

WELCOME!

Section Orientation



November 18, 2019



Overview

Today's Agenda **Orientation Folders Compliance Checklist Key Dates** michbar.org





Welcome

Dennis Barnes, SBM President

Janet Welch, SBM Executive Director

Aaron Burrell, SBM Representative Assembly Chair





Introductions

Your Name, Section, Title, then ...

Choose Two:

- 1) A feature of my section of which I am particularly proud
- 2) A challenge my section is currently facing
- 3) A question I'd like answered during today's orientation







Section Events

Darin Day Heather Anderson



Key Points to Remember

- **Submit all** your known section events for the year, at the beginning of the year.
- Start with Heather Anderson every time.
- Need online registration? Contact SBM at least 12 weeks prior to event date.
- Every contract must be reviewed by the SBM's Office of General Counsel.
- Decide up-front whether to use a post-event survey.
- For each event, start early and allow plenty of lead time.





Your Year in Section Events

To kick-off the bar year, please provide the following information ASAP:

- Your Section name and a primary event contact
- All your event dates (or rough approximates)
- For <u>each</u> event:
 - □Event Name (or approximate)
 - □City and Venue (or best guess)
 - □ Event Type: educational, networking, charity, awards and recognition?
 - □Will you need SBM staff assistance?





Available SBM Staff Support for Section Events:

- Setting up Online Registration
- Approving Contracts (required)
- Publicizing and Promoting Events
- Duplicating and Distributing Materials for Educational Seminars
- Post-Event Surveys
- Onsite Staff Support (Day of Event)
- Event Finances



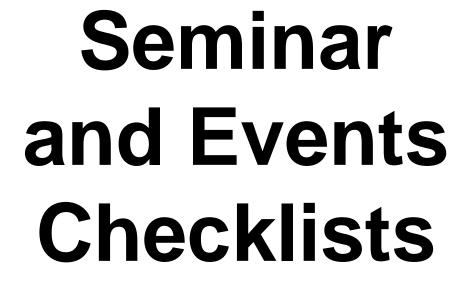


Getting Started

- As soon as you are considering a date for <u>any</u> section event, please contact Heather Anderson.
- Review the Event Planning Steps and Responsibilities Table (pages 4-5).
- Review the Event Information Minimum Due Dates Table (page 6).







See Page 8
Heather Anderson





Contracts for Events

- In <u>all</u> contracts, list the contracting party as: [Name of Section] of the State Bar of Michigan.
- Submit <u>all</u> section contracts as early as possible to <u>contractreview@michbar.org</u> for review and approval by the SBM Office of General Counsel.
- Allow five (5) business days for SBM review and approval, absent extenuating circumstances, but include in the body of the e-mail the date the contract is needed.







Post-Event Feedback Surveys

- ✓ **<u>Do</u>** think about the information you want to collect. What do you want to know?
- ✓ <u>Don't</u> worry about formatting the survey with check boxes or ratings scales: SBM Staff will handle survey design.
- ✓ <u>Do</u> remember people are busy: attendees should spend no more than a minute or two completing a survey.
- ✓ <u>Don't</u> forget to promote your survey! Print the link on event materials, share it on screen, announce it from the podium. Send your survey to attendees by email <u>and</u> post a link to your SBM Connect website.
- ✓ **<u>Do</u>** send the survey by email <u>before attendees even leave the venue</u> to increase response rates and ensure fresher comments.



Contact Michelle Erskine at merskine@michbar.org



Event Finances

- Sections are exempt from sales tax and covered under SBM's liability insurance. Ask for certificates!
- For event services provided by SBM staff, time is charged at \$25/hour, other fees are listed in the event planning forms.
- If you want a **credit card option for event registration**, please provide **12 weeks notice**. If accepting checks, they MUST be delivered with a check transmittal form within THREE DAYS.
- SBM will provide accounting for your event in the first week of the month following the month in which you submit the final invoice.







SBM Staff Contacts for Events

See Back Page of Section Events Planning Handbook





Communications Services Available from SBM Staff

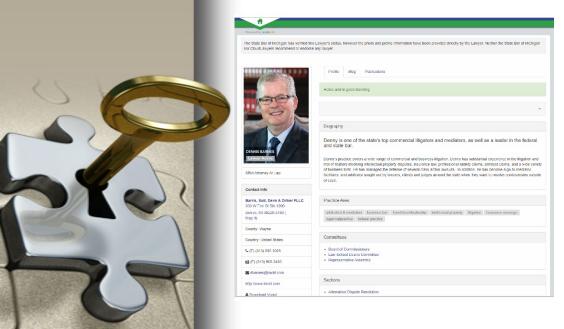
Sue Oudsema Andrew Marks



Vary Your Voice: Use Communications to Get Ahead



Vivid Visibility: Say It Loud & Clear



Make Sure Your Online Member Directory Profile is up-to-date





Features

- Council Information—council roster, bylaws, section demographics, council, committee, and section meeting minutes
- Discussion Group with daily digests sent by email—replace your section's listsery
- Library—share agendas, newsletters, reports, other documents
- Event Calendar—seminars, events, and meeting dates
- Section Member Directory
- Seminar Materials—visible to registrants only







SBM Connect STATE BAR OF MICHIGAN





Events



Awards Journal

Mission

ADR Home

The mission of the Alternative Dispute Resolution Section is to encourage conflict resolution by:

1. Providing training and education for ADR professionals;

Council Public Policy

- 2. Giving professionals the tools to empower people in conflict to create optimal resolutions;
- 3. Promoting diversity and inclusion in the training, development, and selection of ADR providers and encouraging the elimination of mediator bias; and,
- 4. Advancing the use of alternative dispute resolution processes in our courts, government, businesses, and communities

Who We Are

The ADR Section is made up of individuals interested in conflict resolution, peacemaking, and improving the climate in Michigan for mediation, arbitration, and other forms of ADR. We include lawyers, law students, and non-lawyers. Joining the ADR Section places you in the forefront of a movement dedicated to providing better representation of the public through improvement of ADR practices and techniques.

Why You Should Join the ADR Section

Network and learn from top practitioners:

- · Statewide networking events and outstanding training and skill building
- · Regional mediator forums-where mediators share and learn from each other
- Annual Meeting—offering 8 hours of SCAO-approved advanced mediator



Reports ▼ Resources ▼

Member-Only Content

search

My Profile

Q

Section Discussions

Section Events

Section Library

Section Member List

Find Us On







Full Council Meetings

- · Friday, August 9, 2019
- Friday, October 11, 2019
- Friday, December 13, 2019
- · Friday, February 14, 2020
- Friday, April 17, 2020
- Friday, June 12, 2020
- Friday, August 14, 2020
- · Saturday, October 17, 2020

All meetings convene at 9:30 a.m., on Friday mornings at the SBM building in Lansing.

Executive Committee Teleconferences





SBM Connect Discussion Groups

The discussion group can replace your listserv.

- Offered at no cost to sections
- Membership status updated in real time
- No need to login! Participate by email only
- Self moderated
- Frequency: Daily Digest, Real Time, None
- Discussion attachments (PDF, Word, etc.) are archived in the Library
- Members must publicly share their email addresses





E-Blasts





Luncheon with the Michigan Tax Tribunal

The Admin Law Section invites the Government Law, Taxation, and Young Lawers Sections to this informative discussion with the Tax Tribunal.

Date: Wednesday, December 11, 2019

Time: 11:45 a.m.–2:00 p.m.

Location: Kellogg Hotel & Conference Center, Michigan State University, 219

S Harrison Ave, Room Big Ten C, East Lansing

Cost: \$25 for members of the Admin & Reg, Government Law, Taxation, and Young Lawyers Sections; \$40 for non-section members; \$15 for law students

(includes lunch and parking)

Register: online or by mail form

To help ensure an accurate lunch count, registrations must be received no later than **December 5, 2019**.

The Admin Law Section will be hosting a luncheon with the Michigan Tax Tribunal that includes a moderated panel discussion to gain the expertise, experience, and perspective from not only Tax Tribunal members, but from the perspective of being an attorney, assessor, or appraiser involved in matters before the Tribunal as well.

The panel will be addressing the topics and questions that you have about practicing before the Tribunal. Submit your topics or questions that you want answered by the panel to Chris Patterson at cpatterson@fsbrlaw.com. Admin Law Section members can submit questions through the Section's SBM Connect page.





Print & Electronic Publications

Bar Journal Section Briefs

Significant developments in the law, noteworthy events or achievements.

Due on the 5th of the month/75 word limit.

Theme Issues

Work with theme editor from the Bar Journal Committee. Scheduled 1-2 years in advance.









Electronic Publications are Mobile Friendly

- Formatted for your tablets & smartphones
- All devices accessed through the same link
- If you want to set up your Section publication in digital format, contact Susan Oudsema.









Print & Electronic Publications

In-House Typesetting & Design/Print Services

- Provide assistance with section print directories, brochures, newsletters, and agenda packets.
- Currently produce
 20 section/local bar
 newsletters internally.







Electronic Newsletters

- Provide assistance with building Section e-newsletters.
- E-newsletters are either replacing or supplementing print publications.



Read More or Comment
Only "Borrower" Can Sue Under RESPA

communities love them, but neighbors often complain about noise, overflow parking, and loss of peace and quiet. For more background information see Joseph A. Doerr. <u>Requisiting Short: Term Vasions Renatis in Micropan Lisms</u> <u>Existing Remediate and New Legislations</u>, 2013. Some municipalities have outlight banned short them renatis under coning ordinances while real estate incidences while real term errafis under coming ordinances while real estate incidences strongly favor

By Howard Lax Bodman PLC

In Keen v Helson and Oxeren Loan Sensons LLC (CAS No. 18-085, July 18, 2019), the U.S. Shich Circuit Court of Appeals held that only the Openson signing a mortgage note have a right to sue for Real Estate Settlement Procedures Act (RESPA) violations under federal task. RESPAN garists a private right of action to borrowers, but the statute does not define comover." The court held that a borrower is the person who signs a robe and directly receives the loan proceeds. Other loan beneficiaries do not have a right to sue the lender or loan servicer for violations of RESPA consumer protections. Hence, a spouse who signs the violations of RESPA consumer protections.

mortgage to release dower and/or homestead rights does not have the right to sue a loan servicer for violation of borrowel protection requirements (12 CFR §§ 1024.30 to 1024.41), even when the spouse makes payments after the borrower dies The court suggested that Keen night pursue her claims in state court under state consumer protection laws.

Read More or Comment

Legislative Report

View the Report

Categories

- Artists' Rights
- Condominium
 Construction
- Easements
- Landlord Tenant
 Miscellaneous
- Mortgages & Foreclosures
- Property Rights
- Restrictive Covered
 Riparian Rights
- Riparian F
 Taxes

Sign Up Today!

Real Estate Outlook 2020

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Real Estate Outlook 2020 Thursday, October 17, 2019

Detroit Athletic Club, Detroit

7:30 a.m.—Breakfast 8:00–8:45 a.m.—Speaker: Robert A. Dye, Ph.D., Senior Vice President and Chief Economist, Comerica Bank

8:45-9:45 a.m.—Roundtable Discussion



Contact:
Andrew Marks





E-Newsletter Option #1

Include "teaser" snippets of each article in e-blast and link to traditional PDF newsletter.



The Michigan Dispute Resolution Journal

Summer 2019 | Volume 27 | No. 3

<u>View as a PDF</u> (save to your desktop for archiving or offline viewing)

View the Journal Archive

Annual Meeting & Conference

Date: October 11-12, 2019

Location: Inn at St. John's, 44045 Five Mile Rd, Plymouth

Register: online or by mail form

Registration deadline is October 7, 2019

Join us for the ADR Section's Annual Meeting & Conference starting on October 11. The conference has been approved for 11 hours of Advanced Mediation Training. Check out the full schedule, and register today!

Sponsorships available. See the sponsor registration form for more details.







E-Newsletter Option #2

Include all of the publication content in the e-blast.

Full articles and supplements are included in one message.









Summer 2019, Vol. 37, No. 1, Issue 106

View the full issue or the PDF.

Chair's Report From Kelly Martorano

I've said it before and I'll say it again, the Environmental Law Section has the best members! Seriously, I am so happy to have the members of this Section as my colleagues and I am constantly impressed by the good work that all of you do. So far, 2019 has been a great year for the Section and I want to tell you about all of the value this Section has to offer its members.



First, the Environmental Law Section provides timely and informative webinars to our membership. Over the past year, the Section has hosted webinars to update members about

legislative changes at the end of 2018 and on the effects of dynamic Great Lakes shorelines on zoning and planning in Michigan's coastal communities. Second, the Environmental Law Section continues to organize and host excellent conferences. In April, the Section held its annual Air Conference in collaboration with the Michigan Manufacturer's Association. The Section, in collaboration with the East and West Michigan Chapters of the Air and Waste Management Association, will also present the Fall Joint Conference again in November. The Conference includes numerous presentations by EGLE Program Directors and staff. Finally, the Environmental Law Section publishes the *Michigan Environmental Law Journal* (MELJ), which provides members with quality articles on various key topics pertinent to environmental professionals in Michigan. The MELJ is an important resource that is available to the current and future members of the Section. Read More

What's Coming Up





E-Newsletter Option #3: SBM Connect Landing Page

Entire issue displayed on a landing page with snippets of each article, a photo, and a link to read the full article.



FEATURE ARTICLES

Amendments to the Michigan Construction Lien Act: A Jumpstart to Priority for Design Professionals

By Aileen M. Leipprandt

On December 12, 2018, Public Act 367 of 2018 took effect, amending the Michigan Construction Lien Act ("Lien Act") by granting certain design professionals new priority rights where a project never actually gets built. Under the amended Lien Act, a design professional's lien can now relate back to the recording date of a statutory notice, well before and irrespective of when the design professional performed any services or whether any actual physical improvement to property actually occurs. In that respect, the revisions do away with longstanding Michigan jurisprudence that has strictly interpreted the Lien Act as fixing priority of all construction liens at the time of the first actual physical improvement to property.



Public Act 572 Amends Marketable Record Title Act Creating a Clash of Titans with Michigan Recording

By John D. Bartley

The Marketable Record Title Act ("MRTA") was enacted in 1945. The stated legislative purpose of MRTA is "simplifying and facilitating land title transactions by allowing persons dealing with the record title owner ... to rely on the record title covering a period of not more than 20 years for mineral interests and 40 years for other interests prior to the date of such dealing" In practice, marketable record title acts cause ancient interests in land to be extinguished by the passage of time if the holder of such interests fails to record a notice of claim in accordance with the applicable act.



COLUMNS

Chair's Report

By Nicholas P. Scavone Jr.

It has truly been an honor to serve as Chair of the Real Property Law Section over the last twelve months. I am humbled by the many prominent attorneys who have served in this position before me, and proud to serve the Section. RPLS has a long history of serving its members and the Michigan legal community, providing an extensive array of CLE programs, including our new program the RPLS Academy, social and networking events highlighted by our annual Summer Conference, and publishing our signature Michigan Real Property Review and more recently, our monthly E-News publication. During the last twelve months, we enjoyed successes and faced challenges, and we are in midst of what I believe is a significant transition driven by our membership.

Read More or Comment

Legislation Affecting Real Property

By Lorri B. King

The Section is active in the legislative process in a variety of ways, such as appearing before House and Senate committees, lobbying for and against bills, and monitoring legislation of interest to real estate lawyers. Before taking a formal public position for or against a bill, the Section follows procedures specified in its hylaws, and members.





Landing Page Newsletters

- Can be password protected
- Categories list become the topic index
- Top navigation is the issue index







Print & Electronic Publications

Fees for E-blasts & E-newsletters

Staff will create and send e-blasts to Section membership. Optimized viewing on all devices.

- \$100 for standard e-blast
- \$165 for e-newsletter with full or partial articles included





Design Standards & Promotional Items

Correct use of the State Bar logo and seal

LOGOTYPE: SECTIONS AND DIVISIONS

When a section or division share identity with the Bar on an official State Bar product or publication, the SBM logotype will retain prominence and the identity of the section or division shall be done typographically. No other logos may be used. Examples of how this is to be done are shown at the right.

Proportionally the title of the division or section shall be one half to one third the size of the SBM logotype. The title of the division or section shall be set in all caps using Futura Book, Helvetica Regular, or Arial. No other typeface is acceptable.

When the division or section title is staged at the side of the SBM logotype a .5pt vertical rule, the height of the logotype shall be used to separate the logotype and the title.













Social Media





ACES Facebook Page



Sections with Social Media Sites

- Administrative & Regulatory Law Section
- Agricultural Law Section
- Alternative Dispute Resolution Section
- American Indian Law section
- Antitrust, Franchising & Trade Regulation Section
- Arts, Communications, Entertainment & Sports Section
- Aviation Law Section
- Business Law Section
- Environmental Law Section
- Information Technology Law Section
- International Law Section
- Labor and Employment Law Section
- Law Students Section
- Litigation Section
- Paralegal/Legal Assistant Section
- Prisons & Corrections Section
- Real Property Law Section
- Solo and Small Firm Section
- Young Lawyers Section



Media Relations



- Assist Sections with news releases.
- Provide consultation re media relations.
- Refer reporters to Section officers.
- Will help with publicity for events.
- When requesting a press release, please give four weeks notice before your event.





Media Relations

- SBM President is primary spokesperson for the Bar.
- If Section has no position, experts from within the Section may comment <u>as individuals</u>.
- Be careful not to attribute statements to the State Bar or the Section if you are representing a personal point of view.





Deadlines

We do our best to meet your deadlines.

Whenever possible, **please** allow:

Website Updates 3-4 days



E-blasts & Surveys

2-5 days (depending on complexity)

Publications/Newsletters

2 weeks

News Releases

4 weeks before event

The more time you can give us, the better job we can do for you!





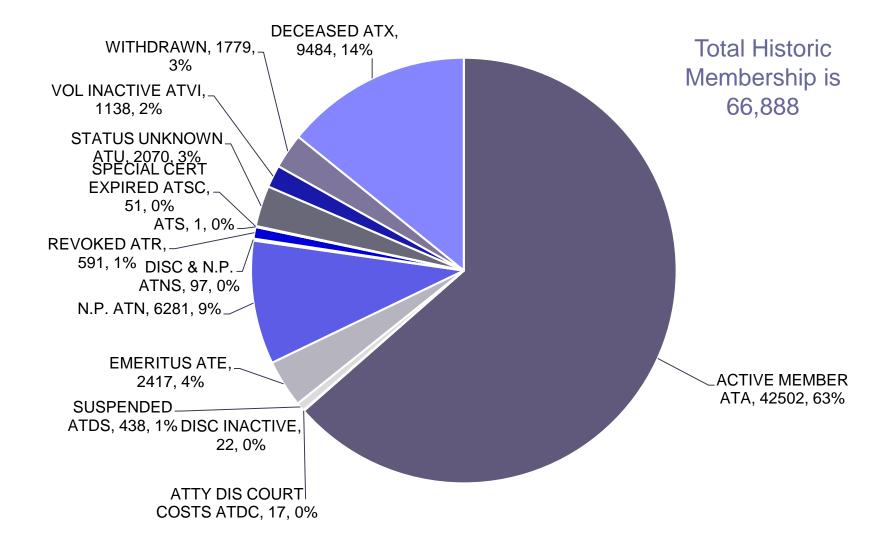
Demographics and Diversity

Anne Vrooman





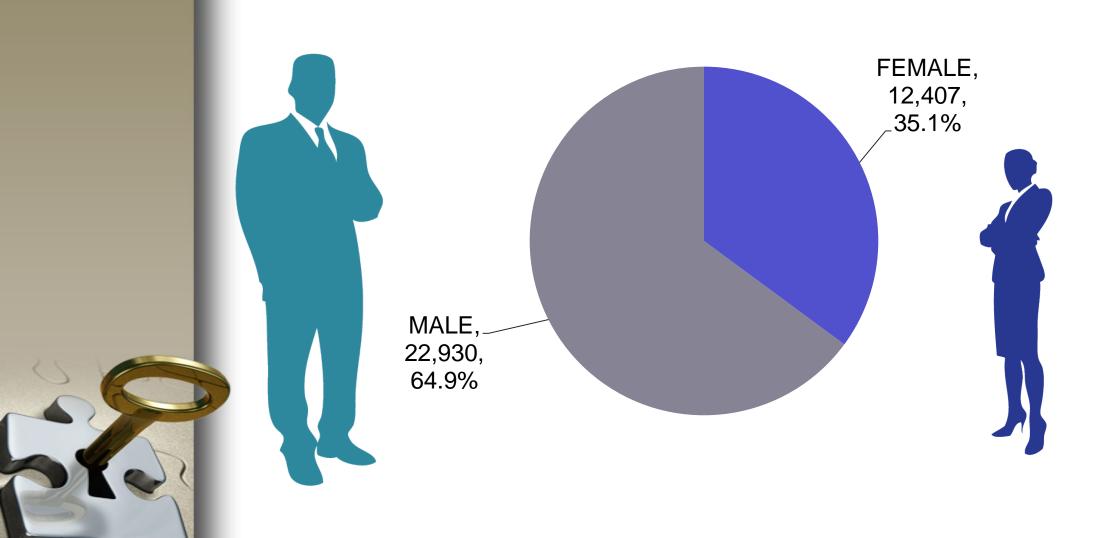
Historic And Current Membership of the State Bar, 2019





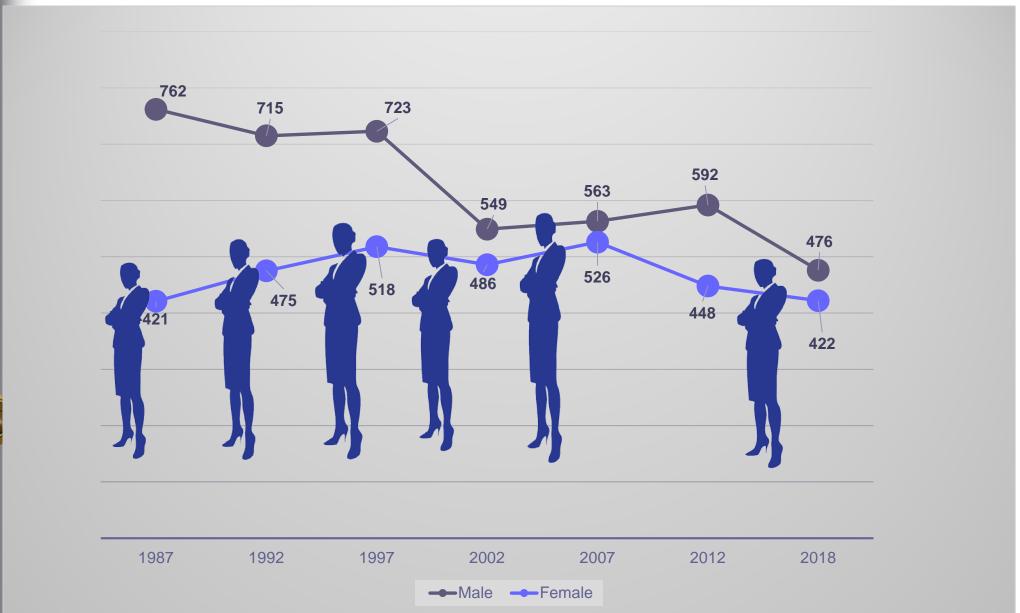


Active Michigan Residents by Gender, 2019





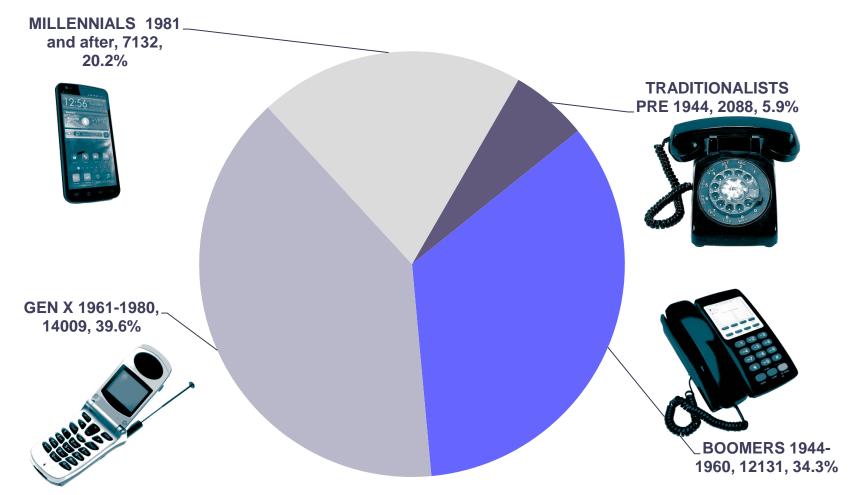
All Members Joining the Bar by Gender 1987-2018







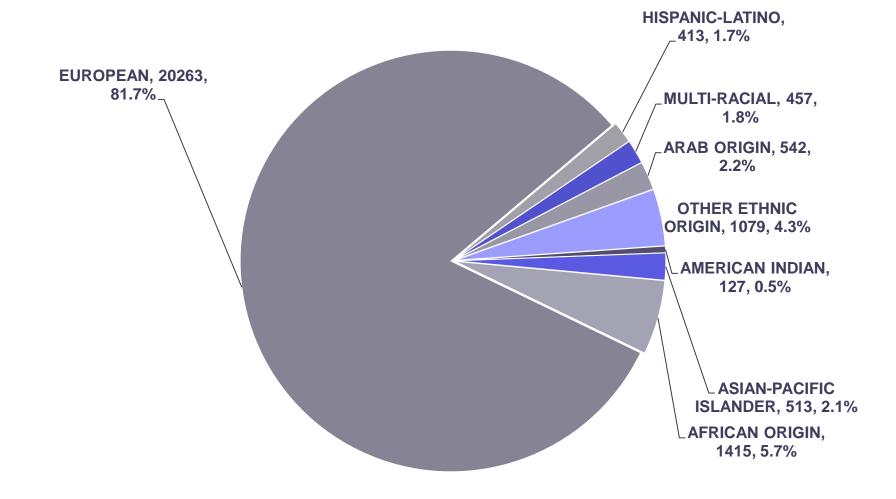
Active Michigan Residents by Generation, 2019







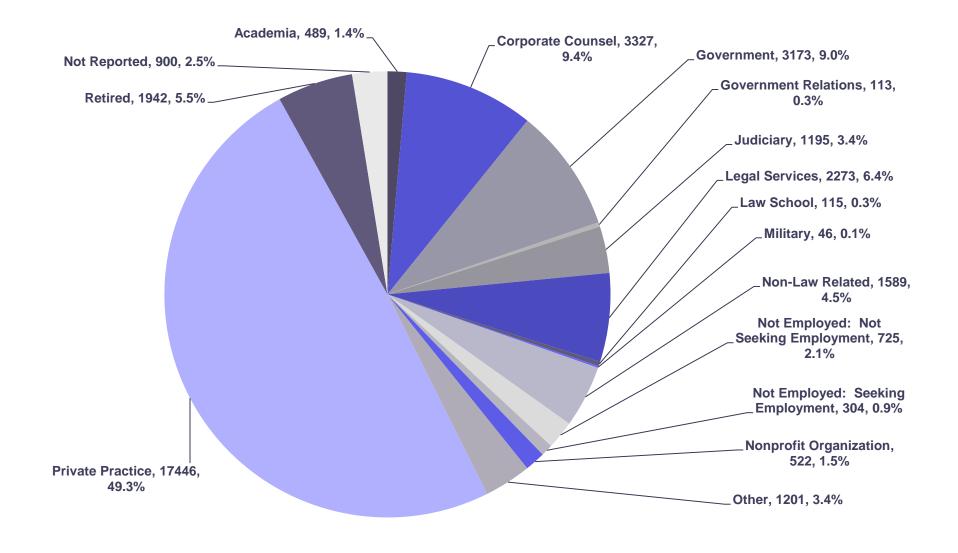
Race/Ethnicity of Active Michigan Members 2019 (Excludes No Answer and Prefer Not to Answer)







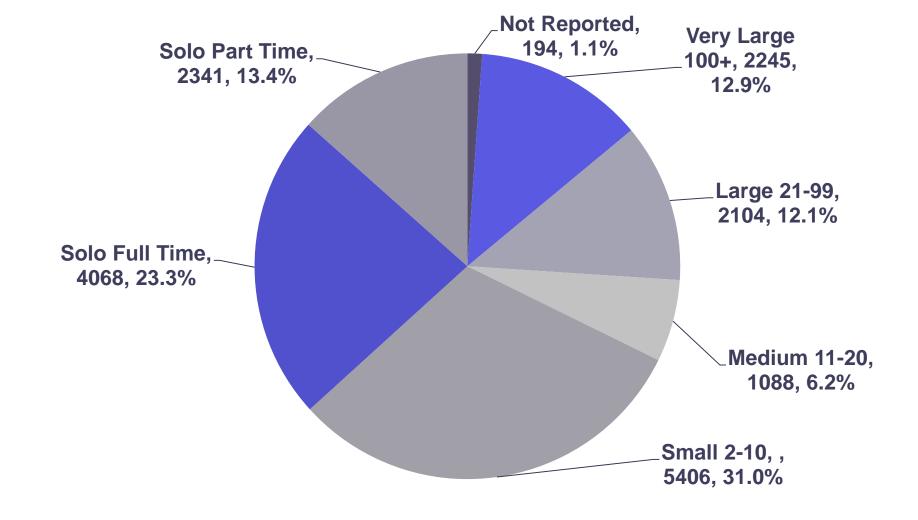
Active Michigan Residents By Occupational Area, 2019







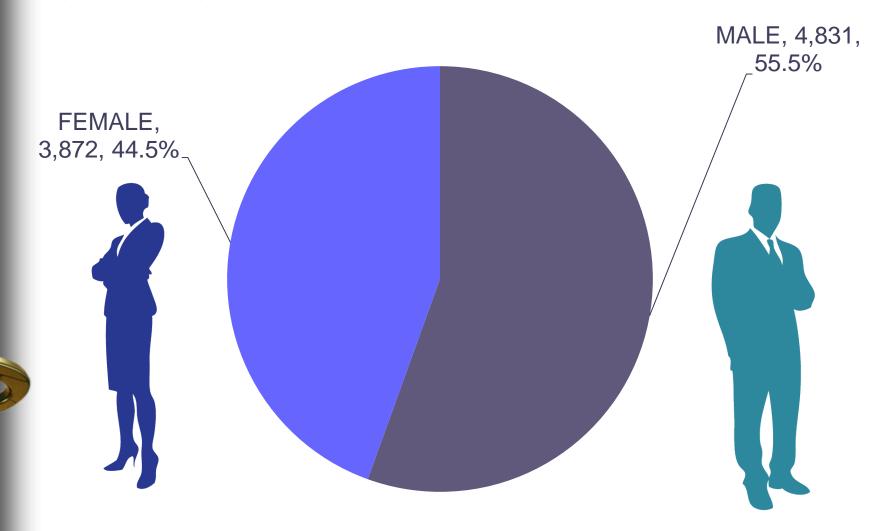
Active Michigan Residents in Private Practice by Firm Size, 2019





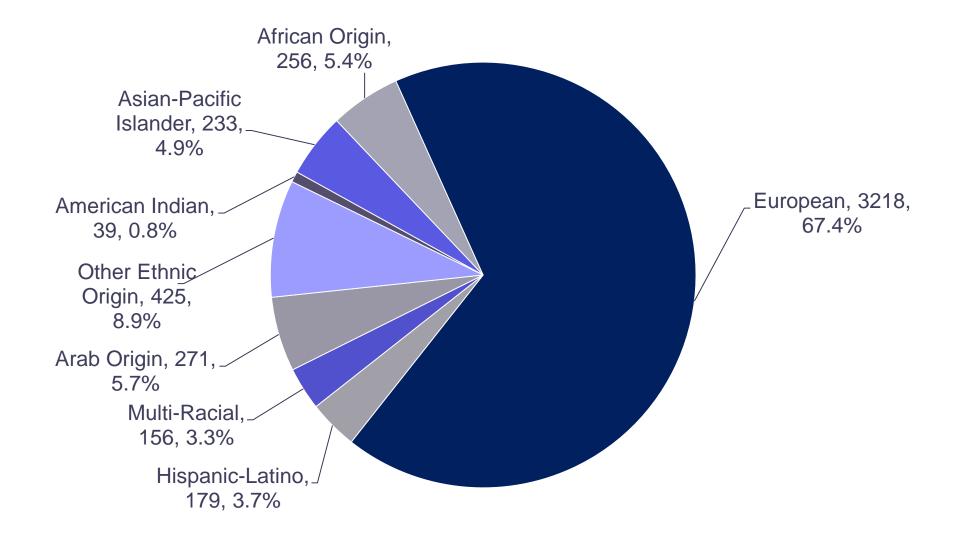


Active Michigan Residents by Gender Joining the Bar 2009-2019





Active Michigan Members by Race/Ethnicity Joining the Bar 2009-2019 (excludes no answer and prefer not to answer)







Diversity and Inclusion

We hold annual programs like Brunch for Bars and The Affinity Bar Summit as well as ad hoc opportunities for training and education and professional development.

Collaboration opportunities available for sections:

- Inclusion trainings and resources
- Community activities focused on diverse populations
- Mentoring and civic education programs

Does your section want to be more involved in improving the diversity and inclusion of the profession? Do you have a Diversity committee?

Feel free to email us at merskine@michbar.org for collaboration opportunities

Visit the SBM website tab "Diversity and Inclusion" for more information and resources.





Public Policy and More

Peter Cunningham





Section Public Policy

Sections shape public policy affecting their practice areas.

 Sections are vital to ensuring SBM adopts thoughtful and well-informed public policy positions.

 Sections and SBM can partner to achieve shared public policy goals.





What Is Public Policy?

- Legislation
- Court Rule Amendments
- Amicus Briefs
- Administrative Regulations
- ABA Resolutions
- University Policies





Limits on Section Public Policy

Sections <u>funded by voluntary dues</u> may engage in public policy as long they follow the procedures set forth in:

Section Bylaws



Administrative Order 2004-01





Section Bylaws

Review your section bylaws on adopting positions.

 Follow procedures for notifying members and voting.





State Bar of Michigan Bylaws

- Section must report position to SBM <u>within 10 days</u> of adopting a position.
 - Use web-based form at <u>michbar.org/publicpolicy/report_public</u>
 - Must include a copy of the report, recommendation, amicus brief, or other written declaration of the policy.
- Section may not advocate a position that is "inconsistent" with a SBM position.





Keller-permissible public Policy

In *Keller v. State Bar of California* (1990) the U.S. Supreme Court held that mandatory bars could only engage in activities that are germane to either <u>regulating the legal profession</u> or <u>improving the quality of legal services</u>.



Section public policy

SBM/*Keller* permissible public policy



Section Tips on Keller

- Court rules are always considered Kellerpermissible.
 - Important to meet SBM deadline not Court deadline.

- SBM staff refers relevant legislation to sections if is possibly Keller-permissible.
 - Important to meet deadlines for Board consideration.





Section advocacy and Administrative Order 2004-1

- When engaging in ideological advocacy, section must include a coversheet that includes the following information:
 - that the section is not the State Bar of Michigan but rather a section whose membership is voluntary,
 - that the position expressed is that of the section only, and that the State Bar has no position on the matter, or , if the State Bar has a position on the matter, what that position is,
 - the total membership of the section,
 - the process used by the section to take an ideological position,
 - the number of members in the decision-making body, and
 - the number who voted in favor and opposed to the position.
- If the section position is communicated orally, this information must also be communicated orally.





Section Public Policy Procedure

 Make sure public policy item is within jurisdiction of section.

- Take position in accordance with section bylaws.
- Report public policy position to SBM within 10 days.
 - michbar.org/publicpolicy/report_public
- SBM provides required coversheet to include with advocacy. Section cannot advocate until that coversheet is received.





Public policy Resources

- SBM Webpage Public Policy Resource Center
 - michbar.org/publicpolicy
 - Report public policy positions at michbar.org/publicpolicy/report_public

- Newsletter Public Policy Update
 - Sign up at michbar.org/publications/subscription





Public Policy Contacts

Peter Cunningham pcunningham@michbar.org 517-346-6325



Carrie Sharlow csharlow@michbar.org 517-346-6317



Finance Overview

James Horsch





Stay on Top of the Finances

Section Financial Services and Key Policies; Section Treasurer Orientation







Stay on Top of the Finances

SBM Finance Team and Services Provided to Sections



Becky Weaver, Financial Services Manager – financial reports, chart of accounts, and main section contact.

Alpa Patel, Accounts Payable Specialist – accounts payable, pay bills, process expense reimbursements.

Amanda Segar, Fee Processing Specialist – processes section fee payments.

Tina Bellinger, Finance Specialist – processes your section meeting and seminar registrations and payments, and orders for publications.

Jim Horsch, Director of Finance & Administration – overall responsibility for annual audit, accounting, financial reporting, cash and investments, and financial management.





Stay on Top of the Finances

Key Financial Policies and Issues



- SBM and the State of Michigan, and tax exemption.
- Annual Audit and SBM Annual Financial Report.
- Section Investment Earnings.
- Section Fund Balance Policy and Strategic use of Reserves.
- Other Assistance Insurance, Budget, Long Range Financial Planning Help.
- Section Treasurer Orientation Conference Calls:
 - November 6, 2019, 2:00 p.m.
 - November 7, 2019, 10:00 a.m.





Section FAQ

Darin Day



What are best practices to strengthen section membership? FAQ #1

- 1) Keep your SBM Connect website current, and communicate often.
 - SBM Connect Discussion Group, e-blasts, newsletters
- 2) Understand and articulate your section's value proposition.
- 3) Provide **substantive education** programs **and fun** networking opportunities; consider inviting non-lawyers to your events.
- 4) Develop, promote, and encourage **mentoring opportunities** especially "young" mentors for "young" attorneys.
- 5) Partner and collaborate with other sections, affinity bars, etc.
- 6) <u>Develop Leadership</u>: educate current leaders, encourage new leaders, be deliberate about year-to-year transitions.





Changing our Section's Name, Dues, or Bylaws FAQ #4

- 1) All changes require approval by the Board of Commissioners.
- 2) First contact Darin Day.
- 3) Understand and follow the amendment procedures set forth in your section's <u>current</u> bylaws.
- 4) Clearly document <u>all</u> the steps: notice, quorum, votes, etc.
- 5) Submit all documentation to Heather Anderson.
- 6) Any changes in <u>dues</u> must be approved no later than the **July BOC Meeting** for implementation in October of the same calendar year.





Wrap-up

Q&A

Final Thoughts

THANK YOU!

