



INGHAM COUNTY BAR ASSOCIATION

# BRIEFS

JUNE 2018



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Aquilina*

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@inghamcountybarassociation



@ICBALawyers



## New ICBA Logo And Letterhead Policy

At the February 2018 ICBA Board of Directors meeting, a new policy was adopted regarding the use of the ICBA logo and letterhead. If you are currently using or are planning to use the ICBA logo, we ask that you become familiar with and abide by the revised policy. You can read the full policy [here](#).

## ABOUT ICBA

Founded in 1895, the Ingham County Bar Association continues its longstanding tradition of service to the legal profession and the greater Lansing community, bringing lawyers together to join in a strong organization that works to achieve objectives that transcend the individual.

### INGHAM COUNTY BAR ASSOCIATION

P.O. Box 66  
Grand Ledge, MI 48837  
[www.inghambar.org](http://www.inghambar.org)

### Board of Directors

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### Committee Appointments

**Annual Dinner:** Mary  
Chartier

**Annual Meeting:** Mary  
Chartier

**Ask A Lawyer:** Ray Harris,  
Shane Hilyard

**Awards:** Lindsay Dangl,  
Charles Lawler

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**Bench Bar:** Charles Barbieri,  
Edwar Zeineh

**BRIEFS:** Jordan Leaming,  
Traci Gentilozzi

**Education:** Sandra Lake,  
Patricia Scott

**List Serve:** Josh Ard

**Meet the Judges:** Jamie  
White, Charles Lawler, Karen  
Poole

**Membership:** Pamela  
Amato, Jessica Zimbelman

**Nominating Committee:**  
Mark Kellogg

**Past Presidents:** Mark  
Kellogg

**Shrimp Dinner:** Robert  
Refior, Elias Kafantaris

**Social Media:** TBD

**Sponsors:** Stephen Sinas,  
Jim Dalton

### Executive Director

Madelyne Lawry  
517-627-3938



# President's Message

by *Jessica Fox*

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517-663-3306

[jsf\\_law@yahoo.com](mailto:j sf_law@yahoo.com)

In this, my last President's Message, I'd like to leave you with some thoughts about balance in our lives.

We are attorneys, but we are people first. Our work is fulfilling, but it is not all that we are. We run from one client emergency to the next at work. Then from one event to another for professional purposes. Then from place to place and thing to thing in our personal lives.

How can we better care for the "non-attorney" part of our lives? What about scheduling our time off? Have you ever thought of that?

Schedule one day a month (at least) that is a "date" night with your significant other. Spend some one-on-one time with your children (if you have any). Visit your parents or grandparents. Have a night out with friends. Enjoy a lunch date with someone you haven't been in contact with recently. A weekend brunch. A movie night. A day of service. A day of self-care. A day without social media and the Internet.

A day outside at the beach, or hiking, cycling or walking the river trail. Try a new group fitness class.

We schedule everything in our lives. We are bound to other people's schedules. Make time for and schedule those things that are important to you and that bring you peace and refreshment.

While the ICBA is on break for the summer, I hope that you will consider scheduling at least one item from the list above. Care for yourself ... and be a better you.

I would like to thank the fabulous people in my life who have helped me every step of the way.

Thank you to my fellow attorneys Lawrence P. Nolan, Gary G. Villas and Michael W. Thomsen, and our amazing staff.

Thank you to Madelyne Lawry, Executive Director, and her staff at Shared Resources, Inc., for the incredible support to the Association and to me during my term as President.

Lastly, I would like to thank the Board of Directors for the continuous encouragement and for the dedication to Ingham County lawyers. You are all rock stars!

I hope that you all had a wonderful time at the Annual Meeting/Shrimp Dinner, where I announced the new members elected to the Board of Directors.

Here's to another great year!



# Raising The Bar



Van Horn

## Joe Van Horn Joins Willingham & Cotè

Joe Van Horn has joined Willingham & Cotè, PC, where he primarily practices medical malpractice defense and no-fault insurance defense. He handles cases at both the trial and appellate levels.

He also has experience in health care law. While representing physicians during his career, Van Horn has been involved not only in medical malpractice defense, but also medical practice formation and registration, licensing and disciplinary investigations, physician supervision rules, telemedicine, and health care reimbursement and compliance matters.

In addition to being admitted in Michigan state and federal courts, Van Horn previously practiced law in both Iowa and Colorado. After graduating from law school, he was a law clerk for various state court judges in Des Moines, Iowa. He also spent several years primarily engaged in the defense of police officers in Denver, Colorado.

## Attention ICBA Members Who Are Veterans

In November, we will be publishing a special edition of BRIEFS dedicated to Veterans. If you're an ICBA member who is also a Veteran, please submit the following information to ICBA:

- Name
- Branch of the military
- Active or inactive status
- Years of service

Please send the above information as soon as possible to [info@inghambar.org](mailto:info@inghambar.org) or submit it through your ICBA dues invoice.



By

Webb A. (Tony) Smith

[wsmith@fosterswift.com](mailto:wsmith@fosterswift.com)

*Webb A. (Tony) Smith is a shareholder at Foster, Swift, Collins & Smith, PC, where he focuses his practice on litigation. He is an ICBF Founding Fellow and Board of Directors member, and a Past President of the Ingham County Bar Association.*

In the more than 50 years that I have been privileged to practice law, there is a common denominator that I have found with all lawyers. They are “proud to be lawyers.”

While we engage in many activities that are highly competitive, the comradery and professionalism amongst us as a group shines through. As the great sportswriter Grantland Rice once said, “When the great scorer comes to mark behind your name he marks not how you won or lost but how you played the game.”

For each of us who has been fortunate enough to be in the legal profession that quote is apt. Those of us who learned and played by the rules know no greater compliment than to be referred to as a “lawyer.”

As Ted Swift said on November 4, 1999, when accepting the Leo Farhat Award:

# Honor Departed Colleagues With A Memorial Contribution

“The 44 years that I have practiced here in Lansing has brought me in contact with many people – but I love lawyers, as a group, best of all. More than others, they are vocal and their knowledge is broad. They are a lot of things, are lawyers, but seldom are they boring. In my early competitive zeal, I classified most other lawyers as enemies or opponents, but I mellowed and outgrew that parochial view and began to enjoy my colleagues and to admire their many abilities. This is a great community with great people, and even greater lawyers – that is why I’m so proud to be honored in this fashion. To receive approbation from colleagues who are my peers pleases me to the utmost. I thank you – all of you – for all you have done to foster this occasion.”

I know of no greater professional memorial to a lawyer than to honor him or her for what they are most proud. One way to honor our departed brethren is to make a memorial contribution to the Ingham County Bar Foundation in their name. A memorial contribution sends a message to the legal community, as well as to the decedent’s survivors, that their loved one is being honored as a “lawyer” by a recognized legal foundation.

The ICBF has been in existence since 2002. Since 2011, the following lawyers have been memorialized.

1. Bill Kritselis
2. Don Martin
3. Edgar L. Church, Jr.
4. J. Richard Robinson
5. Thomas H. Skehan

6. Douglas Sweet
7. Hon. Robert Danhof
8. Robert Warner
9. Roger T. Ederer
10. Joe Foster
11. George H. Krause
12. Mark Ritzenhein
13. Toni Hoffman
14. William Parsley
15. Hon. Jules Hanslovsky
16. Deborah Deprez
17. William Stapleton
18. Diane Marie Ball
19. Ed Bladen
20. Hon. Robert Drake
21. Joseph Farhat
22. Hon. Kenneth Hansen
23. James Shonkwiler
24. Kimball Smith, III
25. Quentin A. Ewert
26. Jack Cote’
27. D. Michael Dudley
28. Ronald D. Richards, Jr.
29. Richard Brake
30. David Coey
31. Larry Fowler
32. Donald Reisig
33. Ray Behan
34. David P. Van Note
35. Raymond Foresman
36. Harry Iwasko
37. Oskar Hombach
38. George H. Foley
39. Michael Panek
40. Hon. Hudson Deming
41. Webb Smith, Jr.

The next time one of our colleagues passes, I urge you to consider making a memorial contribution to ICBF to honor him or her for being a lawyer.

# Bar Foundation Establishes New ‘Social Relations Committee’



By  
H. James White &  
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Alexander S. Rusek (bottom)  
are attorneys at White Law,  
PLLC in Okemos. White is a  
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of Directors. Rusek is an ex  
officio member of the ICBF  
Board of Directors.*

Recognizing the diverse community of greater Lansing, recent tensions between law enforcement and civilians across the nation, and the Ingham County Bar Foundation’s mission, the ICBF has created a new “Social Relations Committee.”

The Committee’s goal is to foster outreach between the Ingham County legal community and the broader community it serves. This includes connecting legal professionals, community leaders and law enforcement to promote a greater understanding about the roles we play in the community, as well as creating a dialogue among groups that may have strained relations.

One of the Committee’s top priorities is to develop and coordinate a youth outreach effort. To further this goal, Committee Member James White has been working with leaders in the Lansing Police Department and greater Lansing education systems to create buy-in and develop a program to further positive relations in our community, particularly with at-risk youths.

The Committee hopes to work with local judicial leaders to incorporate participation with the Committee and its programs, in conjunction with other programs, to divert at-risk youths from the criminal justice system.

In addition, the Committee hopes to create and assist with programs, such as career days and teen courts, for youth in the greater Lansing area.

If you would like to assist the new Social Relations Committee, please contact Jason Hanselman at [jhanselman@dykema.com](mailto:jhanselman@dykema.com) or James White at [jameswhite@whitelawpllc.com](mailto:jameswhite@whitelawpllc.com).



# ***ICBF Memorial Golf Classic Is June 28***

The Ingham County Bar Foundation's 14th Annual Memorial Golf Classic is set for Thursday, June 28, 2018 at Hawk Hollow Golf Course in Bath Township.

This year's honorary chairs are Michigan Court of Appeals Judge Amy Ronayne Krause and Ingham County Circuit Court Judge Rosemarie Aquilina.

The event schedule is:

9-10 a.m. – Registration and Lunch  
10 a.m. – Shot Gun Start  
4 p.m. – Program/Awards Reception

There is still time to register. The cost is \$135 per person. Young lawyers (up to age 35 or five years or less in practice) pay \$125. For those who would like to attend only the reception, the cost is \$30.

You can [register online here](#). You can download the [team registration form here](#).

For more information, call Kurt Krause at 517-214-1563 or Jackie Dupler at 517-272-6355.





# ***DID YOU KNOW?***

## **Jason Hanselman: Male Model**



Earlier this month, Ingham County Bar Foundation President Jason Hanselman strutted his stuff on the catwalk as a contestant in the Sparrow Foundation's 9th Annual "Dapper Dads Challenge & Fashion Show."

"Some people view this as just another fundraiser, but the more I learned about the event and the cause, I realized this is an opportunity for me to fulfill dreams – that is, my dream of becoming a 40+ male model," Hanselman said, with tongue firmly planted in cheek.

Although Hanselman was not ultimately proclaimed this year's most dapper dad, he doesn't mind. Participating in the event gave him the opportunity to have some fun, while at the same time helping a worthwhile cause – the Sparrow Foundation's Women Working Wonders (W3) Committee, which helps to support the physical and psychological health of women in mid-Michigan.

The 2018 Dapper Dads Challenge brought in a record \$971,800. Over the years, the event has raised more

than \$1.6 million for the W3 Committee. The event consists of a campaign for online votes from the community and a fashion show, where final votes are cast in person.

The funds raised by the Dapper Dads Challenge have been used for:

- a state-of-the-art stereotactic breast biopsy machine for Sparrow's Radiology Department.
- a dedicated room for the compassionate treatment of sexual assault victims.
- a transition-to-hospice program that helps terminally ill patients and their families ease into end-of-life care.
- an infant bereavement program for the heartbreaking times when parents lose a newborn.
- pocket-sized cards outlining symptoms of heart disease and stroke specific to women, which he created and distributed throughout the region.
- a lactation clinic to assist mothers who may have challenges breastfeeding their new babies.

Hanselman is a partner at Dykema Gossett, where he practices in the Regulated Industries Group. He has served as the Ingham County Bar Association President and currently is Secretary of the DeWitt School Board and a State Boxing Commissioner.

## Recent Court Rule Amendments & Proposed Changes

The Michigan Supreme Court has issued the following orders.

1. **Amendments of MCR 1.109, 2.107, 2.113, 2.114, 3.206, 3.901, 3.931, 3.961, 4.302, 5.113, 5.114, 6.001, 6.101, 8.117 and 8.119** – regarding e-filing
2. **Amendment of MRPC 7.2** – beginning Sept. 1, 2018, Michigan lawyers who advertise must display the name, office address and business phone number of a lawyer responsible for the content of the advertisement
3. **Amendment of MCR 6.429** – provides trial courts with authority to sua sponte address erroneous judgments of sentence
4. **Amendment of MCR 6.610** – exempts pleas taken under subsection [E][7] from the requirements of subsection [E][4]
5. **Amendment of MCR 5.125** – clarifies and defines interested persons for particular guardianships
6. **Amendments of MCR 9.112 and 9.131** – provides that relatives of AGC or ADB members or employees are subject to the same procedure for review of allegations of misconduct as the Board or Commission member or employee
7. **Amendment of MRPC 1.16** – ensures that counsel notify their clients that the attorney cannot withdraw without the court’s permission
8. **Amendments of MCR 6.310, 6.429 and 6.431** – provides a “prison-mailbox” rule for certain post-sentencing motions
9. **Amendment of MCR 9.122** – establishes a 182-day time period for a complaint in the Supreme Court after the AGC has dismissed a request for investigation
10. **Amendment of MRPC 7.3 and Proposed Addition of MRPC 1.18** – clarifies the duties that lawyers owe to prospective clients
11. **Addition of MCR 6.417** – requires a trial court to make inquiries of parties on the record regarding a proposed order of mistrial
12. **Proposed Amendment of MRPC 7.1** – would regulate and restrict the use of the terms “retired” or “former” for a justice, judge, referee or magistrate
13. **Proposed Amendment of MRPC 4.4** – would define the responsibilities of a lawyer who receives a document that was inadvertently sent
14. **Proposed Amendment of MCR 6.502 and MRPC 3.8** – would add an “actual innocence” waiver provision, include new scientific evidence as a definition for “new evidence” and require prosecutors to take certain actions regarding new evidence
15. **Amendment of MCR 8.119** – regarding the procedure for sealing files and protective orders
16. **Proposed Amendment of MCR 6.302** – would require a trial court judge to advise a defendant while taking a plea that the defendant may be giving up rights

## SCAO Revises Forms, Seeks Input On Forms Changes

The State Court Administrative Office (SCAO) recently released its semi-annual batch of court forms changes. The revisions were adopted by the SCAO Court Forms Committee at its spring meetings and were approved by the state court administrator. Changes have been made to various adoption, criminal, civil and domestic relations forms. The forms are available [here](#).

In addition, the SCAO is accepting suggestions for revisions to SCAO-approved forms and suggestions for new forms in the following areas:

1) Estates and Protected Individuals Code; 2) Mental Health and Commitment; 3) Child Protective Proceedings; and 4) Delinquency and Designated. When submitting a proposed court form change, you must include your name, email address or telephone number; form name and number (if one); reason for your suggestion; and any other information that will help the SCAO present your proposal for publication and comment. You can email suggestions (by June 30, 2018) to [courtformsinfo@courts.mi.gov](mailto:courtformsinfo@courts.mi.gov). For more information, contact the SCAO Forms and Resources Analyst at (517) 373-2217.



### Let BRIEFS Help Spread The Word About Your Upcoming Event!

If your association, organization, law school, etc. has an upcoming law-related event, send it to BRIEFS so we can share it with the legal community.

Please provide us the 1) event name, 2) location, 3) date, 4) time and 5) pertinent information describing the event, and we'll publish it in BRIEFS.

Send items to [briefs@inghambar.org](mailto:briefs@inghambar.org). The deadline is the 15<sup>th</sup> of each month for the following month's issue (i.e., April 15<sup>th</sup> for the May issue).



By  
Frederick M. Baker, Jr.  
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Fred Baker is an attorney  
at Schiff Hardin in Ann  
Arbor, where he handles  
cases at both the trial and  
appellate levels. He is a  
former Michigan Supreme  
Court Commissioner and  
a member of the ICBA  
BRIEFS Committee.



No one is prouder of her heritage than Ingham County Circuit Court Judge Rosemarie Aquilina.

Her father, Dr. Joseph Aquilina, immigrated to the United States from Malta and became a citizen through service in the United States Army. Seemingly a man of destiny (he twice by luck missed flights that crashed), Dr. Aquilina is proficient in eight languages. He established his large family while pursuing his medical studies at the University of Munich, and eventually became a board-certified urologist.

Born in Germany as one of four children, Judge Aquilina actually entered the United States as a stateless person. Her father could not yet confer his new U.S. citizenship upon his children because he had not been a citizen for 10 years. After moving frequently, which her father's studies and early years of medical training and practice dictated, she was later naturalized.

Notably, Judge Aquilina never attended the same school for more than a year, until she reached middle school in Saginaw, Michigan. Perhaps frequently adapting to new settings during her formative years helped her develop the confidence, independence and self-sufficiency that is evident from even brief conversation with her.

### Amazing Accomplishments

In "Song of Myself," Whitman said: "I am large, I contain multitudes."

So does Judge Aquilina. She has forged from her unpampered beginnings a remarkable – and remarkably diverse – life and career, one that reflects values inculcated by her father's example: industry, education and striving to do whatever she attempts, as well as she can.

Consider these accomplishments.

- After completing her undergraduate studies in English and Journalism (MSU, '79), she taught English.
- While matriculating in law school (Cooley Law School, '84), she married David Barone and bore two children.
- After law school graduation, she served as an administrative assistant to Sen. John Kelly, with whom she later practiced law and lobbied.
- Shortly after passing the bar exam, she enlisted in the Michigan Army National Guard, where she became the first female to serve in the Judge Advocate General (JAG) Corps. She served for 20 years as prosecution, defense

counsel and military judge, ultimately achieving the rank of major. She earned the nickname “Barracuda” from her male opponents.

- After practicing privately at her own law firm, she was first elected to the 55th District Court, where she served four years. While there, she was Chief Judge and Sobriety Court Judge.
- She was subsequently elected to the 30th Judicial Circuit Court in Ingham County, where she has served for 10 years.
- She founded the Ingham County Sobriety Court Foundation, which celebrates its tenth anniversary this year.

Oh, and by the way, after her amicable divorce in 1988, Judge Aquilina decided she liked motherhood so much that she had three more children by IVF as a single mother, including twins.

But wait . . . there’s more.

In her “spare time,” Judge Aquilina has published two detective novels, “Feel No Evil” (Porch Swing Press 2003) and “Triple Cross Killer” (Fiery Seas Pub. 2017). She has also taught family law, advanced family law trial practice, animal law, elder law, military law, legislative process, child abuse and neglect, and defending battered women at her alma mater, Cooley Law School. In addition, she has simultaneously taught at Cooley and MSU College of Law, where in 2008 she began by teaching criminal and civil trial practice and the trial practicum in the Fieger Trial Practice Institute. She then taught criminal law and criminal procedure in both the JD and LLM programs.

As her Facebook friend, I particularly enjoy seeing and comparing the oil paintings she and her daughter, Johanna, paint on Saturdays, each rendering their impression of the same scene or subject.

And, of course, Judge Aquilina cooks. Her favorite dishes include a Maltese Minestra (a rich vegetable soup) and the Maltese national snack, a pastry called pastizzi, which can be filled with anything from ricotta to meat with peas.

### Transforming The National Narrative

The Maltese Cross, originally the symbol of the Knights Hospitallers, is now identified with the Aquilina family’s ancestral home, the tiny British Commonwealth island nation of Malta.

The Maltese Cross has eight points, which are said to symbolize both the eight Beatitudes (Matt. 5:3-12) and the eight traits of a good “first aider.” A “hospitaller” must be: 1) observant, 2) tactful, 3) resourceful, 4) dexterous, 5) explicit, 6) discerning, 7) persevering and 8) sympathetic.

Judge Aquilina possesses all the qualities of the ideal Maltese national character, though she might concede, perhaps with a

twinkle in her eye, that not all are always on display.

Recently, Judge Aquilina showed the nation – and the world – that she possesses an instinct for at least two of the Beatitudes.

In *People v Nassar*, Judge Aquilina acted as a peacemaker by allowing 156 women who mourned what a trusted physician had done to them to be comforted and healed by confronting him in the safety of her courtroom. The criticism of her decision to afford the young women this opportunity does not concern Judge Aquilina. She knows that, by speaking out, each isolated victim became a member of a strong, supportive sorority of strong sister survivors.

Out of concern for the defendant’s appellate rights, Judge Aquilina will say only that she is certain that giving the victims an opportunity to speak their pain in safety was the right thing to do. She adds that she will reflect more publicly about the experience at the proper time.

For now, Judge Aquilina takes satisfaction in knowing that what happened in her courtroom earlier this year galvanized victims of similar mistreatment around the world, from whom she receives daily messages, thanking her for giving a voice to women like themselves.

Just as 1977’s highly publicized Ingham County Circuit Court trial of Francine Hughes transformed the national narrative surrounding victims of domestic abuse, so too did Ingham County’s Judge Aquilina shine a searing light on the abuse of children by those in positions of ultimate trust. The voices in her courtroom were **heard**, not only by the defendant, but by physicians, coaches and educators entrusted with the protection and welfare of student and child athletes, and by the administrators and trustees charged with overseeing them.

Judge Aquilina cares no more for the praise and attention that she has received than she does for the criticisms of those who disagree with the discretion she exercised to allow pain to be expressed and released in her courtroom. One cannot speak seriously to Judge Aquilina for long without sensing that she is guided by a strong and serene moral compass that tells her which way truth and justice lie.

We in the Ingham County bar are privileged to have in our midst, and to practice before, a remarkable woman of many parts – a judge who is deeply humane and deeply committed to administering justice to all who appear before her, accused and victim alike.

Circumstances have made Judge Aquilina a light in a larger firmament. And whatever your opinion of her, you will remember and tell others that you saw, knew and appeared before Judge Rosemarie Aquilina.

# Ingham County District

## Courts Celebrate

# 50 Years



By  
Brenna Jardine  
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*Brenna Jardine is the  
law clerk for 54-A District  
Court Chief Judge Louise  
Alderson. She is also a  
BRIEFS Associate Editor.*

The Ingham County District Courts recently celebrated their 50th anniversary by holding special events and receptions.

On June 13, the 54-A District Court in downtown Lansing held a reception at City Hall. Many people attended, including former and current judges, community leaders, court employees and local citizens. The event kicked off with a welcome from Judge Frank DeLuca and an introduction of guests and officials by Judge Louise Alderson. Retired Judge Charles Filice also spoke about the history of the 54-A District Court, highlighting the improvements the court has seen over the years.

In addition, the Ingham County Bar Foundation and the judges of the 54-A District Court unveiled a brand-new “Judges Photo Gallery.” The gallery includes photos of all 18 former and current District Court judges, nine of whom were at the event. Due to Judge DeLuca’s upcoming retirement, a portrait of the court’s nineteenth judge will soon be added to the gallery.

Meanwhile, the 55th District Court in Mason celebrated its 50-year milestone on June 18. The court held a reception with light refreshments, hosted by Judge Thomas Boyd and Judge Donald L. Allen Jr.

The 54-B District Court in East Lansing honored the occasion on June 20 with an ice cream social, hosted by Chief Judge Andrea Larkin and Judge Richard Ball.

Happy 50th Anniversary to all the Ingham County District Courts!





By  
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John Maise is an attorney  
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where he practices labor  
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also a BRIEFS Associate  
Editor.



# Michigan Supreme Court Will Decide Guns In Schools Case

In April, the Michigan Supreme Court heard oral arguments in *Michigan Gun Owners v Ann Arbor Public Schools* (Docket No. 155196) and *Michigan Open Carry, Inc v Clio Area Public Schools* (Docket No. 155204). Both cases address the important issue of a school district's authority to regulate the possession of firearms on school grounds.

Notably, this issue landed on the Michigan Supreme Court's doorstep just a short time after the tragic school shooting in Parkland, Florida, and while national emotions surrounding firearm regulations are high.

During arguments, plaintiff Michigan Gun Owners was represented by James Makowski, while plaintiff Michigan Open Carry Inc was represented by Dean Greenblat. Meanwhile, defendant Ann Arbor Public Schools was represented by William Blaha and defendant Clio Area School District was represented by Timothy Mullins.

## Case Background

Under Michigan law, there is a legal loophole that allows an individual in possession of a Michigan Concealed Pistol License (CPL) to open carry a firearm onto school grounds. MCL 750.237a prohibits the possession of firearms on school

grounds but carves out an exception for individuals with a CPL.

Another Michigan law, MCL 28.425o, prohibits the concealed carry of a firearm on school grounds for individuals possessing a CPL.

When these statutes are read together, a person with a valid CPL falls under the exception of MCL 750.237a and MCL 28.425o does not apply to the open carry of a firearm. Under the law then, a parent or other individual may open carry a firearm onto school grounds in Michigan provided that they possess a valid CPL.

In 1990 the Michigan Legislature enacted the Firearms and Ammunitions Act. Section 2 of this Act prohibits local units of government from regulating firearms whether by tax or ordinance (MCL 123.1102). Notably, the statute defines local unit of government as a "city, village, township, or county" (MCL 123.1101). Over the years, this statute has been used to invalidate ordinances prohibiting firearms in local government buildings (see, *Michigan Coalition for Responsible Gun Owners v City of Ferndale*, 256 Mich App 401 (2003)), as well as invalidating policies prohibiting firearms in a district library established by several counties pursuant to the District Library



Establishment Act (see, *Capital Area District Library v Michigan Open Carry, Inc*, 298 Mich App 220 (2012)).

Under this backdrop, after a parent open carried a pistol to a choir concert at Pioneer High School, Ann Arbor public schools enacted policies prohibiting the open carry of firearms onto school grounds. Similar policies were then enacted by Clio Area Public Schools.

## The Arguments

The school district policies were challenged by the plaintiffs, Michigan Gun Owners and Michigan Open Carry, Inc., on the grounds of being pre-empted expressly by MCL 123.1102 and implicitly by the doctrine of field pre-emption.

Amicus briefs were filed by the Michigan Association of School Boards, the City of Ann Arbor, the Brady Center to Prevent Gun Violence, the Michigan Coalition for Responsible Gun Owners Foundation, the Michigan Education Association, the Michigan Parent Teacher Association and Engage 18. (The parties' briefs and amicus briefs are on the [Michigan Supreme Court website](#).)

The plaintiffs' arguments focused on the extensive legislation in Michigan regarding firearms. The plaintiffs claim the Michigan statutes specifically contemplated and allowed for a legal CPL holder to open carry a firearm on school grounds. Plaintiffs also relied on a technical argument that any school policies regulating the open carry of firearms by licensed CPL holders are an overstep of a school district's authority and undermine the Legislature's comprehensive regulatory scheme. The plaintiffs asserted that whether open carry should be allowed in schools is an issue properly before the Legislature, not a school board or the Michigan courts.

On the other hand, the defendant school districts focused on the specific language of MCL 123.1101, which defines its scope to "cities, villages, townships and counties." The defendants also focused on the practical considerations school administrators face every day, ensuring that students have a safe place to learn, and emphasized the Michigan School Code mandates to provide for students' safety.

## Inquiring Justices Want To Know ...

At the April oral arguments, Justice Bernstein focused on the practical implications faced by school districts, asking the attorneys what a school district is supposed to do when an unknown person approaches with a weapon, pointing to the

health and safety interests schools face and the importance of being able to immediately respond to a potentially dangerous situation.

The plaintiffs' attorneys responded to Justice Bernstein's question by emphasizing the lack of a statewide requirement for lockdown procedures in response to the legal carry of a firearm. They noted that schools should have accommodating policies, such as checking all visitors at the front desk before entering the school, which do not infringe on a person's right to bear arms. They posited that the legal carry of a firearm by a citizen is not a cause for panic.

Justice McCormack inquired as to the trespass statute and whether there was a conflict between law and policy as a result. She asked why removing a person who was not wanted based on policy violated any law. She noted that it may not be illegal, but a policy that schools don't want the open carry of firearms on their premises is not much different than a store owner or private property owner denying the carry of firearms on their property. In this regard, the plaintiffs' attorneys argued the school districts are improperly trying to use the trespass statute to enforce an ordinance that otherwise they would be forbidden to enact.

Justice Markman was concerned with the statutory construction of Michigan's firearm regulations. He noted that when the Legislature carves out an express exception to an express prohibition – such as the CPL exception to the Michigan Gun Free Schools Act – it is to be implied that the exception is considered to be expressly permitted by the Legislature. He further noted that the concealed weapon statutes expressly permit a concealed weapon to be carried in a CPL holder's vehicle while picking up and dropping off children, and he said he wondered whether school districts have the authority to limit that activity as well.

Responding to Justice Markman's concerns, the defense attorneys emphasized the authority granted by the Michigan School Code to provide a safe environment for learning and the broad powers associated therein. Defense counsel also noted there is no law allowing the open carry of firearms in Michigan, so restrictions placed on the open carry of a firearm do not conflict with the statutory scheme.

Now that oral arguments have been held, the Michigan Supreme Court is set to decide whether school districts have the authority to ensure the open carry of firearms is forbidden on their premises. The Court's decision could be handed down any day.

# Shrimp Dinner 2018: A Spectacular Spread!

Shrimp, shrimp ... and more shrimp!

That's what everyone enjoyed at the Ingham County Bar Association's Annual Shrimp Dinner, held May 16 at the Lansing Liederkrantz Club.

Attorneys and local judges showed off their culinary skills, preparing a delectable array of shrimp dishes for more than 160 hungry individuals. The dinner was not only a chance for attendees to indulge in some fantastic seafood, but also an opportunity to connect with colleagues and friends – and win some great prizes.

## Secret Shrimp Sauce

The Shrimp Dinner is the most beloved social event of the ICBA. But did you know the dinner has a long and quirky history?

The annual dinner began in the 1940s, reportedly by bail bondsmen to thank lawyers for their business. Somewhere along the line the bail bondsmen felt the event wasn't worth the cost. But the attorneys enjoyed it so much, they decided to continue the yearly feast.

Attorney Mike Spaniolo is believed to have been the first chair of the Shrimp Dinner

Committee. He owned a beer distributorship and provided the cooking equipment. In 1975-76, then-Committee Chair Pete Treleven handed control of the event to Phil Vilella.

One of Vilella's primary duties has been keeping the secret shrimp sauce locked away. But in 2013, Vilella passed the secret recipe to current Shrimp Dinner Co-Chairs Elias (Louie) Kafantaris and Robert Refior.

This year, the Shrimp Dinner Committee once again did an outstanding job preparing the shrimp and the secret sauce, making it another memorable event for the ICBA!



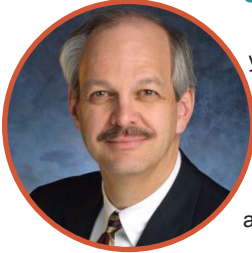
- Abood Law Firm
- Chartier & Nyamfukudza PLC
- Clark Hill PLC
- eProphet Media
- Foster, Swift, Collins & Smith, PC
- Fraser Trebilcock Davis & Dunlap, PC
- Grewal Law PLLC & Church Wyble PC - A Division of Grewal Law PLLC
- Loomis, Ewert, Parsley, Davis & Gotting, PC
- Murphy & Spagnuolo PC
- Sinas Dramis Law Firm
- Speaker Law Firm PLLC
- White Law PLLC
- Willingham & Cote' PC



# Annual ICBA Election Results

As part of the Shrimp Dinner on May 16, the Ingham County Bar Association also held its Annual Meeting. The following attorneys were elected to a three-year term on the ICBA Board and will serve from July 1, 2018 through June 30, 2021.

## James L. Dalton



Dalton

Before he retired in January 2018, Dalton was a principal/shareholder at the East Lansing law firm of Willingham & Coté, PC for nearly 40 years, where he focused on medical malpractice defense, professional liability and automobile negligence claims.

Dalton has been a member of the ICBA since being admitted to the Michigan bar in 1979. He is a member of the State Bar of Michigan's Negligence Law Section, Health Care Law Section and Master Lawyer Section, is a lifetime Fellow of the Michigan State Bar Foundation and is a Fellow of the Ingham County Bar Foundation.

In addition, Dalton is a member of the Michigan Defense Trial Counsel (past Regional Chair), the Kiwanis Club of Lansing (past President) and a number of other civic and church organizations. In 2005, he received ICBA's Theodore W. Swift Civility Award.

Born and raised in Lansing, Dalton received his undergraduate degree from the University of Notre Dame and his law degree from the University of Detroit School of Law.

## Sandra J. Lake



Lake

Lake is an attorney at Hall Matson, PLC. She has nearly two decades of experience in the areas of professional malpractice, no-fault law, general liability, insurance coverage and bar exam appeals.

In addition to serving on the ICBA Board of Directors for several years, Lake has also served on the Board of Directors of the Women Lawyers Association, Mid-Michigan Chapter. She also once served as the Co-Chair of the ICBA Litigation Section.

Lake has had professional articles published in the Journal of Insurance and Indemnity Law and the Michigan Association for Justice Law Journal.

## Charles A. Lawler



Lawler

Lawler is the member-in-charge of Clark Hill's Lansing office, where he is a member of its Litigation Practice Group. He focuses his practice on civil and commercial litigation, including bankruptcy, real estate, creditors' rights, real property tax foreclosures, landlord-tenant issues and construction matters.

Before joining Clark Hill, Lawler owned and operated The Country Market in East Lansing for 21 years and the Laundry & Cleaning Village in East Lansing for 18 years. Through both business ventures, he gained tremendous experience relating to business owners and the legal needs of small, medium and large companies.

Lawler has served for several years on the ICBA Board. He is also on the Board of Governors for the Hiawatha Sportsman's Club and is a Board Member of U.S. Lacrosse-Michigan Chapter. In addition to the ICBA, he is a member of the American Bar Association, the State Bar of Michigan and the Knights of Columbus.

## Alex S. Rusek



Rusek

Rusek is an associate attorney at White Law PLLC in Okemos and is the current President of the ICBA Young Lawyers Section. He concentrates his practice on business law and litigation, complex civil litigation, criminal law and appellate law.

Rusek has served on the ICBA Board for several years. He is also an ex officio member of the Ingham County Bar Foundation Board and a member of the Michigan State University College of Law Alumni Association Board. In addition, Rusek is Treasurer of the Ingham County Board of Commissioners Equal Opportunity Committee, a member of the Rotary Club of Lansing, a member of various local and national bar associations, and a Democratic Precinct Delegate for Lansing's Ward 1, Precinct 6.

Recently, Rusek received Oakland University's "10 Within 10 Award." In 2016, he was a recipient of the ICBA's "Top 5 Under 35 Award." He has written numerous for American Bar Association publications and for ICBA BRIEFS.

A graduate of Oakland University, Rusek earned his law degree, cum laude, from Michigan State University College of Law.

# ICBA Currently Accepting Annual Award Nominations



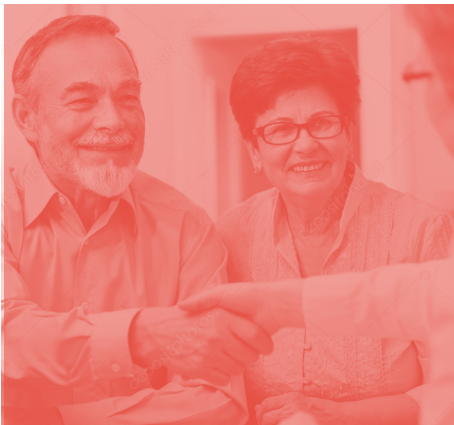
Shauna Dunning received the Theodore W. Swift Civility Award in 2011.

The Ingham County Bar Association is taking nominations for the following awards through August 27, 2018.

1. **Camille S. Abood Distinguished Volunteer Award** – presented to an ICBA member who has distinguished himself or herself by making voluntary contributions of time and talent for the benefit of others.
2. **Theodore W. Swift Civility Award** – given to an ICBA member who has distinguished himself or herself by manifesting civility in his or her relations with the bench, bar, clients and the public, while adhering to and advancing the highest principles and traditions of the legal profession.
3. **Leo A. Farhat Outstanding Attorney Award** – presented to an ICBA member who has distinguished himself or herself by manifesting exemplary character, integrity, judgment and legal scholarship, while adhering to and advancing the highest principles and traditions of the legal profession.
4. **Thomas E. Brennan Lifetime Achievement Award** – given to lawyers who have made a significant and longstanding contribution to the advancement or improvement of the justice system and the betterment of the legal profession in Michigan and who have also attained professional excellence as demonstrated by accomplishments in the law or service to the profession during his or her career.
5. **The Liberty Bell Award** – presented to a non-lawyer citizen who has given time and energy to strengthen the effectiveness of the American system of justice.

Additional award details can be accessed [here](#).

The awards will be presented at the ICBA 124th Annual Dinner on Thursday, November 15, 2018, at the University Club of MSU. Click [here](#) to download the registration form. If you're interested in sponsoring the Annual Dinner, you can download the sponsorship form [here](#).



## Attention: LSSCM Lansing Office Needs Lawyers!

Legal Services of South Central Michigan's (LSSCM) Lansing Office is looking for pro bono attorneys to serve on its panel. Panel attorneys represent low-income and senior citizen clients in civil legal matters.

Cases typically involve bankruptcy, family, probate, public benefits or consumer matters. Panel attorneys can accept cases at their discretion.

To join the panel, please email Tanya Perry, Legal Assistant, at [tmathis@lsscm.org](mailto:tmathis@lsscm.org) and indicate the counties and practice areas you are interested in serving.



By  
**Brenna Jardine**  
[jardineb20@gmail.com](mailto:jardineb20@gmail.com)  
*Brenna Jardine is the law clerk  
 for 54-A District Court Chief Judge  
 Louise Alderson. She is also a  
 BRIEFS Associate Editor.*

After a long, cold winter, summer has finally arrived! The snow has melted, the clouds have cleared and the temperatures have risen. Along with great weather, summer brings vacations, barbecues, sporting events and pool trips.

However, while the gloomy weather is temporarily gone, winter leaves a shadow that is difficult to shake: winter weight.

During the winter, it is easy to develop an unhealthy routine. The cold and snowy weather creates a strong temptation to stay inside, eat unhealthy and skip exercise.

As lawyers, we also juggle busy schedules, which often lead to late nights and long hours. These factors combined with a work-first mentality can be detrimental to a person's health. Although hard work and dedication to your employers and clients is important, self-care is essential to success as an attorney, family member and friend.

Here are some tips for creating a healthier and better you.

### Go The Extra Mile

Exercise improves physical and mental health. Although we all recognize the importance of exercise, one obstacle tends to stand in the way: time.

We are all guilty of making an excuse to skip a work out. Throughout the week, our work and home life consumes most of our time. When free time is available, we often want to relax or go out, not exercise. If you agree with those statements, you are not alone.

The good news is an active lifestyle comes in a variety

# Are You Fit To Practice Law?

## Take Steps Toward A Healthier & Better You



of forms. You can exercise anywhere, including at home, outside, or in a gym. You can exercise by yourself, with a group, with a team, or with a class. You can do your own work out or follow a program. Exercises range from walking to running, from lifting weights to dancing, from martial arts to yoga, from biking to swimming. There is a type of exercise for everyone's style and schedule.

No time for a full 30-minute workout? No problem. An active lifestyle does not require long, intense workouts. All you need to do is move! Wake up five minutes early to do push-ups or crunches in the morning. Do squats at your desk between clients. Park farther away from work. Take a walk during your break. Go to the gym at lunch. Take the stairs instead of the elevator. Create a step challenge among your co-workers. Form a softball team with your co-workers.

The opportunities to become more active are endless.

### Eat Healthy

In theory, we all know healthy, nutrient-rich food plays a huge role in proper nutrition. Unfortunately, it is easy to ignore when meetings are catered, co-workers invite you to lunch or someone brings treats for the office.

Although there is no shame in indulging in an occasional treat, a healthy lifestyle requires self-control. Self-control does not mean you must cut calories or remove all unhealthy food from your diet, but you need to make smart decisions about the foods you eat. It is important to consume fruits, vegetables and other nutrient-rich food to properly fuel your body. If you properly fuel your body, you will have more energy and focus during your day.

The easiest way to ensure healthy eating throughout the day is to plan ahead. Pack a healthy lunch in the morning or the night before. When you go out to eat, choose a salad instead of a burger or a side of fruit instead of fries. If you eat out often, try replacing one meal a week with a healthy meal from home. If you eat out for lunch, try to cook a healthy dinner. Around the office, try to resist a sweet from the breakroom or a chocolate from the candy bowl.

These little changes will add up. However, make sure to allow yourself a treat once in a while – you deserve it!

### Stay Hydrated

As most people know, water is essential to a person's health. There is not an amount of water each person must drink every day to stay properly hydrated because a person's proper water intake depends on their size, level of activity and environmental exposure.

According to the Mayo Clinic, the best way to ensure hydration is to drink water when you feel thirsty. Unfortunately, an increased water intake is not as easy as it seems because water is not always available. To solve this problem, you can bring a water bottle from home with you to the office, meetings, or court. If you do not have a water bottle or need a refill, you can also ask about the availability of water fountains or water containers.

Some people do not drink water because they do not like the taste. Flavored waters are available; however, be conscious of the sugar content. Even if you only replace a small amount of your juice, coffee, pop or alcohol intake with water, you will feel the benefits and your body will thank you!

### Get Plenty Of Sleep

Let's repeat that. Get enough sleep.

Again, we are all guilty of sacrificing sleep in exchange for more time in our day. As lawyers, we are often work long hours. If we are not working, there are usually other activities we prioritize. As a result, sleep is the first thing to be cut.

However, sleep is essential to our health and our performance in our daily activities. It is recommended that adults sleep six to eight hours a day. Is this always possible? Probably not. Is it important to try? Absolutely.

Sleep quality can also be improved by limiting naps during the day and going to sleep at the same time every night. Although you cannot always control your amount of sleep, stay conscious of it.

In the end, even the smallest changes you make in your exercise, diet, water intake and sleep will help improve your overall health.

Remember – summer will be gone before you know it. So take advantage of the warm weather and get started on a healthier you ... today!



## ICBA SECTION NEWS

# Young Lawyers Section

The Ingham County Bar Association-Young Lawyers Section (ICBA-YLS) is aimed at helping young lawyers and those who are new to the practice of law. The ICBA-YLS seeks to further the educational and professional advancement of young lawyers by providing educational, networking and social events that assist young lawyers in Ingham County.

The purpose of the ICBA-YLS is to:

- sponsor and support activities of interest and value to the community and young lawyers in Ingham County.
- cooperate, support, promote and coordinate activities with the ICBA, as well as other local, state and national young lawyer groups.
- establish good fellowship among the ICBA-YLS, the ICBA and members of the legal community.
- contribute to the educational and professional advancement of young lawyers.
- take such other action and perform such other functions as may be deemed appropriate.

The president of ICBA-YLS is Alexander Rusek. He can be reached at 517-316-1195 or at alexrusek@whitelawpllc.com.

## *YLS Presents “Refresh YOUR Recollection” Seminar*



On April 17, 2018, the ICBA Young Lawyers Section hosted “Refresh YOUR Recollection,” a refresher evidence seminar.

Ingham County Circuit Judge Joyce Draganchuk and Michigan Court of Appeals Judge Amy Ronayne Krause were the seminar presenters. Before taking the bench, both judges had extensive litigation experience. As such, they were able to offer insight from both judicial and litigation perspectives.

The judges discussed complex issues related to hearsay, impeachment and other acts, among other topics, and did so in a simple, memorable and thorough manner. Paired with anecdotal (and often humorous) stories from their own days of practice, the judges offered new and long-time practitioners the ability to take something away from their wonderful

presentations. In addition, the judges presented two skits as practical examples of how to refresh recollection, impeach the witness and use past recorded recollection.

The ICBA-YLS would like to thank Judge Draganchuk and Judge Ronayne Krause for their time and effort. Their hard work, dedication and chemistry made the presentation incredibly educational and memorable. We’d also like to thank them for their service, not only as judicial officers, but also as public servants and educators to the bar of Ingham County!

The ICBA-YLS would also like to thank Foster Swift Collins & Smith for generously hosting more than 50 attorneys in their beautiful new “Hub” space, and the Sinas Dramis Law Firm for helping to provide dinner for everyone who attended.

# Featured Young Lawyer:



*Kathryn Kleiman*

**1. Where do you work and what do you do there?**

Oade, Stroud & Kleiman, PC. I am an associate attorney.

**2. Where did you go to school?**

I graduated from DeWitt High School. I went to Michigan State for undergrad and Cooley for law school.

**3. When were you admitted to practice in Michigan?**

May 22, 2017.

**4. Why did you go into the legal field?**

I grew up with a dad as a lawyer and, therefore, I have been around the legal world forever. It was always interesting and exciting to me, so when I knew I was ready, I took the LSAT.

**5. What advice do you have for those considering law school?**

It depends on why you are considering law school. If you are considering law school because the legal world has always interested you, then I think do it! However, it's expensive, stressful and time consuming, so make sure it is something you really want to do!

**6. If you weren't a lawyer, what would you do?**

That is tough. I think some type of human resources or marketing position.

**7. Where did you grow up?**

DeWitt, Michigan.

**8. Who is your biggest role model and why?**

I am lucky to have several

role models in my life. My role models each play a different role in my life, but together they have taught me the importance of hard-work, determination, motivation, honesty, integrity, patience, kindness and, in general, what it takes to be an all-around good human being in this world!

**9. What do you do in your free time?**

I enjoy exercising and experiencing all the fun and beautiful things this state has to offer.

**10. Do you have any pets? If so, tell us about them.**

Not yet. But I may be in the market for a dog soon!



## Young Lawyers Co-Host Bar Swearing-In Ceremony



On May 17, 2018, the ICBA Young Lawyers Section and Western Michigan University Cooley Law School co-hosted a swearing-in ceremony for those who passed the February 2018 Michigan bar exam.

The following new attorneys were sworn in to the Michigan bar: Stephani Fleming, Michelle Goetz, Sharon Plavnick, Jessica Scott, Luciana Viramontes, Inna Volkova, Tiffany West and Charlotte McCray.



Ingham County Circuit Judge Clinton Canady III presided over the ceremony, held at WMU-Cooley Law School in Lansing. ICBA President Jessica Fox sponsored all the individuals except Charlotte McCray, who was sworn in by her individual sponsor, Douglas McCray.

Transcripts of the ceremony can be purchased. Contact Teresa Abraham at [tjabraham@msn.com](mailto:tjabraham@msn.com) for more information.







# Rain Didn't Dampen Spirits For Paper Chase 5K Run/Walk

Another ICBA-YLS Paper Chase 5K Run/Walk is in the history books! Despite the rain on June 3, 2018, the event had the highest turnout since the event first began, with more than 100 participants.

The YLS thanks everyone who participated and who volunteered their time to make the event another success.

The YLS also congratulates all the individual winners. And a special congratulations goes to the Thrun Law Firm for winning 1) law firm team with the most participants and 2) law firm team with the fastest finish times.

A big “thank you” goes to all the event sponsors, the DJ (Steve Fleury) and the photographer (Magistrate Mark Blumer). We couldn't have done this without your support.

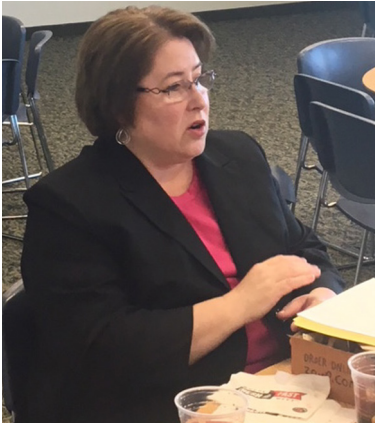
And an extra special “thank you” goes to the members and representatives of the Boys & Girls Club of Lansing, who not only volunteered to help, but also participated in the race.

See you next year!





# Bankruptcy Law Section



Michelle Wilson, attorney for the Office of the United States Trustee, presented at the Ingham County Bar Association's Bankruptcy Section Meeting on April 26, 2018, on "Bankruptcy Filings Are Down: Take Advantage!"

Lunch was provided by Norman C. Witte of Witte Law Offices, PLLC.

Wilson's presentation focused on several components of bankruptcy practice. First, she addressed bankruptcy forms and properly completing them to avoid serial amendments or objections. Next, she discussed continuing legal

education programs, and the multitude of benefits obtained by attending, including but not limited to, debtor's counsel's ability to boost their "no look fee" given that bankruptcy courts track who attends CLE programs.

The FBA 30th Annual Bankruptcy Seminar will take place in Traverse City on July 26-28, 2018, and there will be a special Trial Advocacy Skills Workshop on Thursday prior to the regularly scheduled seminar. The Trial Skills Workshop will be a full day, intensive workshop led by a faculty of distinguished judges. Anyone interested in attending the Trial Advocacy Skills Workshop should contact Michelle Wilson.

There was also substantial discussion regarding board certification for bankruptcy practitioners, and the benefits of board certification.

In addition, Wilson talked about the State Bar of Michigan Lawyers

and Judges Assistance Program. The program helps attorneys with substance abuse problems and mental health issues, including coping with stress and depression. The program is designed to ensure that all attorneys are exercising self-care and to "optimize their general wellness." The LSAP helpline is (800) 996-5522.

The Bankruptcy Law Section meets at noon on the fourth Thursday of each month at the Cooley Center at WMU-Cooley Law School, Room 911, in downtown Lansing.

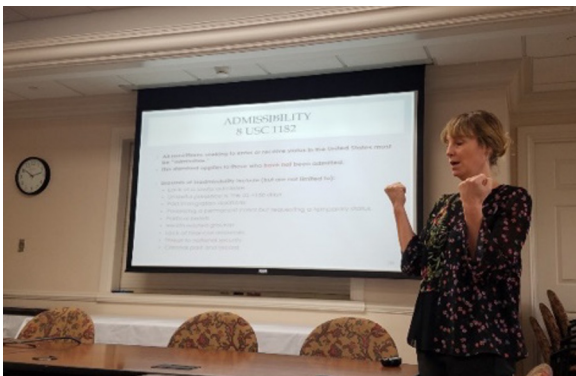
### Upcoming Meetings:

- June 28 - noon
- August 23 - noon
- September 27 - noon
- October 25 - noon
- November 15 - noon

Please feel free to join the Bankruptcy Law Section for its monthly meetings. Contact Section Co-Chairs Patricia Scott or Norm Witte for details. To RSVP for meetings, contact Patricia Scott at [pscott@fosterswift.com](mailto:pscott@fosterswift.com).



# Criminal Defense Law Section



On May 4, 2018, the Criminal Defense Law Section hosted Joanna Kloet, who spoke on “Crimmigration” – the immigration consequences of criminal convictions. Kloet has extensive immigration law experience and it showed in this highly informational seminar.

Kloet began with a thorough overview of the immigration system as it relates to determinations necessary to evaluate the immigration consequences of criminal convictions – or charges/accusations. Next, she used multiple real-life examples and hypotheticals to walk attendees through the decision-making process in evaluating immigration consequences. Thank you to Joanna Kloet for her presentation and for supporting the local criminal defense bar!

The Section’s final meeting was held June 1, 2018. The Section is now off for the summer.

If you have suggestions for future presentations, please email any of the Section Co-Chairs: Mary Chartier – [mary@cndefenders.com](mailto:mary@cndefenders.com); Takura Nyamfukudza – [takura@cndefenders.com](mailto:takura@cndefenders.com); or Christopher Wickman – [chriswickman@gmail.com](mailto:chriswickman@gmail.com).

The Criminal Defense Law Section is comprised of attorneys who defend people accused of committing crimes. The Section is dedicated to sharing knowledge related to emerging and important topics specific to criminal defense, and to offering opportunities for attorneys to hone critical skills needed to defend those accused by the government. There is no cost to attend Section meetings, which are held at the State Bar of Michigan, 306 Townsend St., Rooms 1 and 2, in Lansing.

Thank you to everyone for your support during this inaugural year of the Criminal Defense Law Section. We’ll see you in the fall!



## Employment and Labor Law Section

The Employment and Labor Law Section holds its meetings at WMU-Cooley Law School, Room 911, 300 S. Capitol Ave. in Lansing.

Section Co-Chairs are Warren Krueger III and Pamela Dausman.

### Upcoming Meetings:

- No upcoming meetings are scheduled at this time.

To RSVP for upcoming Section meetings (none scheduled at this time), please email [mjfraker@loomislaw.com](mailto:mjfraker@loomislaw.com).

## Family Law Section

The Family Law Section meets on the second Wednesday of the month from noon-1 p.m. in Rooms 1 and 2 of the State Bar of Michigan Building, 306 Townsend St. in Lansing. Lunch is always provided.

Section Co-Chairs are Brooke VanBuren-Hay, Jennipher Martinez and Erica Terranova.

The Section is currently taking a break for the summer. If you have suggestions for meeting topics, want to sponsor a lunch or just have general questions, please email [erica@baileyterranova.com](mailto:erica@baileyterranova.com).

**WANT TO SUBMIT AN ARTICLE?**

**HAVE A STORY IDEA?**

Contact **Traci Gentilozzi**, BRIEFS Editor, at [briefs@inghambar.org](mailto:briefs@inghambar.org)



## Real Estate Section

On May 25, 2018, the Real Estate Section meeting featured guest speaker Eric A. Schertzing, Ingham County Treasurer and Land Bank Chair. He spoke on foreclosures, land bank matters, the Ingham County economy and other real estate matters.

The Real Estate Section holds its meetings at WMU-Cooley Law School, Room 911, 300 S. Capitol Ave. in Lansing. Section Co-Chairs are Bill Tomblin, Hon. Valerie Lafferty and Christopher Patterson.

### Upcoming Meetings:

- No meetings are scheduled at this time

Lunch is served at meetings. Future speakers and topics will be announced. Member input is always appreciated.

If you plan to attend a meeting, please RSVP to Bill Tomblin at [Wdtomblaw@aol.com](mailto:Wdtomblaw@aol.com).

## Probate and Trust Section

The Probate and Trust Section recently held its Summer Social. The Section holds its regular meetings on the third Tuesday of each month at WMU-Cooley Law School, Room 911, 300 S. Capitol Ave. in Lansing.

Section Co-Chairs are Rosemary Buhl and Sally Babbitt.

### Upcoming Meetings:

- No meetings are scheduled at this time

If you plan to attend a meeting, please RSVP to Rosemary Buhl at [rbuhl@BLLHlaw.com](mailto:rbuhl@BLLHlaw.com) or via the ICBA Probate & Trust Facebook page.

### Join The Section's Facebook Page

The Probate and Trust Section has a group Facebook page: [ICBA Probate & Trust Law Section](#). The Section encourages members to join the group. As a way to streamline RSVPs and minimize emails, you can RSVP for the Section meetings via this Facebook page. (Please let us know if you are not on Facebook.)

### Lunch Sponsors

The sponsored lunches have been a very popular replacement for the brown bag lunches of old. The Section would like to continue the sponsored lunches. If you are interested in sponsoring a ¼ (\$100), a ½ (\$200) or full (\$400) lunch, please call Sally Babbitt at 517-507-3306 or email [sally@sallybabbittlaw.com](mailto:sally@sallybabbittlaw.com).



# What Is A Hashtag – And Why Does It Matter?



By  
Traci R. Gentilozzi  
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*Attorney Traci Gentilozzi is the owner & operator of 360 Legal Solutions, PLLC, a company that focuses on legal content development and social media promotion for sole practitioners and small law firms.*

Remember the good ole' days when a hashtag (#) was just a pound symbol? Well, those days flew the coop when Twitter came onto the scene. Now, the hashtag is an Internet phenomenon. No matter what social media site you are using, the hashtag is there.

The hashtag nothing more than a key word or phrase with a # in front of it that is inserted into a social media post.

Believe it or not, a hashtag is a powerful legal marketing tool. It can help increase your law firm's social media presence and better engage your audience. In fact, one little hashtag can help your law firm raise its brand awareness and attract new clients.

How much does this hashtag helper cost? Absolutely nothing – which is why you should be using it every day.

## The Purpose Of A Hashtag

A hashtag helps your social media post stand out from thousands of others. When a hashtag is inserted, the social media platform can index the post so it can be found by everyone, including people that are not your “followers” or “friends.”

In a nutshell, hashtags expand your reach, which is the main reason why they should be included in social media messaging. When you insert one or more hashtags in a post, your content is now accessible to everyone else who is interested in that topic and who may search for that hashtag.

However, while using a hashtag significantly broadens the reach of your posts, be careful not to use too many generic, mundane hashtags. Be as specific as possible with your hashtags – you'll have a better chance of being seen.

## Different Types Of Hashtags

There are three types of hashtags: 1) content hashtags, 2) trending hashtags and 3) brand-specific hashtags.

**Content hashtags** are generic and relate to a particular product or service. Some content hashtags for law firms are #legalservices #attorney #lawyer and #lawfirm.

**Trending hashtags** are what is “trending” on Twitter on a given day. How do you know what’s trending? Open your Twitter account and check the left side of the page underneath “Trending” – it’s all right there. Before using a trending hashtag, be sure your post will add value to the conversation. If it doesn’t, then it will probably be overlooked among the millions of other posts that are using that same trending hashtag. Trending hashtags include holidays or sporting events happening on a particular day, such as #MothersDay #BelmontStakes #ChristmasDay #SuperBowl and #NBAFinals.

**Brand-specific hashtags** are ones that you create – so be sure to make them stand out. These hashtags are sort of like “mottos” and are most helpful when you don’t want a post to get buried among thousands of others. Brand-specific hashtags make sense for promotions, special events, community outreach programs and other types of legal marketing campaigns. For example, the State Bar of Michigan recently



used #michbarleaders in its Upper Michigan Legal Institute social media posts. Another good idea would be to use #ICBAShrimpDinner for the Ingham County Bar Association’s annual seafood feast.

## Helpful Hashtag Tips

While hashtags are easily created – just insert # before the words/phrase – they need to be chosen carefully and with a strategy in mind. Here are some hashtag tips.

- 1. Keep hashtags short and sweet.** Do not use too many words in a hashtag because it will be difficult to read. Lengthy hashtags turn people away from a post.
- 2. Do not overuse hashtags.** #Would #you #want #to #read #this? Probably not. The general rule is to include a hashtag with significant words – not all of them.
- 3. Be purposeful in your hashtag use.** This really applies to content

hashtags because they are likely being used by numerous other law firms and businesses. If you want to get your post noticed, a good idea is to mix a highly used content hashtag with a less used, brand-specific hashtag or a trending hashtag. Also, it helps to perform some research to find good hashtags – [hashtagify.me.com](http://hashtagify.me.com) is a great resource.

- 4. How many hashtags and where?** Here’s what is recommended.

### **Twitter**

Two hashtags per post is recommended. Hashtags can be placed at the end of the Tweet or in the content.

### **Facebook, LinkedIn & Google+**

According to experts, brand-specific hashtags are the way to go on these social media platforms. Hashtags can be placed at the end of a post or in the content.

### **Instagram**

The more hashtags the better on Instagram, although it’s suggested that you not use more than 10. Hashtags should be placed at the end of the photo caption and separated by dots or asterisks.

### **Pinterest**

Pinterest recommends that you include no more than 20 hashtags per post. As for placement, note that hashtags only work within the Pin’s description.

# How To Successfully Network With Social Anxiety



By

John A. Maise

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*John Maise is an attorney at White Schneider PC, where he practices labor and employment law. He is a BRIEFS Associate Editor.*

It's the day of a big networking event. You stop and check yourself in the bathroom mirror, to make sure your collar and tie are looking crisp.

You are going to meet lots of new people at this gathering and everyone is going to love you – because you are amazing!

You storm into the event, ready to mix and mingle and then ... you freeze. Everyone else seems to know each other, the room is echoing with laughing voices, as people reunite and socialize.

That's when it hits you. You don't know anybody. You are a stranger. You don't belong.

## Handling Large Networking Events

As attorneys, we all know that networking is vitally important to the practice of law. After all, it's how we meet clients, build relationships with judges and attorneys, and effectively engage to negotiate settlements.

Unfortunately, many people – including lawyers – experience anxiety and shut down at large social gatherings. But all is not lost. There are some strategies that can help you effectively network through your anxiety.

One strategy is to attend the event with a friend or coworker who is well connected, or at least has an outgoing personality. Having someone with you to help make introductions can



take a huge amount of stress out of engaging in conversations with strangers and new acquaintances.

If you're on your own, however, an effective strategy is to engage others in groups of two people. Groups of two are perfect targets when networking because:

- They are often either two people from the same firm or organization who know that they should be meeting new people. By engaging this small group, you are making a new connection and taking the pressure off for the new group.
- It's possible they have also just started networking, so adding a third person to the conversation is always welcome. A third person adds more topics of conversation and allows one person an exit to continue mingling.

Using a deliberate strategy provides a sense of purpose to the event, which you can focus on to help mitigate the effects of your anxiety. It allows you, as an anxious person, to look at the



room and the people in a different way, in turn making the situation slightly less overwhelming.

Still, being at a large social networking event can be exhausting. It is important to keep a tab on yourself and your anxiety and take a break when you need one. Maybe grab a snack or a drink and retreat to a table or seat away from the crowd. Who knows ... someone might approach you while you are regrouping, which will make your networking life easier.

### Networking With Anxiety Is Manageable

At any type of networking event, whether large or small, attorneys should identify the situations in which they excel and focus their efforts

on those types of situations. For many people, focusing on small groups or one situation is less stressful. For others, it can be helpful to focus on groups where there are predefined roles. Some people experience the worst anxiety when there is no structure and people just mingle.

But when there is a predefined role, such as contributing to a group project or volunteering in the community, this automatically creates a shared interest and a pretext for engaging with others.

At the end of the day, you just need to get out there, even though it's not always easy to do. You need to become more involved with your local community and the legal community. While you shouldn't feel like you need to attend every event, approaching a networking event with a strategy for success – and sticking to that plan – can make networking manageable.

No, not every networking event will be a success. But some of them will be ... and that's what is important.



By

Jordan G. Leaming

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*Jordan G. Leaming is an associate attorney with Blue Cross Blue Shield of Michigan. His areas of practice are health care, insurance, Medicaid and Medicare.*

# FOOD YOU SHOULD BE EATING

## Crossroads BBQ

221 S Bridge St.

Grand Ledge, MI 48837

517.627.0555

[crossroadsbbqmich.com](http://crossroadsbbqmich.com)

### Hours:

Tuesday-Sunday, 11 a.m. - 8 p.m.

Closed Monday

Ask any of my neighbors and they will probably tell you that I like all things barbeque. And while I enjoy cooking my own barbeque, I like finding new spots that do it right.

Crossroads BBQ is just such a place.



Looking for a healthy dose of the meat sweats, I recently rolled over to Grand Ledge. I walked up to the register and spent the

next five minutes plotting how much food I could possibly try to give me a proper base for a review. I ended up ordering the meat sampler: ¼ pound brisket, pulled pork, pulled chicken, and I swapped out the Andouille sausage so I could have five chicken wings. I also added some fries and the corn cakes, to round everything out.

I was slightly embarrassed as all my food

started to roll over to my booth. In my quest for journalistic integrity, I ended up having enough food to feed a family. My feast was all presented on ¼ baking sheets, a savvy move for BBQ – and it looked fantastic. I started in on the brisket and was immediately hit with a combo of smoke and tenderness from what I believe was some of the brisket point.



I quickly pivoted to the chicken wings and spent the next few minutes making a bone pile. The wings are excellent. Flash fried and dusted with a sweet dry rub. There are multiple wing sauces to try: X-Wing, Diablo Buffalo

and Sweet Reaper. I spent my time dipping between the Diablo and Reaper sauces – plenty of heat to go around.

Once the wings were dismantled, I strategically ate my way around the pulled chicken, pulled pork, mac-n-cheese, honey corn cake and fries. I ate all the brisket, wings and pulled chicken. I had a little pulled pork left over, as well as some corn cake and fries. This is a fairly good reflection of my taste preference for the different items.

I was pleasantly surprised with how good the sauces are. Pitmaster Lee Burmeister knows BBQ – and he knows how to make a sauce. I tried them all but was most impressed by the Carolina sauce. The description is this: a tangy, mustard and vinegar sauce that hails from the coastal Carolinas, absolute perfection. I will attest, the Carolina sauce is all these things. I also enjoyed the white sauce with some ketchup. It was a very nice change for the fries.

As my whippet-fast pace slowed significantly, I packed up a few of my remaining vittles and left with my tail tucked between my legs. If my Saturday was a Man vs. Food episode, the food won ... and I am very happy it did!

Get over to Grand Ledge and give Crossroads BBQ a try. Your taste buds will thank you.



## Lawyer Referral Application

Please take note that the Ingham County Bar Association does not do Lawyer Referrals. If you need to use this service provided by the State Bar of Michigan, please call them at **(800) 968-0738** between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, to speak with a lawyer referral representative or you can use the links below.

- [Lawyer Referral and Information Service Registration Form](#)
- [LRIS Quick Reference Guide](#)
- [Become a Lawyer Referral Service Panel Member](#)

## BRIEFS AUTHOR GUIDELINES & POLICIES

### IN GENERAL

#### Publication Schedule

BRIEFS is published by the Ingham County Bar Association nine times a year (September through June, with a combined December/January issue)

#### Copy Deadline

Content submissions are due the 15th of the month for the following month's issue (e.g., deadline is April 15 for the May issue). For the December/January combined issue, the deadline is November 15. Late submissions are accepted at the discretion of the editor.

#### BRIEFS Committee Meetings

A minimum of four committee meetings are held each fiscal year. Additional meetings are held, as necessary. To be added to the mailing list for meeting notices, email the editor at [briefs@inghambar.org](mailto:briefs@inghambar.org).

#### Author and Article Pictures

The preferred picture format is full-color .jpg (JPEG) files, 72 dpi or better. For head shots, the resolution should be high enough to be viewed clearly when approximating a 2" x 3" photo online. Please do not send thumbnail photos, as they will not be published.

#### Article Length

Article length varies, so the following is only a guideline. Articles may be edited to fit a specific amount of space.

#### Raising the Bar

**Announcements:** 100-200 words

**Local Legal Events Notices:** 100-150 words

**Columns:** 300-500 words

**Articles:** 700-1,000 words

#### Article Ideas

Writing an article for BRIEFS is an excellent way to publicize your expertise, and we encourage your submissions. Please send ideas for articles or completed articles to Traci Gentilozzi, editor, at [briefs@inghambar.org](mailto:briefs@inghambar.org). Within 24 hours, you will receive an email confirmation that your article was received.

#### Author Information

Along with your article, please include your full name, e-mail address and a short biography (2-3 sentences). Please also send a photo of yourself, preferably in .jpg (JPEG) format and in color, if possible.

#### MEMBER ANNOUNCEMENTS

News of career moves, presentations, honors, recognitions, etc. is published in the "Raising the Bar" section. We accept and publish announcements only for ICBA members.

BRIEFS does not accept or publish announcements based on peer recognition and review sites, such as Super Lawyers, Best Lawyers, Best Law Firms, etc.

BRIEFS does publish honors and awards given by legal publications such as Michigan Lawyers Weekly (i.e., Leaders in the Law) under the following conditions:

1. BRIEFS will only publish such announcements for ICBA members.
2. Announcements will appear only in Raising the Bar and are limited to 50-75 words.
3. Announcements must comply with any applicable copyright/trademark requirements of the publication.
4. ICBA takes no responsibility for the published announcement.

#### ADVERTISING

Details on display and classified advertising can be found [here](#).

#### ARCHIVED ISSUES

Past issues of BRIEFS can be found [here](#).

#### PUBLICATIONS COMMITTEE

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# BRIEFS Advertising Contract

Please publish the advertising checked below in ICBA BRIEFS.

## Size

- |   |   |
|---|---|
| <input type="checkbox"/> ¼ page (4" x 4.5")   | <input type="checkbox"/> Full Page (8.5 x 9.33) |
| <input type="checkbox"/> ½ page (8.5" x 4.5") | <input type="checkbox"/> Links                  |
| <input type="checkbox"/> ½ page (4" x 9.33")  | <input type="checkbox"/>                        |

## Placement:

- One issue (please select month)  Sept  Oct  Nov  Dec/Jan  Feb  Mar  April  May  June
- Four Issues (please select months)  Sept  Oct  Nov  Dec/Jan  Feb  Mar  April  May  June
- Nine Issues (please select months)  Sept  Oct  Nov  Dec/Jan  Feb  Mar  April  May  June

## Advertiser

Company		
Address		
City	State	Zip
Phone		Fax
E-mail address		Web Site
Authorized by (Name)		(Title)

## Please return to ICBA:

P.O. Box 66, Grand Ledge, MI 48837  
 Phone 517-627-3938 Fax 517-627-3950  
 Email: [info@inghambar.org](mailto:info@inghambar.org)

**Cancellations:** Cancellations of any part of a contract voids all rate and position agreements. No changes or cancellations 1 (one) week after published deadline.

**Terms and Agreements:** Advertiser and agencies are liable for all content and are responsible, without limitation, for any and all claims made thereof against the ICBA, its board members or contracted service providers. Publisher reserves the right to publish materials from a previous advertisement if new materials are not received by the published deadline. The word advertisement will appear on any ad that resembles editorial content. All advertisements remain property of the ICBA. BRIEFS committee chairs and editor reserves the right to revise, reject or omit any advertisement at any time without notice.

**Entire Agreement:** This contract constitutes the entire agreement and understanding between the parties relating to the subject matter of the contract. The terms of this contract and publication schedule set forth above may be changed.

**Advertising payments must be submitted with contract for the selected term.**

**Full payment is required in advance.**

- Use copy enclosed       Copy mailed separately       Check enclosed       Paying by credit card (complete information)

- Visa       MasterCard  
**\*\* We do not accept American Express**

Expiration Date

Credit Card Number	Authorized Signature
--------------------	----------------------

# BRIEFS Advertising Rates & Policies

## Advertising Rates

Rate Per Issue	Ad Size
\$100.00	Quarter Page
\$200.00	Half Page Horizontal
\$200.00	Half Page Vertical
\$375.00	Full Page
\$25.00	Link

Issue	Publication Schedule*	Submit Copy
Sep	Sept. 1 - 30	Aug 15
Oct	Oct 1 – 31	Sept 15
Nov	Nov 1 – Dec. 15	Oct 15
Dec /Jan	Dec. 15 - Jan. 31	Nov 15
Feb	Feb 1- 28 or 29	Jan 15
March	March 1 – 31	Feb 15
April	April 1 – 30	Mar 15
May	May 1 – 31	April 15
June	June 1- 30	May 15

Note: Previous issues of BRIEFS are always [accessible online](#).

Classified ads will be published for **FREE** for ICBA members in good standing. Non-ICBA members will be charged the “Law Firm/Business Link” advertising rate. A classified ad includes an advertisement of office space for rent/lease/sale, an employment opportunity, and/or a request for employment.

### Multiple-Issue Rates – Full payment is required in advance

¼ page ad	.....\$100/1 issue	\$340/4 issues	\$560/9 issues
½ page ad	.....\$200/1 issue	\$780/4 issues	\$1120/9 issues
Full page ad	.....\$375/1 issue	\$1275/4 issues	\$2100/9 issues
Law firm/Business links	.....\$25/1 issue	\$85/4 issues	\$140/9 issues

### Distribution

BRIEFS is distributed electronically (not in print format) to ICBA members, Michigan Supreme Court justices, Court of Appeals judges and local judges. The September issue of BRIEFS is sent to prospective ICBA members. ICBA members can always access archived issues of BRIEFS, and also receive bi-weekly member updates from the ICBA president.

### Mechanical Requirements

Graphics should be in .jpg (JPEG) or .gif (GIF) format. Graphics must be provided as a separate file, and not just included in the document. Special fonts needed for advertising should be provided. Please use a minimum 12-point text size. Color does not cost extra because BRIEFS is only produced and distributed electronically.

Contact Traci Gentilozzi, editor, at [briefs@inghambar.org](mailto:briefs@inghambar.org) with ad placement questions.

### Advertising payments must be submitted with contract for the selected term.

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THANKS FOR  
READING



BRIEFS



FEEDBACK?

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BRIEFS Is On  
Summer Break.

See You  
In September!