortfalls, leading to milestone amendments under President Reagan. These instituted the taxation of Social Security benefits, coverage of federal employees and employees of tax-exempt non-profits under the program. They eliminated wind-fall benefits to workers eligible for both a pension based on non-covered employment and Social Security, gave divorced persons aged 62 or more the ability to draw spouse's benefits whether or not the spouse was drawing, and raised the retirement age in the next century.⁴

The next round of major policy changes came in 1996, when President Clinton signed into law the Contract with America,⁵ providing a gradual increase in the retirement earnings test and launching the pilot to provide us with our annual earnings and benefit estimate statements.⁶

On the more controversial disability side, this legislation also prohibited payments to individuals whose drug or alcohol addiction is a contributing factor material to his disability, and authorized funding for more post-award oversight in the form of continuing disability reviews (CDRs). Later that year more changes were enacted: denial of SSI to fugitive felons and parole violators, prohibition of payments to most non-citizens, even if lawfully admitted to the U.S., and major changes to eligibility for disabled children.⁷ This package resulted in the removal of many recipients from the rolls.

The State Bar of Michigan Social Security Lawyers Section was founded in 1997, and membership has held steady since then, fueled in part by non-stop activity of the agency machine, primarily in the disability program. There have been two significant modern policy changes in the section's lifespan. One is increased program incentives for disability beneficiaries which allow them to ease back into the work force while still receiving benefits,⁸ and the other is, perhaps ironically, the increased authority, funding and activity of SSA's Office of the Inspector General to pursue fraud in the system, such as receiving benefits while working.⁹

What has kept section members just as busy as policy maneuverings, are practice-related changes—the increase in applications brought on by baby boomers aging into retirement and disability and by the growing number of women in the (program-covered) work force; the introduction of electronic filings, paperless processes and video-teleconference hearings; fluctuating agency customer service in the face of budget constraints; and endless changes in the thousands and thousands of complex and sometimes contradictory subrules governing every aspect of agency operations and procedure that affect our daily work. Our routine challenges are basically everything you have ever heard about “fighting the system” or dealing with bureaucracy.

But this vast bureaucratic agency superstructure supports some powerhouse lawmaking. If you are currently receiving any form of Social Security, then you are among the 65,488,000 who are also, right now, reaping the benefits of Franklin Roosevelt's dream.¹⁰ All this, and baby names too.

Margaret O'Donnell concentrates on Social Security and Workers Compensation Law. Her office is in Troy, MI.

Endnotes

- 1 *President Franklin Roosevelt August 14, 1938, Radio address on the third anniversary of the Social Security Act.* From <https://www.ssa.gov/history/index.html>
- 2 *Id.*
- 3 Through FY 2009, from **SSA Annual Statistical Supplement**, Tables 4A1 and 4A3, available at <http://socialsecurity.gov/history/tftable.html>
- 4 Details of “The 1983 Amendments,” at <https://www.ssa.gov/history/1983amend.html>.
- 5 H.R. 3136; The Contract With America Advancement Act of 1996; https://www.ssa.gov/legislation/legis_bulletin_040996.html.
- 6 Clinton later signed the Senior Citizens Freedom to Work Act of 2000, removing income limits altogether for full-age retiree beneficiaries. H.R. 5 Public Law 106-182.
- 7 H.R. 3734; The Personal Responsibility and Work Opportunity Reconciliation Act of 1996; https://www.ssa.gov/legislation/legis_bulletin_082296.html.
- 8 The Ticket to Work and Work Incentives Act of 1999, H.R. 1180 Public Law 106-170.
- 9 Including the August 2014 launch of a Cooperative Disability Investigative Unit in Detroit, which, in partnership with the Michigan Department of Human Services, has been very active in pursuing fraud detection and prevention. See *Detroit Team Generating SSA Savings*, at oig.ssa.gov.
- 10 https://www.ssa.gov/policy/docs/quickfacts/stat_snapshot/

Typhoon June and I got Personal

By Gary Bauer

A True Story

As an air force navigator/bombardier during the 1970s I was stationed all over the world. In 1975, I was returning from a tour in Thailand through the Pacific as the navigator on a KC135 air refueling aircraft. It was really a Boeing 707 converted to carry fuel. With a boom in the back of the aircraft, we could refuel other aircraft while still in the air. While in Thailand, we flew missions to refuel fighters and bombers while in lands between Thailand and Viet Nam. After our tour of duty was over, we were anxious to get back home to our base in California.

Our return leg through the Pacific meant that we would return to the US via Guam for rest and refueling. One of the exciting things about going to Guam was that we could go to the BX (base exchange) and purchase stereo equipment at discount prices. And the BX at Guam had the very best inventory of any base in the world. Plus we did not have to pay any duty on that

equipment because customs waived us through, for the most part, without seeking duty payments. Every airman who could, would load up on stereo gear to take back to the states. We were no exception.

One advantage we had over most airmen was that the KC135 had basically an empty fuselage. All the fuel we carried was in the wings and belly tanks, leaving the entire fuselage wide open. We could have easily fitted several cars in that aircraft if we were allowed to do so. There were no prohibitions on stereo gear or other imported goods. So, as soon as we arrived in Guam we made a beeline to the BX. We began purchasing the best stereo gear you could find, and it was all there to be found.

After making our purchases we were shocked to hear sirens. They were warning sirens set to alert the residents of a typhoon bearing down on the island. Having



Gary Bauer



Lining Up to Leave Guam



grown up in Indiana, my exposure to typhoons was, as you might imagine, quite limited. It turned out it was a category 4, and that year it was named Super Typhoon June and one of the strongest on record with three eyes according to data available on line.

We were directed to report to Base Operations immediately. Until we heard the siren, all was beautiful and quiet on that tropical island. This weather feature was a surprise to all of us. At Ops, we were told to “hunker down” on the second floor of one of the concrete barracks on the island. We were told to wait out the storm. Our crew was the last to arrive. As a result, they directed all the aircraft to leave the island (B-52’s and KC135’s) and to keep one crew (ours) and one aircraft back. We were a back-up crew to ferry parts to the aircraft which had been evacuated to Kadena Air Base, Japan during the storm.

Kadena was a very small island at the far southern tip of Japan, somewhat removed from the mainland of Japan. It was a very small target. I tell you this because we were instructed to fly there. Normally, that would not be a big deal, but first we were given a radio and rations and told to stay in the barracks until instructed to come

out *after Typhoon June passed over us*. The barracks had shutters and we used tape to seal the gap between the door and the jamb, and we listened as the wind howled and grew in intensity. Typhoon June passed close to the island and they clocked winds in excess of 180 miles an hour. We were cramped in the room assigned with stereo gear boxed in oversize packing for transport. We had so much gear, there was barely enough room for us.

It was scary and uncomfortable at the same time. They told us not to go outside under any circumstances until told to leave. One of the biggest dangers was getting hit in the head with debris, especially coconuts. I am not kidding. I can still smell the air as I write this and feel the buffeting of the wind, even in a concrete bunker.

When the radio reports said that winds had subsided to 90 mph, we ventured outside. You could lean forward into the wind, and not fall over. Finally, we were cleared to leave. They loaded a bus with all our gear and took us to Base Ops. There, we were given the flight plan and ordered to fly west to Kadena. The problem was that we had to fly right through Typhoon June to get there. It was critical that we transport spare parts to the aircraft on the ground at Kadena so that

they could fly out of harm's way. Military aircraft of that vintage always needed parts to get off the ground as systems failed so it was absolutely necessary that we complete the mission.

In normal times, stateside, I would be "violated" and be reprimanded or lose my ability to continue flying if I came within 20 miles of an active thunderstorm. So we were very careful never to even get within 50 miles of turbulence, hail, lightning and other weather features. The aircraft were not designed to experience those types of G-forces.

This mission was not normal. We were instructed to get to Kadena by any means possible. That meant flying *through* Typhoon June. It was so expansive with tops of the clouds exceeding 80,000 feet. That was well above our aircraft's ceiling capability. For instrumentation, since we were over the Pacific, we would be out of the normal aids for navigation that we used stateside. Instead, we had Loran, high frequency radio waves, and celestial navigation, using a sextant. Of those three aids, two were highly unreliable and inaccurate. Our best hope was to use the sextant and navigate using the sun and planets or stars at night. Navigators also use what is called "dead reckoning" which uses predicted "winds aloft" which are provided before the flight and subject to significant changes over time. Our flight, if I recall correctly, was scheduled to be about five hours long.

As we progressed to the West, we could see the dense, dark, solid bank of clouds which circled around the eye of the typhoon. As darkness descended upon us and as we entered the front, I kept a close eye on my radar screen. I did this to find the least intense returns so that I could "thread the needle" and try to avoid the most intense turbulence so that we didn't exceed the limits of the aircraft.

I was fortunate to have a very competent pilot and co-pilot (Bill Herlihy was the crew commander and an excellent pilot). He maintained control as we were experiencing seemingly endless updrafts and downdrafts, intense rain and lightning. I really wondered if we were going to make it alive. Due to changing radar returns, we had to alter course about every three minutes. As a navigator, all I could do under the circumstances was to "air plot" our position each time we altered course. That means that I would simply record the airspeed, time, and true heading of the aircraft and mark that point on my chart. The pilots kept asking about the conditions ahead on the radar. I assured them that I was taking

them through the best path to avoid the "hardest" returns. When time allowed, I would be able to plot a vector representing the estimated wind effect on my air position giving me my best guess of our true position.

Eventually, we broke through and I took several readings using my sextant and correcting my chart for where I believed we were located. Knowing our position was critical. Failing to know where we were might create an international incident. Anytime you fly into an air defense zone (ADIZ), which is airspace of the sovereign country which you are approaching, they have radar and watch for approaching aircraft. Sometimes, radio contact is not possible at that range and you need to hit the ADIZ within time and distance parameters that don't give you much room to be off course or outside of your estimated time of arrival when penetrating that ADIZ. We filed a flight plan. The time and location of our point of penetration was anticipated as long as we hit the mark. Failing to do so meant that aircraft would be launched to intercept our aircraft or shoot us down.

Since we had made so many alterations over such a long time, it was critical that I correct those errors and be on time and in place as planned. If aircraft had to be launched to intercept us, the pilots and I would have violated the controlled airspace rules and that would be the end of our careers in the Air Force.

As it turned out, we were right on time and crossed the ADIZ as planned. We sighed a breath of relief as we met the mark and celebrated with a hot meal and some drinks after that flight. We celebrated being alive and not being violated. That was one of the best meals I ever had—the problem was that we were no sooner on the base and completed that meal, than we heard sirens for—you guessed it—Typhoon June. We took cover again as the typhoon made landfall not as intense as at Guam. My crew and I are probably the only individuals with the distinction of having experienced the same typhoon twice, both coming and going.

Normally, my goal is to have a connection with my life experience and practicing law. I am just glad to be alive and have the opportunity to practice law as I do today. When you experience proximity to death, it changes you and makes it possible to better appreciate the life you have and what is really important in your life.

Gary Bauer is the Director of the Estate Planning Clinic at WMU-Cooley Law School.

Cycling Saigon To Bangkok

By Shelley R. Spivack

From the lush back roads of the Mekong Delta to a mesmerizing sunset on the Gulf of Thailand, my recent cycling trip from Saigon to Bangkok was well worth the 25 hours spent in the air and in airports from Chicago to Tokyo. While many would question the sanity of a 61-year-old woman who chooses to spend her vacation cycling 400 miles on dusty and dirt-covered roads in the 90-degree heat, I eagerly returned to Southeast Asia for my fourth bicycle tour in this region. Along with 14 other cyclists from Europe, Australia, Hawaii, and England, we rode, hiked, and ate our way through Vietnam, Cambodia, and Thailand during the last two weeks in February.

As I had previously toured Vietnam, Thailand and Sri Lanka, my goal this year was to visit Cambodia—in particular the ruins of the ancient Khmer kingdom. I started the trip in Saigon, arriving two days early so that I could wander around the city and become accustomed to the 12-hour time difference. Having already visited many of the war museums in Hanoi, I spent my time in Saigon dodging the motorbikes and enjoying the festivities of the Chinese New Year, including a lively music-

and-dance performance at the Saigon Opera House.

The first three days spent riding on pathways through the delta of the mighty Mekong River proved to be a feast for the eyes and the senses. The color green saturated the atmosphere. Villages appeared out of nowhere, and at every turn a bridge or ferry to transport us across the waterways. On our last day in Vietnam, we took a break from the bikes and boarded a speedboat for a three-hour cruise up the Mekong River and across the border into Cambodia.

The differences between the two countries were startling. From the boat we could see pavement turn to dirt and motorbikes become aging bicycles. Arriving in Phnom Penh, we sensed a city trying to rebuild itself after the devastation wreaked upon it by the Pol Pot regime and years of civil war. Trips to the S 21 prison and the “Killing Fields” were a stark reminder that a quarter of the population was “lost” during these years.



Shelley R. Spivack



Riding out of Phnom Penh and into the countryside our clothing turned red from the mud baked roads. But the friendliness and hospitality of the Khmer people made it all worthwhile as they welcomed us into their homes and villages.

As we travelled farther into the country, we began to encounter the remainders of the ancient Khmer civilization. Buildings and relics from the seventh century began to populate the terrain. By the time we arrived in the ancient capital of Siem Riep we were ready for the wonders of Angkor Wat. Words cannot describe

the experience of riding our bikes through the forest to arrive at palaces and temples that put Versailles and the Vatican to shame.

More photos from the trip can be found at: <https://www.flickr.com/photos/shoshannarobin/albums>.

Previously published in the Genesee County *Bar Beat*.

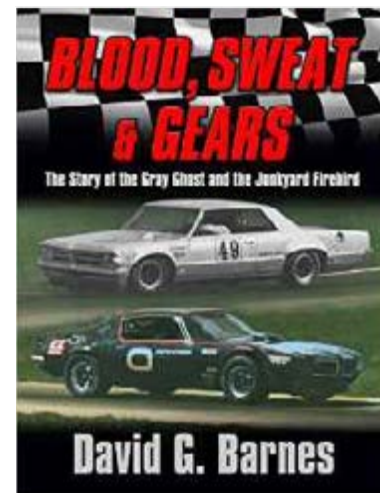
Shelley Spivack is the Attorney/Referee with the Genesee County Family Court and a lecturer in Criminal Justice at the University of Michigan, Flint. (her photo—Courtesy of the Detroit Legal News)



Blood, Sweat, & Gears

By David Barnes

Here's a summary of the book: "In 1971, could a little group of unknown automotive engineers independently design and build a race car from an old 1964 Pontiac sedan and really compete against professional, factory-backed racing teams? Blood, Sweat & Gears is based on the true story of a small group of GM Pontiac Division engineers who did just that - they independently created a race car in 1970 from an old 1964 Pontiac Le Mans with 80,000 miles on its odometer. Without factory support and on a shoestring budget, they seriously competed in the 1971 televised Trans-Am road racing circuit against professional, well-financed, factory-backed racing teams and won the hearts of fans and the press, who dubbed their car the "Gray Ghost." The following year they did it again, starting with a wrecked Firebird from a junkyard, and shocked the racing world at the Mid-Ohio Sports Car Course. Blood, Sweat & Gears is an inspiring, fact-based underdog story of hard work, ingenuity and competitive American grit that has never before been fully told."



Here is the link to it on Amazon: http://www.amazon.com/Blood-Sweat-Gears-Junkyard-Firebird/dp/1941536468/ref=sr_1_1?s=books&ie=UTF8&qid=1460985796&sr=1-1&keywords=blood+sweat+gears

David G. Barnes is Chairman, President & CEO of Heber Fuger Wendin Investment Advisors.

Michigan's Untold Story

By James A. Johnson ©2016

**Dedicated posthumously to Dave DeBusschere, coach of the Detroit Pistons at age 24, the youngest player-coach in NBA history.*

Michigan, the Wolverine State, consists of two separate land areas, the Upper Peninsula and the Lower Peninsula. The Mackinac Bridge, designed by David B. Steinman and completed in 1957, connects the UP and LP spanning five miles across the Straits of Mackinac. This suspension bridge is an engineering marvel and the third longest behind the Verrazano Bridge in New York and the Golden Gate Bridge in San Francisco. It is a breathtaking panorama, day or night. Michigama, a Chippewa word meaning big lake, touches four of the five great lakes – Erie, Huron, Michigan and Superior and ranks fourth in the United States in public beaches,

registered water boats and lighthouses.

Now that the geographical parameters and some basic historical facts are set, come with me and learn about a different kind of history, about a game invented in Massachusetts in 1891 and reaching its zenith in Michigan. This story is about Michigan high school basketball and its contribution to the National Basketball Association.

In 1958 Dave DeBusschere, from Austin Catholic High School, battled Chet Walker of Benton Harbor



for the Class “A” championship and DeBusschere’s team prevailed. Chet Walker moved on to Bradley University in Peoria, Illinois, and was a consensus first team All American in 1961 and 1962. DeBusschere stayed at home and graduated from the University of Detroit-Mercy and then played for the Pistons and became the youngest coach/player in NBA History, at age 24. In 1969, he was traded to the New York Knicks, the missing link that engendered NBA championships in 1970 and 1973. In 2003 DeBusschere suffered a fatal heart attack and is in basketball heaven. The National Basketball Retired Players Association of which Dave was a founder renamed its scholarship fund The Dave DeBusschere NBRPA Scholarship Fund. The purpose is to provide scholarships to former professional basketball players and their children to help them meet the cost of higher education. Chet Walker, the quiet one, yet a prolific scorer and rebounder with the NBA Philadelphia 76ers and Chicago Bulls, has been unfairly overlooked and underappreciated for election to the NBA Hall of Fame. If you question this statement, you can look it up and discern that he absolutely belongs.

Detroit, the 18th largest city in America, is called the automotive capital of the world. The Motor City is where Henry Ford built his first automobile in 1896. Three years later, Ransom E. Olds established Michigan’s first automobile factory. In 1941 the Chrysler Corporation mass-produced tanks for the war and the entire auto industry switched from cars to manufacturing tanks, planes, and other war materials. *If any reader believes that he or she has a 1943-1945 Chevy, Ford, Olds or Cadillac, please call me—Collect!* However, by 1963 Detroit produced something else, not off the assembly line, with its rollers, hooks and chains, but instead, a prep phenom, dubbed CHAIN. This was none other than 6’3” Cliff Williams of Southwestern High School, who averaged 36 points per game with a then city single-game record of 61 points. Cliff got his nickname from practicing on the playgrounds that had chain nets, year round in snow, sleet, or rain. Every schoolboy of this era knows the sweet sound of a dead center shot, in a chain net. Cliff Williams was so prolific with jumpers and other shots that he was M.C. Hammer before Hammer—U Can’t Touch This! Although Cliff didn’t know it at the time, he put Michigan high

school basketball, and Detroit basketball in particular, on the map.

When college coaches came looking in large numbers in 1966 the place was Hamtramck. And, the look-see was 6’7” Rudy Tomjanovich, who could face the basket and give you all the 20-foot jumpers any college coach could desire. Rudy’s total game and numbers were 25 points per game and 22 rebounds. Off to the University of Michigan and then to the NBA Houston Rockets. Rudy continued with his stellar play and after retirement became a scout for the Rockets and later head coach. As a coach, he engendered two back-to-back NBA championships in 1994 and 1995.

If you were standing in front of the building on 18875 Ryan Road in Detroit, in the academic year of 1966-67, you would have seen two special Doughboys enter Pershing High School. One boy, a senior, standing 6’8” and the other a junior, 6’4” two players of such extraordinary ability that the entire team is regarded by many, then and now, as the best in state history. These two players, Spencer Haywood and Ralph Simpson, were coached by Will Robinson. By the way, Haywood’s 1970 legal case opened the door for undergraduates to enter the NBA. All of the starters on the 1967 team played professional sports: Haywood & Simpson (ABA-NBA), Glen Doughty & Paul Seal (NFL) and Marvin Lane (Baseball). Yes, this is the same Will Robinson associated with the Detroit Pistons basketball operations. Robinson also coached Ira Hodge and Mel Daniels at Pershing and Doug Collins (NBA) and Bubbles Hawkins (NBA) at Illinois State. Robinson also coached at old Miller High School (Sammy Gee, Charlie Primus and Bob “Showboat” Hall—Harlem Globetrotters) and at Cass Tech in the mid-1940s and the 1950s. Will Robinson was a legend in his own lifetime, a man who has touched hundreds, both white and black, not only in sports, but also in the enduring values of life. On April 28, 2008 Will Robinson passed into basketball heaven.

If you think I’ve given Detroit too much ink, consider Traverse City (Dan Majerle 1983 & NBA, Suzy Merchant 1987 & 2008 MSU Women’s b-ball coach); River Rouge (Blanche Martin 1955, Ken Wilburn 1962, Willie Betts 1964, Frank Price 1966, Leighton Moulton 1972, Duez Henderson 1998, Charles



Kage 1998, Rodney Hughes 1999, Brent Darby 1999); Ecorse (George Peeples 1962, Archie Clark 1959 & NBA); Highland Park (Bobby Joe Hill 1961, George Trapp 1966, Terry Duerod 1975 & NBA, Cedric Olden 1978, Percy Cooper 1981, Renardo Brown 1982, Glen Blackwell 1984, Veltra Dawson 1984); Fennville (Richie Jordan 1965); Jackson (Gary Thompkins 1984, Maurice Poole 1985); Kalamazoo (Sam Mitchell 1989, Corey Person 2007, Cetera Washington 2007); Alpena (Ray Feher 1972); Cadillac (Dirk Dunbar 1972); Detroit Country Day (Chris Webber 1991, Shane Battier 1997, Jonas Gray 2008, Da'Shonte Riley 2009; Rochester (Paul Davis 2002-NBA Clippers); Wyoming Park (Drew Neitzel 2004 & 2008 Artland Dragons in Germany); Saginaw (Draymond Green—NBA Golden State Warriors).

This game is played from the UP to the LP in big cities and small towns by both boys and girls; Miss Basketball (2013 Tori Jankosa—reeland, 2012 Madison Ristovski—Gross Pointe Liggett, 2006 Brenna Bankton—Frankfort). It is the participation that counts and not so much how many points you score. Basketball participation not only builds character, it reveals character. For example, on September 11, 2007 Detroit Country Day retired Shane Battier's No. 55 jersey. Sportsmanship, discipline, character building, and leadership are just some of the enduring values that can be derived from this wonderful game of basketball.

Bottom line for parents and mentors: get your children involved in sports, because that is why it is labeled an extra-curricular activity. College admission officers want more than academic excellence. After reviewing your application in which you meet the academic criteria, the question remains: What else? Sports? Drama? Debate Team? Cheerleader?

Special mention must be given to Curtis Jones of Detroit Northwestern H.S. in 1967. His story has not been completely told and space constraints preclude me from setting it out. However, when I interviewed a bevy of people for this story the name Curtis Jones kept popping up more often than Ralph Simpson and Spencer Haywood. That is enough to demonstrate just how prolific and highly skilled Curtis Jones was as a high school basketball player.

A documentary film is in progress about Curtis Jones to ensure that student performance off the court matches Curtis' performance on the court. See how you can help at www.curtisjonesfilm.com

Lastly is the relative Clarkston connection, father Dan Fife and sons Jeremy, Dugan and perhaps the best, Dane. In 1998, Dane was All-State First Team, Gatorade Circle of Champions Midwest Player of the Year and Michigan's 18th recipient, Mr. Basketball. Dane matriculated at the University of Indiana under the tutelage of Bobby Knight. Today Dane Fife is an assistant coach under Tom Izzo at Michigan State.

Keep an eye on the following high school players because you will be reading about them in the sports pages:

BOYS

- 6' 0" Cassius Winston - Univ. of Detroit Jesuit
- 6' 6" Miles Bridges - Huntington Prep
- 6'10" Austin Davis - Onsted
- 6' 8" Brandon Johns - East Lansing
- 6' 3" Justin Turner - Detroit Renaissance
- 6' 4" Devon Daniels - Kalamazoo-Central
- 6' 6" Algevon Eichelberger - Saginaw

GIRLS

- Claire Hendrickson - Wyoming
- Kaela Webb - Det. Ctry. Day
- Benna Ames - Gross Point South
- Taiye Bello - Southfield-Lathrup
- Mardrieka Cook - Muskegon Heights
- Kysre Gondrezick - Benton Harbor

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A Method for Transitioning

By Myra Mossman, Esq.

“Tinker, tailor, soldier, sailor, doctor, lawyer, merchant, chief” is a nursery rhyme familiar to many North Americans. Children believe it refers to different livelihoods. Hippies and millennials may understand it as the career path of one individual trying to find himself. Life-changing transformations happen. A long-standing job is terminated. A snap judgment is made to follow one’s dream. Transitions can occur sideways through a shift in focus. An otherwise minor aspect of your everyday work world now becomes paramount. The human instinct is to resist change. It can feel like free falling, with no solid footing to build upon. Hope may turn to despair. We can adopt unconscious strategies, such as self-sabotage, which lowers our self-esteem and makes change a painful experience.

Sometimes we feel stuck and do not know the next step to take. A solution to this dilemma is to pay attention to the coincidences, the unexpected in one’s life. The term “street tarot” means to use the signs, symbols, and wonders found in everyday occurrences. These meaningful coincidences provide guidance in times of confusion. You can set the particular subject matter or let the world set it for you. To enhance personal growth in either manner, trust your intuitive powers and be open to receive. In your discernments, be ruthlessly honest with yourself.

A relevant example of street tarot occurred in 1987, when I lived in Toronto and rented a suite in a five-story Victorian mansion. At the time, I was a martial arts fitness trainer. Two of Canada’s top actors were my personal clients, and I taught classes at exclusive spas and clubs. When the fitness business slowed down during the summer months, I supplemented my income by doing temp work through Kelly Girl, Inc. No, not as a call girl. The country’s leader in the temporary staffing business, they contracted me out as a ‘high-end’ receptionist or an office assistant.

A one-day Kelly assignment, for a criminal attorney, was to start the next morning. The lawyer’s usual receptionist was sick and he would be in court all day. Around 11:55 the night before my work began, I visited



Myra Mossman

a housemate. While my friend finished her nightly chores, I picked up a book that was on the floor beside my chair. Its title suggested a collection of love affirmations. It was past midnight when I fanned through the pages. With eyes closed, my fingers settled on one page. The statement therein was mine to contemplate and set my thoughts for the day ahead. It read:

Today, you will make a decision.
It is no ordinary decision.
It is the kind of decision that leads men into battle
and nations are created

Wow. This was not the “love saying” I expected. Nevertheless, my intuition told me to stay alert. Something was up. Shortly after I arrived at the Kelly assignment in the morning, the criminal attorney telephoned the law firm.

“Something strange happened.” He disclosed. “Court is cancelled all day. I am coming back to the office.” Once he arrived, we talked at the receptionist’s desk for about a half hour. Then he called me into his private office.

“Myra, you are very bright,” the attorney announced. “Have you ever thought of being a lawyer?”

“Never.”

“I sit on the board of admissions to a prestigious law school. I could get you in. What do you think?”

“Even if I am a mystic and a martial artist?” I blurted out. “My B.A. is in Anthropology. I studied the notions of self and the divine cross-culturally.”

“No problem,” he said with a smile.

Just then, the after-midnight affirmation flashed in my mind. This was the decision I must make; whether to go to law school and become a lawyer. Right then and there, I decided to take my LSAT and apply to a couple of law schools. Determined to gain admission on my own merits, this legal calling led me to obtain law degrees from Canada and the United States, and membership in the Michigan Bar. For the past 16 years,

my practice has focused on federal criminal appeals. As a solo practitioner handling cases that concern major crimes, prayer is my law partner. One of the highlights of my legal career is an appearance in the Supreme Court of the United States. The issue involved the plain error standard of review related to a change of plea hearing. (*United States v. Dominguez-Benitez*, 542 U.S. 74 (2004)).

Over time, I noticed an increase in my curiosity about trusteeships. Trusts were failing across the United States during sentence proceedings, particularly lower court cases that dealt with money laundering and shell corporation schemes. Criminal forfeiture enables the government to take a defendant's assets, and in some instances trust assets, to pay the restitution levied at sentencing. For example, an ancestral house on Balboa Island, California was lost due to the defendant's use of his home office in an international banking fraud conspiracy. The beneficiaries had no idea the defendant was caught up in criminal activity, which is often the case.

One day I realized trusts need saving, too. This recognition took me back to university, to obtain a certificate in trust management. Recently, I was a guest

speaker at a continuing education accredited luncheon. In preparation for the talk, I found an unexpected overlap to the criminal conduct attributed to money laundering. At the gathering after the event, an attorney approached me.

"When you mentioned trusts are used to park assets, even laundered assets, my mind opened." She explained. "I've tried for months to trace stolen funds for a client. Your talk inspired me."

The attorney's stirrings are another example of Street Tarot. Life always flows. It can also get brutal. Stay open and be observant. Trust your intuition. By the way, "Anthropology student, hand bookbinder, paper restorer, tarot reader and teacher, martial arts trainer, federal criminal appeals attorney, and trustee". This is my personal rhyme. What is yours?

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