

**2006- 2007 SECTION ANNUAL REPORT
STATE BAR OF MICHIGAN**

Section Name: Public Corporation Law Section of the State Bar of Michigan

Mission Statement: The Public Corporation Law Section of the State Bar of Michigan provides education, information and analysis about issues of concern through meetings, seminars, the web site, public service programs, and publication of a newsletter. Membership in the Section is open to all members of the State Bar of Michigan.

Officers and Membership:

Chair: Lori Grigg Bluhm (Troy)

Vice Chair: Jeffrey V. H. Sluggett (Grand Rapids)

Secretary/ Treasurer: William B. Beach (Detroit)

Other Council Members: John E. Beras (Southfield); James O. Branson III (Midland); Philip A. Erickson (East Lansing); Mary J. Fales (Ann Arbor); Gerald A. Fisher (Rochester); Marcia L. Howe (Farmington Hills); Daniel C. Matson (DeWitt); Charles R. McKone (Flint); Stephan W. Morgan (Detroit); Carol Rosati (Farmington Hills); Kay D. Schloff (Detroit); Kester K. So (Lansing); Don M. Schmidt (Kalamazoo); James E. Tamm (Bloomfield Hills); Debra Walling (Dearborn); Michael J. Watza (Detroit); Eric D. Williams (Big Rapids)

Meeting Schedule (date and location)

06/23/2006- Grand Hotel, Mackinaw Island, MI (Summer Seminar)

09/09/2006- Miller Canfield, Lansing, MI

10/07/2006- State Bar of Michigan, Lansing, MI

11/04/2006- Dickinson Wright, Lansing, MI

12/02/2006- Teleconference meeting

01/06/2007- Teleconference meeting

02/16/2007- Dearborn Inn, Dearborn, MI (Winter Seminar)

03/24/2007- Kitch, Drutchas et. al, Okemos, MI

05/05/2007- Miller Canfield, Lansing, MI

Events/ Seminars:

Seminars/ Conferences

1. The year had a terrific start on June 23-24, with the 8th Annual Public Corporation Law Section of the State Bar of Michigan/ Michigan Association of Municipal Attorneys' Summer Conference, at the Grand Hotel, Mackinaw Island, MI. Marcia Howe and Jeff Sluggett did a fantastic job as the PCLS coordinators for this conference, which featured a municipal employment panel, as well as an update U.S. Supreme Court cases, Michigan cases, Home Rule evolution, municipal elections, and preparing for large scale emergency situations.

Michigan Supreme Court Justice Markman was our honored dinner speaker, and there were plenty of other networking opportunities, including some pre-conference sessions and sponsored receptions.

2. On September 7, 2006, the Section joined with the Real Property Section of the State Bar of Michigan and the Institute of Continuing Legal Education for the annual Land Use Seminar. Council member Carol Rosati has been the Section's liaison for this informative seminar, and also served as a speaker, along with Co-Council member Gerald Fisher. Those of us who do land use work greatly appreciate this annual seminar, and the willingness of these experts to share their own war stories, experiences and knowledge with others.
3. The PCLS Winter Seminar was held at the Dearborn Inn on February 16, 2007. Co-chairs Jim Tamm and Philip Erickson did a great job of getting speakers to cover a variety of municipal law topics, including liquor licensing, municipal finance, and a form based zoning panel discussion. Law students also attended this Seminar, which was very successful.

PCLS Quarterly

1. The Section continued publication of the PCLS Quarterly, with scholarly articles on a variety of municipal law topics. The Quarterly regularly features a Michigan case update, federal law update, legislative update, and Attorney General Opinions, as well as several other featured articles. The Section wishes to extend heartfelt gratitude to Dan Dalton, who served as editor, and donated several hours of his time and his talent, especially since he also contributed substantive articles to the Quarterly. After several years under Dan's leadership, Tom Schultz and Steve Joppich have assumed the demanding job of editor of the Quarterly. Their unwavering commitment to excellence has already been demonstrated in their first two issues, and we know that they will continue the tradition of providing the Section members with timely and relevant information for public corporation lawyers.
2. The Section successfully converted from a paper distribution of the PCLS Quarterly to an electronic distribution. In addition to saving postage (especially since this keeps increasing), this transition should provide additional benefits for the Section membership, since the Quarterly is now easily saved, retrieved, and searched.

Legislation and Public Policy Advocacy- The Section continued to carefully scrutinize proposed legislation that impacts public

corporations. In addition, the Council also reviewed several proposed amendments to Court rules. The Council also formed committees to address perceived inefficiencies in land use cases and also tax cases. The Council has added the review of proposed legislation and public policy as a regular agenda item for each of the Council meetings, and will continue to devote resources to the review of legislation, education of the Section membership, and timely intervention during the sometimes fast paced legislative process. The Council will continue to make recommendations to the State Bar of Michigan when appropriate. One example of this is the Section's opposition to the Governor's proposed two percent tax on legal services.

Amicus Briefs- The Section was also asked to provide amicus briefs in public corporation cases that were in the appellate process. In determining whether or not to file an amicus brief in these cases, the Council considers the unique public corporation issues, but is also mindful of any budget constraints, as well as the number of requests each year. If the public corporation section interests are shared by other organizations, including the Michigan Municipal League, Michigan Association of School Boards, Michigan Association of Counties, and/or the Michigan Township Association, then joint amicus participation is encouraged in order to minimize costs. This joint amicus participation occurred in *Ohmdahl v. West Iron County Board of Education et. al*, a case addressing an in pro per Plaintiff's entitlement to attorney fees in an Open Meetings Act case.

Announcement List Serve/ List Serve- The Section continues to host a list serve, which provides a forum for public law attorneys to ask questions, engage in intellectual debates, or share innovative ideas or successful strategies in the public sector realm. The new Announcement List Serve has also been used to efficiently and effectively communicate information to the members of the Section.

Resources Provided by the State Bar of Michigan: The work performed by the staff of the State Bar of Michigan is greatly appreciated. This work included, but is not limited to financial recordkeeping and payment of invoices for the Section, the hosting and updating of the Section website, the hosting of the list serve and the announce list serve, the production, publication and distribution of the PCLS Quarterly, the inclusion of Section updates in the Michigan Bar Journal, the compilation of materials for seminars, and numerous other contributions that led to a successful year. The Section greatly appreciates all of the work of the State Bar of Michigan, which has been an enhancement to all that we do.

Future Goals and Activities:

1. The continuing purposes of the Section are:
 - a.* Study the laws and procedures relating to public law as they relate to the activities of government corporations, agencies, departments and boards, including townships, counties, villages, cities, schools, and charter or special authorities;
 - b.* Promote the fair and just administration of public law;
 - c.* Study, report on, and recommend necessary legislation;
 - d.* Promote the legal education of members of the Bar and the public concerning public law by sponsoring meetings, institutes and conferences, distributing pamphlets and brochures, and preparing, sponsoring and publishing legal writings in the field.
2. The Section will continue its efforts to recruit diverse leadership in the Section and also on the Council.
3. The Section will continue to produce high quality products that are beneficial for the Section members.
4. The Section will continue to improve its Section website.

Chair Comments/ Contact Information: Thank you for the opportunity to serve as the Chair of the prestigious Public Corporation Section of the State Bar of Michigan. Thank you, especially, to all of the members of the Public Corporation Section Council, who are so dedicated to the mission of the Section. In order to further the Section Mission, the Council members give up a Saturday a month for the Section meetings in Lansing. They also willingly contribute their time and talents to plan the great seminars, share their expertise as speakers, and/or author articles for the PCLS Quarterly.

In my experience, the Section contains the best and brightest attorneys, who are able to master several different practice areas. Section members are dedicated public servants that are a credit to the profession, since they are diligent, perseverant, informed, caring, and committed to the pursuit of knowledge. To each member of the Section, I challenge you to increase your involvement in Section activities, and also to participate in the continuing legal education opportunities. To those other lawyers representing public corporations- come join us! Good things are happening!

Respectfully submitted,
Lori Grigg Bluhm, Chairperson
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