



INGHAM COUNTY BAR ASSOCIATION

BRIEFS

NOVEMBER
2018

A TRIBUTE TO OUR VETERANS

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New ICBA Logo And Letterhead Policy

The ICBA has adopted a new policy 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

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Grand Ledge, MI 48837
www.inghambar.org

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mary@cndefenders.com

President's Message

By *Mary Chartier*

This edition of BRIEFS is dedicated to Veterans, so I thought I would share some photos from my favorite veteran: my late father, Ed Chartier.

My father served in the United States Army during the Korean War. He did not want to speak about much of his service, but I know from my uncle that my father saw quite a bit of combat and served on the front line. My uncle, on the other hand, never saw combat – he worked in an office in Europe, and his time in the military was dramatically different from my father's service. Still, I know the two of them had a bond that only Veterans can share.

During my father's time in the military, he dated my mother from afar. After my mother passed away, we found letters that my father had written her and photographs that he had sent. I've included some of those photos with this column. During my father's time in Korea, she would make him care packages and send them along. She knew that he liked olives, so she always included green olives in every package. It was only after they were married that he told her that he did not like green olives – he only liked black olives. He didn't say anything because they were courting, and he knew how much time and care she put into every package. He said he would give the green olives away to his Army

buddies, who were happy to get any item that reminded them of home.

In honor of those who served in Korea, the Korean War Veterans Memorial was dedicated on July 27, 1995. My father was too ill to ever visit the memorial, but he believed strongly in the importance of the memorial for those who served. The memorial website summarizes the sacrifices made: "The memorial commemorates the sacrifices of the 5.8 million Americans who served in the U.S. armed services during the three-year period of the Korean War. The War was one of the most hard fought in our history. During its relatively short duration from June 25, 1950 to July 27, 1953, 36,574 Americans died in hostile actions in the Korean War theater. Of these, 8,200 are listed as missing in action or lost or buried at sea. In addition, 103,284 were wounded during the conflict."

Despite the horrors of what he experienced during the war, my father always commented on how kind and nice the people were in Korea. And, of course, he had a strong and unbreakable bond with those he served with that lasted until he passed away. I think that is what is remarkable about the dichotomy of war – soldiers see the best in people during the worst of times.

Words cannot express the gratitude that I, and I know all of you, feel for those who have served and sacrificed for our freedoms. But beyond our words of thanks, I urge all of you to contribute more than just gratitude. In the words of John F. Kennedy, "As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them." Let's just not thank our Veterans, but actively show our gratitude.

As attorneys and community members, there is much that we can do to help Veterans. My business partner and United States Army Veteran Takura Nyamfukudza lives by these words. He, too, served during war time and he continues his service to this day. Takura volunteers his time as a mentor with the Matt Brundage Memorial Ingham County Veterans Treatment Court and he regularly volunteers at the Grand Rapids Home for Veterans. He also leads the annual coat and warm weather clothing drive for the State Bar of Michigan's Marijuana Law Section. Chartier & Nyamfukudza's office at 1905 Abbot Road in East Lansing serves as a drop-off location, so feel free to stop by in November with your items.

I have also volunteered through Western Michigan University Thomas M. Cooley's "Service to Soldiers"



Ed Chartier (middle) with two Army buddies.



"Mr. Wonderful" (as my mother called him), sending a photo to court Theresa Saracina.



Ed Chartier in Korea.



And it worked! This is my parents' wedding photo. They were together more than 50 years (until my father passed in 2004).

program to assist Veterans with legal issues pro bono. More recently, we also assisted in exonerating two service dogs who had been wrongfully taken from a Veteran. The dogs were wrongfully accused of killing some goats, but eagle-eyed paralegal Lizzy Cary saw the wounds and realized that a coyote did it.

(There are lots of Road Runner jokes to insert here, but this is supposed to be a serious column, so I'll refrain. But it's difficult to resist because, seriously, the coyote did it.)

In addition to the organizations that I mentioned, our local Volunteers of America helps Veterans with housing, employment, support services and more. There are many opportunities to volunteer your time and contribute.

Finally, for those of you who love dogs, I encourage you to consider donating to Stiggy's Dogs, which rescues shelter dogs and trains them to be companion animals and service dogs for Veterans.

There are numerous organizations that serve Veterans and

I urge all of you to contribute in any manner that you can with your time, cash or in-kind donations. We are so blessed to be in a position where we can assist in a small way those who have sacrificed so much for us. This year and for many years to come, let's show our thanks through action and not just words.

On The Docket

For additional information on ICBA events, call 517-627-3938, email info@inghambar.org or visit [ICBA on Facebook](#) or the [ICBA website](#).

Date	Event	Location
11/15/18	124th Annual Dinner	University Club – MSU
11/15/18	YLS Reception	University Club – MSU
11/15/18	ICBF Fellows Reception	University Club – MSU
11/15/18	Monthly Deliberations	American Fifth
12/20/18	Monthly Deliberations	Tavern and Tap
1/17/19	Monthly Deliberations	Spartan Brew Pub
2/21/19	Monthly Deliberations	Kelly's Downtown
3/21/19	Monthly Deliberations	Zoobie's
4/18/19	Monthly Deliberations	Xiao
5/16/19	Monthly Deliberations	Envie
6/20/19	Monthly Deliberations	The Exchange
7/18/19	Monthly Deliberations	Side Bar

ICBA MEMBER DIRECTORY

Are you listed in the
online member directory?

If not, give us a call
at 517-627-3938.



Raising The Bar



Mandel

Scott Mandel Named American College Of Trial Lawyers Fellow

Scott Mandel, a shareholder at Foster, Swift, Collins & Smith, PC, has become a Fellow of the American College of Trial Lawyers.

Scott has been practicing business litigation, employment litigation and insurance defense for 37 years. He earned his law degree from Wayne State University School of Law.

Fellowship is by invitation only. Lawyers must have a minimum of 15 years trial experience before they can be considered. Membership cannot exceed 1 percent of the total lawyer population of any state or province.



Krueger

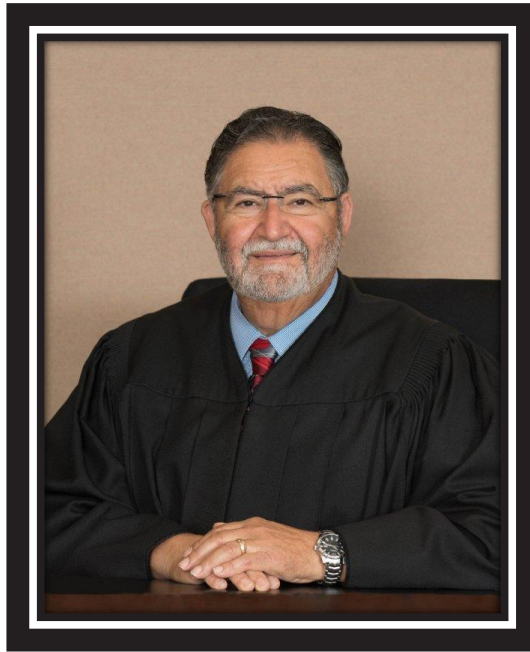
Foster, Swift Welcomes Warren Krueger III

Warren H. Krueger III has joined Foster, Swift, Collins & Smith, PC's Trusts & Estates Practice Group. He is based in the firm's Lansing office.

Warren concentrates his practice on estate planning, estate administration and probate, civil litigation and real property. In 2015, he was named a "Top 5 Under 35" attorney by the Ingham County Bar Association.

A graduate of Michigan State University, Warren earned his law degree from DePaul University College of Law.

Honorable Frank J. DeLuca
54-A District Court Judge



Retirement Party

Thursday, December 13, 2018
4:00-7:00pm

SWOC (formerly known as the
Old Washington Street Armory)
2500 South Washington, Lansing MI 48910

Please Join Us to Celebrate 18 Years of Service

Friends Of The Ingham County Veterans Treatment Court



By
Susan LeDuc
sueleduc67@gmail.com
Susan LeDuc is on the Board of Directors of the Ingham County Bar Foundation. She is a past president of the Ingham County Bar Association and is retired from the Ingham County Prosecutor's Office.

Our local Ingham County Veterans Treatment Court (ICVTC) provides much needed help for Veterans finding themselves in trouble with the law.

The ICVTC, however, realized that many of the Veterans in the program needed financial assistance above and beyond the ICVTC budget.

Thus, a group of “friends” became the “Friends of the Ingham County Veterans Treatment Court,” a 501(c)(3) charity which could provide

help for those emergencies that come up for Veterans involved with the court.

It was a recognition that seemingly minor issues and stressors of day-to-day life, as well as major worries, can sidetrack Vets in the program. The ability to be able to offer assistance is invaluable. Helping with a car payment or a utility bill or buying school clothes for one's children can make a big difference.

The Ingham County Bar Foundation has recognized the valuable work of the Friends of the ICVTC with grants for the past six years. We applaud the work that the ICVTC and the Friends of the ICVTC do for those who have given so much for us.



**SAVE
THE
DATE!**

**ICBF
15th Annual
Memorial
Golf Classic**

Thursday,
June 27th, 2019
Hawk Hollow
Golf Course

[Registration Form](#)

[Sponsorship Form](#)



DID YOU KNOW?

Two Long-Time Lansing Practitioners Retire

George Zulakis and Frank Reynolds, two lawyers who have made an indelible mark on the mid-Michigan legal community, recently retired from the practice of law. Both George and Frank have been an integral part of the Ingham County Bar Association. We thank them for their many years of service to the profession.

BRIEFS recently spoke with George and Frank, to find out more about their prestigious careers and what they plan to do during their retirement.

George Zulakis

Baird & Zulakis, PC



George retired from the practice of law on September 30, 2018. For more than four decades, George focused his practice on criminal and juvenile matters.

A 1978 graduate of WMU-Cooley Law School, George is a recognized leader in criminal defense, including DUI, domestic

violence, assault, drug crimes, embezzlement and traffic offenses.

BRIEFS: What is your most memorable moment(s) in practicing law?

GEORGE: In the late 80s, my [law firm] co-founder (now Judge) Laura Baird and I participated in the largest medical malpractice settlement in Ingham County's history (up until that time.) The case involved twin children of our friends, who suffered severe brain injuries from failure to appropriately diagnose/treat Rh negative blood issues.

Participating in a number of complex and lengthy murder trials, including one involving a double jury, that lasted six weeks and winning a few of those murder trials, and having a few dismissed, were big moments in my career.

My most satisfying moments include those cases, successfully tried, involving absolutely innocent clients. I also have had many humorous clients/cases involving unusual circumstances.

BRIEFS: How has the practice of law changed over the years?

GEORGE: I think the practice of law has evolved considerably over my years of practice. Discovery in criminal and juvenile case has improved markedly, at least in state cases. Overall, procedures that were archaic have become more logical and practical. I am extremely pleased that we are finally going to be able to serve indigent defendants more effectively and with resources that have been severely lacking for decades with the new Ingham County Public Defender Office, a dream which I frankly never believed would come true. The elephant in the room, of course, will be the fulminating impact of electronics/technology on the practice, and the ability of attorneys to significantly reduce overhead/the cost of delivery of legal services.

BRIEFS: What will you do during retirement?

GEORGE: Travel, golf and improving my skills, playing guitar, as well as a lot of dog walking are in my future. I will miss helping clients in their darkest hours. I have loved feeling useful. It's time, however, to move on to new adventures.

More About George ...

- President, Ingham County Bar Association (2004-2005)
- President, Ingham County Bar Foundation (2009-2012)
- Founding Member and Founding Fellow, Ingham County Bar Foundation
- Member, Board of Directors, Ingham County Bar

Foundation (2002-2018)

- Member, Board of Directors, Ingham County Bar Association (1999-2006)
- Attorney Discipline Hearing Panelist
- Fellow, Michigan State Bar Foundation
- Member, ACLU, Lansing Area Attorneys Advisory Committee
- Member, Advisory Committee, Legal Services of Southcentral Michigan
- Member, State Bar Criminal Law Section and Master Lawyers Section
- Member, Criminal Defense Attorneys of Michigan
- Recipient, Theodore Swift Civility Award, Ingham County Bar Association (2015)
- Former Adjunct Professor, WMU-Cooley Law School

Frank Reynolds

Foster, Swift, Collins & Smith, PC



Frank retired from the practice of law on October 31, 2018. His 40-year career has been dedicated to representing criminal defendants in state and federal cases, including white-collar crime. He has tried hundreds of cases, ranging from misdemeanors to murders.

A 1978 graduate of WMU-Cooley Law School, Frank has also handled family law matters, juvenile defense and abuse/neglect cases, as well as probate and estate planning cases. In addition, he has represented attorneys in professional licensing matters before the State Bar Character and Fitness Committee and the Attorney Discipline Board.

BRIEFS: What is your most memorable moment(s) in practicing law?

FRANK: Taking cases to trial and the SBM Character and Fitness/Judicial Qualifications Committees. Training new trial attorneys has been one of my most memorable activities. My time with the Federal Judicial Education Committee also stands out as very memorable.

BRIEFS: How has the practice of law changed over the years?

FRANK: Technology has added a major dimension to the practice, both in the courtroom and outside the courtroom. Over the years, I have worked with young attorneys at The Reynolds Law Firm and for the past 10 years at Foster Swift. I am pleased to say that the talent and passion for the law is alive and well. The future for the profession is bright.

BRIEFS: What will you do during retirement?

FRANK: Pattie and I will continue to live in Chicago and St. Augustine. We will continue to travel and enjoy the benefits of living in university communities. We have several road trips planned along with continuing enjoyment of the performing arts. We look forward to spending time with our friends.

More About Frank ...

- Member, State Bar Criminal Law Section and Master Lawyers Section
- Former Adjunct Professor, WMU-Cooley Law School and MSU College of Law
- Former Member, State Bar Judicial Qualifications Committee
- Former Chair, State Bar Standing Committee on Character and Fitness
- Recipient, Leo Farhat Outstanding Attorney Award, Ingham County Bar Association (2001)
- Fellow, Michigan State Bar Foundation
- Fellow, Ingham County Bar Foundation
- Fellow, American College of Trial Lawyers
- Member, Criminal Defense Attorneys of Michigan
- Ingham County Sobriety Court Foundation, Board of Directors (Founding Member) Emeritus
- Member, American Bar Association
- Member, Federal Bar Association, Western Michigan Chapter

Proposed Amendment Of Local Court Rule 2.119

The 30th Circuit Court wishes to revise its current Local Court Rule 2.119 to more accurately reflect current practices.

The proposed language for Local Court Rule 2.119 can be found below. The comment period will be open for 60 days and will expire on January 7, 2019. Please send your comments to Rhonda Swayze at rswayze@ingham.org.

RULE 2.119 MOTION PRACTICE

- (A) Attorneys of record shall obtain hearing dates from the trial judge's judicial assistant for uncontested divorce proceedings, motions, and other matters requiring hearings.
- (B) The General Trial Division motion day shall be Wednesday. If a legal holiday interferes, the court may set a new motion day.
- (C) Family Division motion days are specific to each Family Division judicial office and can be determined by contacting the judicial office.
- (D) A judge's copy of a motion, brief, and notice of hearing shall be filed with the Court's copy.
- (E) Any matter requiring testimony or hearing more than 15 minutes shall be scheduled by the trial judge's judicial assistant on a non-motion day.

WANT TO SUBMIT AN ARTICLE?

HAVE A STORY IDEA?

Contact **Traci Gentilozzi**, BRIEFS Editor, at briefs@inghambar.org

ICBA Veterans: We Thank You For Your Service!

Hon. Rosemarie Aquilina
National Guard

William Archer
U.S. Army & National Guard

Gary Bauer
U.S. Air Force

Karl Bohnhoff
U.S. Army

Jay Brant
U.S. Army

El Juez Thomas Brown
U.S. Navy

Michael Cavanaugh
U.S. Army & National Guard

Edward Cook
National Guard

Jack Davis
U.S. Army

George Elworth
U.S. Army Reserve

Lawrence Emery
U.S. Army

Joseph Fink
U.S. Navy Reserve/Navy JAG
Corps

William Hankins, Jr.
U.S. Army Infantry

Donald Hines
U.S. Navy

Daniel Hude
U.S. Army

Dr. Clark Johnson
U.S. Navy

Francis Kolasa
U.S. Army

James Lozier
U.S. Army Reserve

Jonathan Maire
U.S. Navy

Daniel Matson
U.S. Navy Reserve

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Michael McDaniel
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Ronald Morgan
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John Noud
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Takura Nyamfukudza
U.S. Army

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William Ralls
U.S. Army

Larry Salstrom
U.S. Army

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U.S. Marines Reserve

Matthew Smith
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Webb Smith
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Douglas Stover
U.S. Air Force

Jerry Sutton
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U.S. Army Reserve

William Wilkinson
U.S. Air Force

Col. John Wojcik
National Guard

SITUATION REPORT:

THE INGHAM COUNTY VETERANS TREATMENT COURT



By
Takura Nyamfukudza
takura@cndefenders.com
Takura is a partner at
Chartier & Nyamfukudza,
PLC in East Lansing.
He proudly served in the
United States Army for
12 years and is a mentor
at the Ingham County
Veterans Treatment Court.

“There are people who come home from war and want to talk about the pain, but no one wants to listen; there are others who want to keep silent and repress the memories, and all their family and friends want is to talk about it. I call this the war veteran reintegration paradox.” ~ M.B. Dallochio, The Desert Warrior¹

In February 2015, I wrote an article titled “No Veteran Left Behind.” It was based on my

understanding of the benefits that the Matt Brundage Memorial Ingham County Veterans Treatment Court (ICVTC) offered participants, following an in-depth discussion with 54-B District Court Judge Richard D. Ball and then-Chief Probation Officer Kevin Tatroe. At the time, I was an outsider looking in.

My experience has come full circle because I now serve as a mentor at the ICVTC. Every ICVTC participant can empathize, not merely sympathize, with Dallochio’s definition.

The following is a description of my experience as a mentor and the current situation at the ICVTC – a “situation report,” in military parlance. I could not be prouder to be an integral part of the treatment-based and problem-solving approach that the ICVTC uses in lieu of the traditional court process. I will use the five-paragraph operations order format that is undoubtedly recognizable to any service member who graduated basic training.

Mission

The mission of the Veterans Mentoring Program (VMP) is to ensure that every participating Veteran receives the services they require by helping navigate the system and acting as a mentor, advocate and ally. Mentors must submit to a criminal background check, provide a DD Form 214,² as well as sign and honor a confidentiality agreement. We, the mentors, also participate in

various trainings throughout the year.

Each participant is assigned a volunteer mentor. Generally, the mentor served in the same branch as the assigned Veteran. If possible, the mentor served in the same war. That is the true with my current mentee. We appear together for monthly reviews before Judge Ball.

The VMP has three primary goals. First, we help our fellow Veterans receive the services they need to reach their full potential as productive members of society. Second, we help our fellow Veterans navigate the court system, treatment system and the United States Department of Veterans Affairs (VA) system. Finally, we assess our fellow Veterans’ needs and help them adjust back to civilian life.

It has been said that one’s problems learn to swim when you try to drown them in alcohol. The ICVTC started out as a mental health court. But many participants charged with crimes may also suffer from substance dependency. A recent study of the 461 Veterans Treatment Courts that currently exist nationally revealed that Veterans who completed the program, as opposed to those who dropped out of the program, did have consistently lower recidivism rates than traditional court participants across multiple time periods.³ This study highlights the importance of further developing and supporting substance abuse treatment, vocational training and wrap-around services among this most deserving population.

Execution

Coach, guide, advocate or role model are all appropriate descriptors for my role as a Veteran mentor. Doubtless, I have handled countless alleged probation violations as a criminal defense litigator. However, that is not one of my duties in my role



A TRIBUTE TO VETERANS

as a mentor. Instead, there is a different criminal defense attorney whose foremost responsibility as a member of the Treatment Team is to litigate alleged violations. I most certainly stay in my lane and enjoy donning my “counselor at law” hat.

In addition to attending court sessions, I help my mentee resolve concerns around the court procedures. Fortunately, I have some experience navigating the VA system. As such, I am uniquely qualified to and have lent assistance in that area of operation. Judge Ball has not yet pinned the rose on me to organize and conduct training for the Veteran mentors, but I would gladly accept those marching orders and execute them with extreme zeal.

Most Veterans Treatment Court programs are comprised of four phases that typically take approximately a year-and-a half to complete.

1. Phase I is the orientation and compliance phase. It is designed to help participants understand all aspects of the program, ensure the highest level of function and success, and comply with the treatment plan.
2. Phase II is the stabilization phase. Here, the Treatment Team’s main focus is addressing essential needs like housing, health, clothing and recovery services.
3. Phase III is aimed at community reintegration. This is usually when the issues that brought the participant in contact with the Veterans Treatment Court are most vigorously addressed. Based on the participant’s progress, required appearances at Veterans Treatment Court review hearings may be reduced.
4. Phase IV is the maintenance, growth and development one. It is heavily focused on the participant continuing the structure and discipline that was developed in earlier phases and developing self-sufficiency. At this point, the participant has successfully adhered

to the psychiatric treatment requirement, including medication compliance, developed a functional support system and avoided renewed involvement with the criminal justice system.

I remember brimming with pride when I stood next to my mentee as he was recommended for promotion to Phase II of the program. Such promotion was based entirely on merit. It was earned through the consistent and concerted efforts of the entire Treatment Team. But nobody deserves more credit than my mentee. His family has benefited from the counseling that he attended on a frequent basis during Phase I. My mentee has made personal strides that are easily discernible to me. He has renewed vigor to further his education, be the best father he can be and maintain his sobriety. I can only imagine how grateful his wife is for the new and improved version of her husband.



It has not been difficult at all for me to be supportive of my mentee. I celebrate his achievements just like he does mine. He knows that I am always a text or phone call away ... especially when he is feeling isolated. We can talk about nothing or anything. I know that we will remain close long after he is successfully discharged from the ICVTC.

Service And Support

A VA representative attends every ICVTC session. This member of the Treatment Team answers questions and helps secure benefits. Judge Ball and Chief Probation

Officer Amy Iseler strongly encourage any Veteran who would like to speak with a live representative to stop by an ICVTC session. Notably, assistance will be provided irrespective of participation in the Treatment Court.

The mentor relationship is one of the principal ways in which the ICVTC differs from traditional probation. Further, ICVTC participants enjoy more judicial interaction than traditional probationers, which I can now confirm increases accountability and has a deterrent effect on future offenses and probation violations.

Only one Veteran who served in the Coast Guard has entered the ICVTC and she was discharged following successful completion of all its rigors. She was one of the four women who have participated in the program since its inception. The Army remains the most widely represented branch.

Currently, there are 33 Veteran mentors, a number that is down from a peak of 60. The VMP would like to swell its ranks. Therefore, potential mentors are strongly encouraged to apply.

Command

Judge Ball still presides over the ICVTC and Iseler is the current second-in-command. Together, this “high speed, low drag”⁴ duo runs a tight yet compassionate and effective ship. Indeed, they have accepted the mission and are breathing life into President Lincoln’s charge to the nation, “to care for him who shall have borne the battle and for his widow, and his orphan.”

To Judge Ball and Iseler, I say “HOOAH!”⁵

(ICVTC photo credits: [Friends of Ingham County Veterans Treatment Court website](#).)

¹ The Desert Warrior is an extraordinary memoir of trauma recovery and resilience, while providing a fascinating look at one soldier’s return from the early, grisly years of the Iraq war.

² The DD Form 214, Certificate of Release or Discharge from Active Duty, is a document of the United States Department of Defense, issued upon a military service member’s retirement, separation or discharge from active duty in the Armed Forces of the United States.

³ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5776060/>

⁴ Army-ism used to describe something that is on the ball, effective or works well.

⁵ Since WWII, this battle cry has been used widely throughout the US Army and gained a general meaning of anything and everything except “no.” It is comparable to Oorah in the United States Marine Corps, and Hooyah in the United States Navy.



By
Margaret (Peggy) Costello
costelma@udmercy.edu
Peggy is a clinical associate professor at the University of Detroit Mercy School of Law, where she was instrumental in establishing the Veterans Law Clinic and Project Salute. She is an accredited VA attorney and admitted to practice at the Court of Appeals for Veterans Claims. This article is reprinted, with permission, from the February 2015 Michigan Bar Journal.



Legal Assistance For Veterans

Many military Veterans face legal challenges – civil and criminal. However, the U.S. Department of Veterans Affairs (VA) does not provide or pay for legal

services for Veterans. At an April 2014 VA forum on Veterans' legal needs, Secretary of Veterans Affairs Eric Shinseki stated, "The unmet legal needs of Veterans are one of the root causes of homelessness."¹

In fact, four of the top 10 unmet needs of homeless Veterans involves legal assistance for eviction/foreclosure prevention, child support issues, outstanding warrants/fines and driver's license restoration.² Other common legal issues include accessing public benefits, guardianship, issues with debts and creditors, and expunging criminal records.³

There also appears to be a significant correlation between mental health issues such as post-traumatic stress disorder (PTSD) and incarceration. For example, a 1990 study found that 45.7 percent of Vietnam Veterans diagnosed with PTSD had been arrested and jailed more than once.⁴

Veterans are not automatically eligible for benefits such as medical care, housing or job assistance from VA. They often do not have the necessary

information and understanding to navigate the complex VA system and obtain the benefits to which they are entitled, thus requiring legal assistance. The complexity of current VA statutes, regulations and procedures contributes to the difficulty of obtaining benefits, which often results in poverty and the concomitant homelessness.⁵

Law School Clinics

In the past 10 years, at least 22 law school clinics devoted solely to assisting Veterans with specific legal needs have arisen, and more are being developed. At the August 2014 annual meeting of the American Bar Association, the ABA House of Delegates passed a resolution calling for all law schools to create Veterans law clinics or, at a minimum, meet the legal needs of qualifying Veterans through an existing legal clinic.⁶

The law school clinics, which provide free legal services to those who qualify, vary in the type and extent of services offered, with some dedicated to helping Veterans in specific areas such as obtaining VA benefits or discharge upgrades and others addressing more general legal needs. In Michigan, two law schools have established legal clinics for Veterans and service members – Western Michigan University Thomas M. Cooley Law School and the University of Detroit Mercy College of Law.⁷ Wayne State University Law School recently announced it will establish a Veterans legal clinic. (Editor's Note: Wayne State University Law School established "Advocates for Warriors" in April 2016.)

Other Service Delivery Models

Legal aid organizations, law firms, local bar associations and others have coordinated with VA to provide free legal clinics at VA facilities. These clinics provide advice and self-help and may accept clients for ongoing assistance.⁸ Nonprofit organizations with the goal of helping Veterans obtain benefits or addressing other legal needs have also formed. Several nonprofit organizations in California serve Veterans.

For example, OneJustice serves California Veterans who are attempting to access VA medical care and benefits, in many cases by linking them to pro bono attorneys.⁹ Swords to Plowshares, established in 1974, partners with pro bono attorneys in more than 25 Bay Area law firms to provide legal services to Veterans seeking VA benefits and military discharge upgrades.¹⁰ These nonprofits are funded primarily with financial contributions from law firms, corporations, foundations and private individuals.

National Pro Bono Programs

A longstanding program is the Pro Bono Consortium, which provides representation to Veterans at the Court of Appeals for Veterans Claims. The consortium screens cases and provides extensive training to volunteer attorneys wanting to take on cases. Training is provided live in Washington, D.C. and by video; volunteer attorneys also have mentoring and other support available.

Attorneys can volunteer at the Pro Bono Consortium's website. Volunteer attorneys must be admitted to the Court of Appeals for Veterans Claims, but this is a simple process for attorneys licensed in any state and requires completion of an application and a one-time payment of \$100.¹¹

The Federal Circuit Bar Association offers pro bono opportunities for those wanting to represent pro se Veterans at the United States Court of Appeals for the Federal Circuit. Cases are appealed to the Federal Circuit from the Court of Appeals for Veterans Claims. To participate in the Federal Circuit's Veterans Pro Bono Program, attorneys must be admitted to practice in the Federal Circuit and be members of the Federal Circuit Bar Association.¹²

VA has partnered with the ABA to launch the Veterans' Claims Assistance Network (VCAN), a program designed to help reduce the backlog of claims for benefits filed with VA. The pilot program, which ran through 2015, offers assistance to unrepresented Veterans with claims pending at the VA regional offices in St. Petersburg, Florida and Chicago, although attorneys licensed in any state are encouraged to participate.¹³ To participate in VCAN, volunteer attorneys must be VA-accredited, which requires submitting an application to VA. Interested attorneys can obtain additional information and volunteer at the ABA's VCAN portal.¹⁴

The ABA offers other opportunities to provide pro bono legal services. The ABA's Military Pro Bono Project provides general legal services to military families, and Operation Stand-By is an attorney-to-attorney project that assists military attorneys by responding to calls or e-mails to provide advice related to state-specific legal information or particular areas of expertise.¹⁵

Attorneys can also contact Public Counsel's Center for Veterans Advancement to volunteer for available cases and other opportunities, which may include research and training related to Veterans' concerns. The center matches national and local matters with attorneys' interests.¹⁶

Michigan Pro Bono Opportunities

A comprehensive list of legal services for Veterans in Michigan is available in the Michigan Military

and Veterans' Legal Service Guide.¹⁷ The guide includes legal services and other programs providing opportunities for pro bono participation.¹⁸ The State Bar of Michigan's Pro Bono Manual also identifies pro bono opportunities.¹⁹

Attorneys wanting to assist Veterans in obtaining VA benefits can volunteer with the University of Detroit Mercy Project Salute and Veterans Law Clinic.²⁰ A variety of options are available, ranging from representing a Veteran on his or her appeal before the VA regional office or Board of Veterans' Appeals to discrete records review, research or drafting projects on a Veteran's matter. Volunteer attorneys receive ongoing training and support.²¹

Opportunities also exist for attorneys who want to assist Veterans with other legal needs, including mortgage/foreclosure issues, family law, driver's license restoration, bankruptcy and creditors' issues, and criminal expungements. Several legal services agencies have tracks dedicated to Veterans; if an agency does not have a specialized program, volunteer attorneys can indicate they want to represent a veteran.

Legal services agencies with specialized programs for Veterans, particularly homeless Veterans or those at risk of homelessness, include Neighborhood Legal Services of Michigan Supportive Services for Veteran Families²² and Legal Aid of Western Michigan.²³ Pro bono opportunities are also available through other agencies that provide assistance to low-income individuals, including Veterans.²⁴

Another option is seeking volunteer opportunities through the Veterans treatment courts, which emphasize getting Veterans needed treatment and resources rather than jail time. Veterans appearing before these courts on criminal matters also have other legal needs appropriate for assignment to a pro bono attorney.²⁵

Practicing Before The VA

To represent a claimant in the VA system, an attorney must be accredited. To become accredited, an attorney must be in good standing with a state bar and submit an application (VA Form 21a) to the VA Office of General Counsel; there is no fee. After becoming accredited, the attorney must complete and report three hours of qualifying continuing legal education within the

first 12 months and at least two hours of approved CLE every subsequent two years.²⁶

Conclusion

Although an increasing number of programs offer legal assistance to Veterans, there is still a tremendous need for attorneys interested in serving Veterans and their families. It is clear that many Veterans in Michigan and throughout the country would benefit from the help of a lawyer. Lawyers who want to fulfill the recommended pro bono obligation by helping those who have served our country have many and varied opportunities to do so.

1 U.S. Department of Veterans Affairs, News Release April 4, 2014: VA Hosts Forum on Veterans' Legal Needs. All websites cited in this article were accessed January 14, 2015.

2 U.S. Department of Justice Access to Justice Initiative April 2014, Civil Legal Aid Supports Federal Efforts to Help Veterans and Servicemembers.

3 Gunn, et al, Serving Those Who Served: Meeting Veterans' Unmet Legal Needs, 23 Experience 8, 9-10 (2014).

4 Kulka, et al, Trauma and the Vietnam War Generation: Report of Findings from the National Vietnam Veterans Readjustment Study (New York: Brunner/Mazel, 1990), pp 142-143.

5 See, e.g., Costello, Heroes or Hopeless? Homeless Veterans Caught in a Dysfunctional System, 13 J of Law in Soc 417 (2013).

6 ABA Young Lawyers Division, Report to the House of Delegates. State Bar of Michigan Commissioner Greg Ulrich spoke in support of the resolution. It should be noted that there has been opposition to this resolution, as some service providers believe that a focus on Veterans may have a negative impact on legal services for other populations including immigrants, children and victims of domestic violence.

7 Id. at 3-4.

8 See U.S. Department of Veterans Affairs, Free Legal Clinics in VA Facilities.

9 OneJustice, Veterans: California's 2 Million Vets Need Your Help.

10 Swords to Plowshares, Pro Bono Program.

11 See U.S. Court of Appeals for Veterans Claims.

12 See Veterans Pro Bono Initiative, Veterans Pro Bono Program.

13 ABA, Veterans Affairs, ABA, Legal Services Corp announce program to help with Veterans' disability claims.

14 ABA, ABA Veterans' Claims Assistance Network.

15 ABA Military Pro Bono Project, Military Legal Assistance Attorneys.

16 Public Counsel, Center for Veterans' Advancement.

17 See Michigan Department of Attorney General, Michigan Military and Veterans: Legal Service Guide.

18 Id.

19 See SBM, Pro Bono Manual; see also SBM, Pro Bono Training & Volunteer Opportunities for Lawyers.

20 See University of Detroit Mercy Law School, Project Salute.

21 Interested attorneys can call (888) 836-5294 or contact Professors Peggy Costello or Tammy Kudialis directly.

22 Neighborhood Legal Services Michigan or call (313) 964-1975.

23 Legal Aid of Western Michigan or e-mail admin@legalaidwestmich.net.

24 See Michigan Legal Services; Berrien County Legal Services; Lakeshore Legal Aid; Legal Aid and Defender Association, Inc; Legal Services of Eastern Michigan; Legal Services of Northern Michigan; Legal Services of Southcentral Michigan; see also Legal Service Guide. A more complete description of services provided by these organizations can be found on their websites.

25 See Legal Service Guide.

26 38 CFR 14.629 (2013).



By
Colonel John J. Wojcik
john.j.wojcik2.mil@mail.mil
Colonel Wojcik is General Counsel for the Michigan National Guard. He earned a master's degree in strategic studies from the U.S. Army War College and his law degree from WMU-Cooley Law School. He is a member of the State Bar of Michigan Military & Veterans Law Section.

vehicle from running into the car in front of you. As the driver, you're "in-the-loop" of the AI system and remain available to steer or brake to prevent an accident.

AI systems and autonomous systems provide drivers with multiple layers of safety and information. Most drivers would likely agree that these AI and autonomous systems are good for driving because they make driving safer.

But what happens when we use those same technologies inside military weapons systems like tanks or aircraft ... or even a machine gun?

Rapid increases in military technology have enabled increased usage of armed, unmanned systems (like the Predator drone) in combat operations. Current DoD platforms typically include military operators in-the-loop of those systems. In-the-loop operators follow the Law of Armed Conflict (LOAC) as they fly missions and leverage each system's ability to operate in environments that their human controllers cannot. When we take the operators out-of-the-loop, and enable weapons systems to engage targets without

The adaptive cruise control on newer vehicles utilizes various hard systems and software to determine the speed of your vehicle and the vehicle in front of you, and adjusts the braking and acceleration of your vehicle to maintain a certain distance. Artificial intelligence (AI) – a key component in your adaptive cruise control and braking system – crunches data and uses algorithms to keep your

human involvement, the legal contexts change significantly.

Will AI-based, autonomous systems be able to distinguish between civilian and military targets, use proportional force, and prevent unnecessary suffering pursuant to the applicable rules of force and LOAC? If so, to what extent will we require those systems to be accurate? 100 percent of the time? 95 percent of the time? Who is responsible when an autonomous system does what it's supposed to do, but acted in some unexpected way?

Dr. Stephen Goose of the Harvard International Review believes that commanders who employ autonomous weapons intentionally to destroy non-military targets (like civilians) would be criminally responsible under current international law. (See, Dr. Stephen Goose, "The Growing International Movement Against Killer Robots," Harvard International Review, Jan. 5, 2017.)

However, if that same weapons system is employed in a reasonable way and for some reason acts in an unreasonable or unpredictable manner, that same commander likely would not be liable. In such a case, we would have a situation where no person or legal entity may be liable. And if no person or legal entity would be liable, how would our international society ensure that autonomous systems were properly employed on the battlefield?

Questions like this are not new. With each iteration of modern military technology or tactics, the world has embraced international legal discourse to address those newly developing technologies.

But we haven't much time. Even if the United States is unwilling to use out-of-loop autonomous systems, we cannot be sure that our adversaries will do the same. Perhaps now is the time to put in place a new protocol to address these new, rapidly evolving technologies and the legal ambiguities that come with them.



WMU-COOLEY MILITARY LAW STUDENT ASSOCIATION



By
Jenae Stolarzyk
stolarzykj@cooley.edu
*Jenae is the President of
the Military Law Student
Association at WMU-
Cooley Law School.*

The Military Law Student Association (MLSA) of WMU-Cooley Law School is organized exclusively for charitable and educational purposes. MLSA specifically supports students who are currently serving in the military, Veterans and any student who may have interest in serving in the United States military or practicing military or Veterans law.

MLSA's mission is to volunteer and give back to local Veterans organizations throughout the Lansing community and create a unique environment where students, faculty and the community can

come together for one purpose: to support our military men and women – past, present and future.

MLSA works with numerous Veteran-based organizations throughout Michigan to include Team Red, White and Blue, STIGGY's Dogs and Volunteers of America. Additionally, MLSA serves as a liaison between Cooley students and the various branches of the military.

Recently, the MLSA's goal was to give back to homeless Veterans in the community through a food drive with the help of the Lansing Volunteers of America and to provide support to incoming Veterans attending law school.

Additionally, MLSA recently supported the local Lansing Lugnuts during their Salute to Service game and developed a community where students could engage with other students for the purchasing of law school books.

If you would like more information, please visit the MLSA [website](#). Questions? Contact me (Jenae) at stolarzykj@cooley.edu or email militaryveterans-lan@cooley.edu.



ICBA's 124th Annual Dinner Is November 15



Hon. Hugh Clarke, Jr.

The Ingham County Bar Association's 124th Annual Dinner is just around the corner!

This 2018 event will be held Thursday, November 15, at the University Club of MSU. The festivities begin with a 6 p.m. reception, followed by a 7 p.m. dinner and a 7:30 p.m. program.

This year's Master of Ceremonies is 54-A District Court Judge Hugh B. Clarke, Jr.

The evening will include honoring the 2018 ICBA Award winners: Leo A. Farhat Outstanding Attorney Award – Michael J. Nichols; Theodore W. Swift Civility Award – Michael D. Sanders; Camille S. Aboud Distinguished Volunteer Award – Susan L. LeDuc; Liberty Bell Award – Barb Byrum; Thomas E. Brennan Lifetime Achievement Award – George T. Sinas; and Pro Bono Award (to be announced).

Ingham County Bar Association

124th Annual Dinner



The ICBA would like to thank this year's annual dinner sponsors:

- Aboud Law Firm
- Alane Family Law, PC
- Chartier & Nyamfukudza, PC
- Clark Hill, PLC
- Foster, Swift, Collins & Smith, PC
- Fraser, Trebilcock, Davis & Dunlap, PC
- Grewal Law PLLC & Church Wyble, PC – A Division of Grewal Law, PLLC
- Murphy & Spagnuolo, PC
- Sinas Dramis Law Firm
- Willingham & Cote', PC

2018

ICBA 124TH ANNUAL DINNER & AWARDS
YOUNG LAWYERS RECEPTION & ANNUAL MEETING

Please join the Ingham County Bar Association's Young Lawyers Section at a reception immediately prior to the 124th Annual Dinner on November 15th, 2018.

The YLS Reception will also serve as the YLS Annual Meeting. The YLS Reception/Annual Meeting is open to all young lawyers whether they choose to attend the ICBA Annual Dinner or not.

Free Appetizers Provided by the ICBA YLS | Cash Bar

YLS Reception 5:00 PM | Reception 6:00 PM | 7:00 PM Dinner | 7:30 PM Awards Presentation Program

MSU University Club - 3435 Forest Road, Lansing, MI 48910

RSVPs Requested But Not Required to Alex Rusek at alexrusek@whitelawpllc.com



ICBA Sponsorship Opportunities

For more than 120 years, the Ingham County Bar Association has continued its tradition of service to the legal profession and the greater Lansing community.

As part of its longstanding commitment to the profession, the ICBA hosts events throughout the year that are educational and entertaining, in addition to networking opportunities for members. These events are made possible by the generous support of ICBA members.

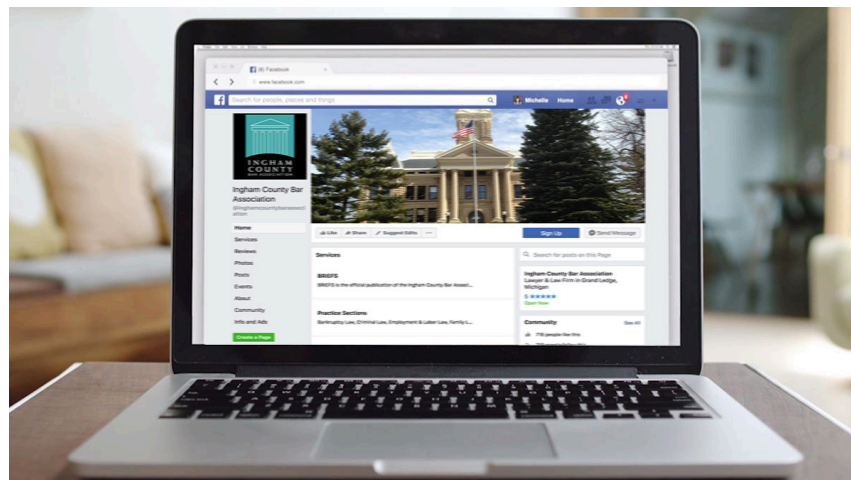
One way for members to support the ICBA is through its annual sponsorship packages. This year, the ICBA is offering a new program that focuses on the increasing importance of social media marketing.

For the first time, law firms have the opportunity for their Facebook posts to be “shared” on the ICBA’s Facebook page. This means a law firm’s Facebook content will be seen by a larger audience, including ICBA members and those with whom ICBA has a relationship, thereby giving the law firm a greater presence throughout the legal community.

For more information on ICBA sponsorship opportunities, click on the links below.

[2018-2019 Sponsorship Package Descriptions](#)

[2018-2019 Sponsorship Commitment Form](#)





Featured Young Lawyer:



Mark DeLuca

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

I am an associate attorney at Foster, Swift, Collins & Smith, PC. I am a member of the firm's Trust and Estates Practice Group. My practice consists of estate planning, estate and trust administration, business organization and planning, and probate litigation.

2. Where did you go to school?

I graduated from the Sandra Day O'Connor School of Law at Arizona State University. I also attended Michigan State University and received both a bachelor's degree and master's degree in accounting.

3. When were you admitted to practice in Michigan?

November 2015.

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

Take on the least amount of student loan debt possible. You will thank yourself after graduation.

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

PGA Tour Caddie.

6. Where did you grow up?

I am a native of Lansing, Michigan.

7. What do you do in your free time?

Golf, trout fishing, follow college sports, travel up north, and spend time with friends and family.



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 ICBA-YLS President is Katherine Bennett. She can be reached at katherinejmontgomery@gmail.com.

Young Lawyers Section Board Meetings

YLS Board meetings are held the second Thursday of the month at 6 p.m. at Kelly's Downtown, 200 S. Washington Square, Lansing. **Note:** The Board will not meet in December.

Volunteers Wanted!

Are you an experienced practitioner looking for a way to share some of your insight with newer practitioners? If yes, then YLS is looking for you! YLS is seeking the assistance of practitioners who will present at upcoming educational events. The best part? Not only are you helping our local bar, but YLS will take care of the event logistics. Email Alex Rusek for details at alexrusek@whitelawpllc.com.

Tips & Tricks Of Voir Dire



On September 26, 2018, the ICBA Young Lawyers Section held an educational event titled, "Tips & Tricks of Voir Dire."

The event had a great turnout, which is in huge part due to the amazing group of panelists that presented their theories on voir dire and shared their experiences with the group.

The panelists included Ingham County Circuit Judge Joyce Draganchuk, Andrew Abood, Mike Cheltenham and Mike Nichols. The YLS Board is very thankful for the extremely talented and skilled professionals that volunteered their time to make this event possible.

The question and answer session provided participants with the unique opportunity to ask the experienced panelists questions of their own. The discussions that followed provided valuable insight and a variety of guidance on how to handle difficult situations that arise when selecting a juror.

The YLS would also like to thank Foster, Swift, Collins & Smith, PC, for graciously volunteering to host the event at its Lansing office.

We look forward to seeing you at our upcoming educational events!



Bankruptcy Law Section

Attorneys Bob McCarthy and Tom Woods presented at the ICBA Bankruptcy Law Section meeting on September 26, 2018, regarding state court receiverships. Lunch was provided by Bob McCarthy of the Law Offices of Robert E. McCarthy.

Tom Woods, who is an esteemed receiver with substantial experience throughout the state, first defined what a “receiver” is and what he or she does. Tom reminded the group that a receiver is an officer of the court whose main job is to manage assets.

There are two general principles of a state court receivership: 1) the receiver stands in the shoes of the entity or person he/she was appointed over and takes the rights and obligations of the estate – no more/ no less; and 2) the receiver is not obligated to just the creditor who appointed him or her, but to all creditors or stakeholders.

There are court rules and statutes that provide authority and govern receiverships. Recently, the Uniform Commercial Real Estate Receivership Act was enacted



Tom Woods

in Michigan and it provides additional powers and duties for receivers. Both Tom and Bob shared experiences and stories with the group related to state court receiverships.

The Bankruptcy Law Section meets at noon on the fourth Thursday of each month at WMU-Cooley Law School, 300 S. Capitol Ave.,

Room 911, in downtown Lansing.

Upcoming Meetings:

- November 15 - noon

Please feel free to join the Bankruptcy 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.

Employment and Labor Law Section

The Employment and Labor Law Section holds its meetings from noon to 1 p.m. each month at WMU-Cooley Law School, 300 S. Capitol Ave., Room 911, in downtown Lansing.

Upcoming Meetings:

- November 27 - noon to 1 p.m.
- **No meeting in December**
- January 22, 2019 - noon to 1 p.m.
- February 26, 2019 - noon to 1 p.m.
- March 26, 2019 - noon to 1 p.m.
- April 23, 2019 - noon to 1 p.m.
- May 28, 2019 - noon to 1 p.m.

Note: The Employment and Labor Law Section is currently seeking two new co-chairs. If you're interested, please contact ICBA at 517-627-3938 or email mlawry@inghambar.org.

Criminal Defense Law Section

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.

If you are looking for a way to learn about the latest in forensics or practice your evidentiary knowledge, then you'll want to join the Section meetings. The Section meets at the State Bar of Michigan, 306 Townsend St., Rooms 1 and 2, in Lansing.

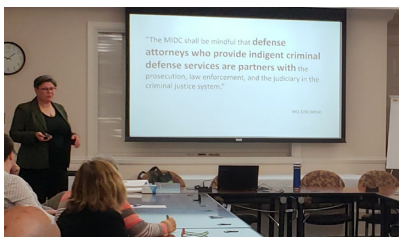
If you have suggestions for future topics, please contact Section Co-Chairs Mary Chartier, Takura Nyamfukudza or Christopher Wickman.

Upcoming Meetings:

- December 7 - 9:15 a.m. to noon
- January 4, 2019 - 9:15 a.m. to noon
- February 1, 2019 - 9:15 a.m. to noon
- March 1, 2019 - 9:15 a.m. to noon
- April 5, 2019 - 9:15 a.m. to noon
- May 3, 2019 - 9:15 a.m. to noon
- June 7, 2019 - 9:15 a.m. to noon

There is no cost to attend meetings. Speakers and topics will be announced. To RSVP for the Criminal Defense Law Section meetings, email Chris Wickman at cwickman@nicholslaw.net.

Due Process In Michigan Specialty Courts



On October 11, 2018, the ICBA Criminal Defense Law Section hosted an event on Due Process in Michigan Specialty Courts. Presenting were Katherine Hude, attorney and executive director of the Michigan Association of Treatment Court Professionals (MATCP), and Judge Patrick Bowler.

Judge Bowler, now retired, serves on the Board of Directors of the MATCP and as the State Court Administrative Office Judicial Liaison to the MATCP, having previously served as a Grand Rapids District Court Judge for 24 years and as a defense attorney. Judge Bowler, who started one of the first drug courts back in 1998 for the 61st District Court, shared his wealth of knowledge as a defense attorney, specialty

court team member and specialty court judge with those who were in attendance.

During his presentation, Judge Bowler focused on the difficult role of defense attorneys as members of a specialty court team and their regular duties to their clients (the participants). He was able to present information regarding the ethical and procedural concerns of due process unique to specialty courts and present guidance to those who were present. It was truly a must-attend presentation for those defense attorneys serving on specialty courts. (Contact Chris Wickman at cwickman@nicholslaw.net if you were unable to attend and would like the event materials.)

Prior to the presentations by Ms. Hude

and Judge Bowler, Kristen Staley, regional manager from the Central Michigan Region of the Michigan Indigent Defense Commission, presented on Ingham County's plan for meeting the MIDC's first four standards and provided a preview for the next four standards that have been presented to LARA for approval.

We would like to thank Ms. Hude, Judge Bowler and Ms. Staley for their wonderful and informative presentations. If you have any questions about ICBA-CDLS or if you have ideas for future events, please contact Mary Chartier (mary@cndefenders.com), Takura Nyamfukudza (takura@cndefenders.com) of Chartier & Nyamfukudza, or contact Chris Wickman (cwickman@nicholslaw.net) of the Nichols Law Firm.



Real Estate Section

The Real Estate Section holds its meetings at WMU-Cooley Law School, Room 911, 300 S. Capitol Ave. in downtown Lansing.

Section Co-Chairs are Bill Tomblin and Christopher Patterson.

Upcoming Meetings:

- No Meeting in November
- No Meeting in December
- January 25, 2019 - noon to 1 p.m.
- February 22, 2019 - noon to 1 p.m.
- March 22, 2019 - noon to 1 p.m.
- April 26, 2019 - noon to 1 p.m.
- May 24, 2019 - noon to 1 p.m.

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.

Family Law Section

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

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

Upcoming Meetings

- November 14 - noon to 1 p.m.
- December 12 - noon to 1 p.m.
- January 9, 2019 - noon to 1 p.m.
- February 13, 2019 - noon to 1 p.m.
- March 13, 2019 - noon to 1 p.m.
- April 10, 2019 - noon to 1 p.m.
- May 8, 2019 - noon to 1 p.m.

If you have suggestions for meeting topics, want to sponsor a lunch or just have general questions, please email erica@baileyterranova.com.



Probate and Trust Section

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The Probate and Trust Section holds its meetings the third Tuesday of each month from noon to 1 p.m. at WMU-Cooley Law School, Room 911, 300 S. Capitol Ave. in Lansing.

Section Co-Chairs are Rosemary Buhl and Sally Babbitt.

Upcoming Meetings:

- November 20 – noon to 1 p.m.
Topic: Probate Updates
Speaker: George Strander
- December 18 – holiday luncheon (location TBD)
- January 15, 2019 – noon to 1 p.m.
Topic: Upside-Down Real Estate in Estates
Speaker: Erik Schertzing
- February 19, 2019 – noon to 1 p.m.
Topic: Business Basics
Speaker: Heather Gilkey
- March 19, 2019 – noon to 1 p.m.
Topic: A View from the Bench
Speaker: Judge Thomas Byerley
- April 16, 2019 – noon to 1 p.m.
Topic: Medicaid Protective Orders
Speaker: Carrie Ihrig Freeman
- May 21, 2019 – noon to 1 p.m. (topic and speaker TBD)
- June 18, 2019 – summer social (location TBD)

If you plan to attend a meeting, please RSVP to Rosemary Buhl at 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.



Your Employees Are Your Best Social Media Marketers

♥ 97 👤 80 💬 53



By

Traci R. Gentilozzi

traci.gentilozzi.360-legal-solutions@hotmail.com

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.

When it comes to promoting your law firm on social media, your brand must be consistent. There are many ways to build your brand across social media:

- post content on a regular basis.
- respond to shares, mentions, questions and general comments.
- post memorable and helpful content.

Easy enough, right? Well, sort of. Building a brand on social media also takes one other important ingredient: people. These people need to be your social media advocates. In other words, they need to share your posts.

How do you find these people? Just take a look around you. Those who know your law firm best are in your office. That's right ... your law partners, associates and staff.

According to a recent study:

- 88% of employees spend time on at least one social media platform while working.
- 50% of employees occasionally post on social media about their employer.
- 39% of employees have shared positive posts about their employer.
- 33% of employees post about their employer on their own (no prompting from the employer).

Given this, your employees can be some of the best advocates for your law firm on social media. They can help expand your social media presence and help you get in front of potential clients – persons you would not have otherwise been able to reach.

Here are some tips on how you, your law partners, associates and employees can be advocates for your firm on social media.

Provide Guidance

First and foremost, give your employees guidance on how to use social media. Make sure they know what is permissible to share and on what social media platforms. For example, posting photos of a law firm luncheon or the announcement of an employee's promotion may be appropriate on Facebook or Twitter, but it may not be as suitable for Snapchat.



Another thing to consider is access to sensitive information. Law firms deal with a great deal of confidential information. Anything that is considered confidential or sensitive should **never** be shared on social media. This might include information about firm profits/losses, employee firings, details about high-profile cases the firm is handling, etc.

So make sure your employees know and understand what is sensitive material and what is not.

Suggest Posts

If you want your firm to be promoted and viewed a certain way on social media, then you may want to suggest posts to your employees. This can include photos, informative graphics or actual written posts that they can copy and paste.

By suggesting what to post, you help maintain your brand consistency. It also helps those employees who may otherwise be reluctant to use social media

because they aren't sure what they should say.

If you suggest social media posts to your employees, you may want to consider using a firm-wide communication tool like Slack, which connects employees in real-time. This way, everyone will be on the same page and your social media efforts will be consistent on all platforms.

Encourage Input

Make sure your employees don't feel left out of social media campaigns. Encourage them to come up with posts and photos that can be shared across all platforms.

One idea to promote inclusion is to have employees work together in teams to create new social media campaigns. You could even have social media branding "contests" and offer prizes. By encouraging your employees to participate in the process, you give them more incentive to get involved – and stay involved – in your social media efforts.

Create A Hashtag Campaign

By creating a unique hashtag (#) for employees to use in all their social media posts, you will jump-start a campaign that is different from any other law firm. In turn, potential clients will begin to associate the hashtag with your firm.

The key to a successful hashtag campaign is making the hashtag memorable. Take the time to develop a hashtag that is one-of-a-kind and fun. Also, be sure the hashtag makes a statement about your law firm.

How do you do this? Here are some suggestions.

- Brainstorm a list of possible hashtags.
- Once you have a list, search Twitter for those hashtags. See which ones are already being used. Trash the hashtags that are already being used.
- Of the hashtags remaining, choose the one that works best with your law firm brand. If you've narrowed it down to two or three hashtags, maybe let your employees vote on which one they like best. (Note: keep the non-winners on file to use in a later campaign.)
- Immediately start using the hashtag. Encourage your employees to use it, too. Share the hashtag. Use it everywhere. Own the hashtag.
- Monitor how well the hashtag is doing across social media.

WHAT IS “FITNESS BOOT CAMP”?



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

“Boot camp.” These two words cause most people to picture a military boot camp. A place where new recruits receive their initial military training. A place where strength and discipline, along with many other skills, are taught and perfected. A place where our nation’s heroes are born.

However, military boot camp is not the only type of boot camp there is these days.

Originally developed by members of the military, “boot camp” inspired workouts are rapidly growing in popularity throughout the United States. Although the intensity of a fitness boot camp class does not rise to the intensity of a military boot camp, it does provide a difficult and disciplined, yet rewarding, workout.

What is a fitness boot camp? It is a workout that uses intervals of cardio and strength exercises combined with short breaks between intervals. The shortened breaks increase the intensity and effectiveness by limiting recovery time. Constant motion for the duration of the class ensures a difficult workout for any fitness level. Unlike a military boot camp, any ordinary citizen can attend.



Boot camp allows you to improve your physical and mental health. Physically, the short, constant, rapid intervals ensure that you burn calories and fat, as well as build muscle. The mixture of cardio and strength is the perfect combination to achieve your physical fitness goals.

Boot camp classes provide many mental benefits as well. Importantly, fitness boot camp builds confidence and self-esteem in participants. No matter your current fitness level, a boot camp class will encourage you to be your best. The instructor and other classmates provide encouragement and, sometimes, tough love to push you past your current boundaries. After breaking these barriers, you will feel more confident in yourself and your abilities. Not to mention, you will love how you look and feel!

Additionally, like many workouts, boot camp classes can provide an avenue for stress relief. In a legal world filled with deadlines and pressures, boot camp is a time when no one expects anything of you. You are there for yourself . . . and only yourself. The work you put in applies directly to self-improvement. It is a time to forget the stresses of the day and put yourself first.

Boot camp classes also provide variety in your workouts. Fitness can often become repetitive. We find an exercise that works for us and we stick with it. Sometimes, we stick with a workout until it becomes a real chore. It can be difficult to focus on a workout that is boring and repetitive. However, boot camp solves this problem. Not only does each boot camp tend to be different, but the movements within each class constantly change as well. This creates a workout that will grab your attention.

Finally, boot camp classes provide convenient workouts, even for the busiest person. Many gyms offer boot camp inspired classes. Some gyms are dedicated solely to boot camp classes, while other gyms offer a couple classes each week. Either way, these group classes provide an atmosphere that supports the ideas of teamwork and discipline.

While fitness boot camp is typically seen in a group exercise form, a boot camp workout can be completed at home. Whether you prefer a group class at a gym or individually at home, it can easily fit into your schedule.

It is no secret that a fitness boot camp is tough. But it is worth it! (For more information, see [Active.com](https://www.active.com), “*The Benefits of Boot Camp*,” by Alana Brager.)

Name Those Judges!

If the decision is noteworthy, the deciders should be noted



By
Otto Stockmeyer
Stockmen@cooley.edu
Otto retired from WMU-Cooley Law School in 2014. Before joining the teaching branch of the profession, he was a Commissioner and Research Director at the Michigan Court of Appeals.

An August 23, 2018, Associated Press dispatch ("Michigan court orders \$12 minimum wage initiative on ballot") reporting on a Michigan Court of Appeals opinion was remarkable. Not so much because the court's opinions rarely make national news, but because the dispatch identified the judges who decided the appeal by name.

For some reason, newspapers rarely identify Court of Appeals panels. Typical are other articles in Michigan newspapers that same week.

An August 23 Detroit News article ("Court expedites ballot summary for redistricting proposal") devoted 10 paragraphs to a Court of Appeals ruling without giving credit

to the judges who made the ruling.

On August 24, a Monroe News article ("Court upholds drug dealer's convictions") identified the judge who presided over a trial and quoted from the appeals court opinion but didn't name the appellate judges.

An August 31 story in the online Ann Arbor News ("State reverses ruling allowing lengthy Ann Arbor central park ballot language") linked to an earlier article that identified the trial judge and quoted from the Court of Appeals decision reversing him, but never told the reader which judges issued the decision.

It's not just the print media that fails to identify the judges whose rulings they report on. Two recent TV reports exhibit the same blind spot.

On October 5, WZZM-TV13 (Grand Rapids) posted a report ("Sweaty shoe used to convict man in Norton Shores robbery is fair game, appeals court says") that quoted by name the county prosecutor and the trial judge, but never mentioned the appellate judges who made the ruling.

An October 10 WLUC-TV6 (Negaunee) post devoted nearly 700 words (almost the length of this article) to a story about a Court of Appeals decision ("Appeals court upholds sentence for Gwinn man's meth conviction") without identifying the judges who upheld the sentence.

This neglect is unfortunate. To begin with, unlike their federal counterparts who receive lifetime appointments, Michigan judges are (except for interim appointees) elected officials. Voters often complain that they know little or nothing about the judges at the bottom of the ballot, particularly judges of the Court of Appeals, the "stealth court."

Voters tend to know their local judges and some can recognize the names of Supreme Court justices. But few have heard of the 26 judges on the Court of Appeals. And no wonder – newspapers rarely mention them. Yet many Michigan Supreme Court justices – oftentimes a majority of the court – come from the ranks of the Court of Appeals.

Moreover, this information doesn't require a reporter to do any digging. The names of the judges who decide each appeal are right there on the first page of the court's opinion.

Recently, two articles illustrated the right way and wrong way to report a Court of Appeals decision, in my opinion.

RIGHT WAY: A September 28 article in the Traverse City Record Eagle ("Appeals court: Tall building suit premature") gives the names of the Court of Appeals panel in the second paragraph, along with the name of the circuit judge whose decision was under review.

WRONG WAY: On September 23, the Detroit News carried an article about another Court of Appeals case ("Drug charges reinstated for motorist driving hands-free"). Although it quoted from the court's opinion, the paper did not identify the judges who issued it.

The Court of Appeals is an important component of the Michigan court system. It has contributed more than 320 volumes of judicial opinions to the jurisprudence of our state. It handles a higher rate of filings per judge than the intermediate appellate courts of any other similar state and turns out more than 2,000 opinions a year.

The Michigan Supreme Court's opinion production has averaged less than 40 a year in recent times. So the judges of the Court of Appeals comprise the "Court of Last Resort" for the overwhelming majority of appeals.

Of course, many of the court's opinions are not newsworthy, being of interest only to the litigants and their attorneys. But for opinions that do merit media coverage, the identity of the judges who decided the appeal should be a part of the story.

Split-Opinion Oddities

Two recent articles in the Detroit News were about opinions in which the judges split 2-1 on the case. The articles named the dissenting judge, but not the two judges who actually decided the outcome.

One was an October 8 article, "No liability for bank in wrong-way driver's crash." It named only the dissenting judge, Mark Cavanaugh. The other was an October 16 article, "Court affirms conviction of co-drunk pilot." Judge Richard Griffin was identified as dissenting, while the other two judges, who affirmed the conviction, went unnamed.

More bizarrely, on October 18 the Detroit Legal News ran a news brief about a 2-1 decision of the 6th U.S. Circuit Court of Appeals, "Owners of dogs killed by police win civil rights appeal." The judges who ruled for the dogs' owners were not named, but his dogs ("Debo" and "Smoke") were.

MLive posted a story on October 16 ("Michigan appeals court backs limited state aid for private schools") showing how easy it is to identify the judges. The third paragraph reads: "It was a 2-1 ruling, with Judges William Murphy and Anica Letica in support and Judge Elizabeth Gleicher in dissent." Kudos to MLive reporter Julie Mack.



You're Invited to the 2018 Stell Reception!



On behalf of the Board of Directors of the Mid-Michigan Chapter of the Women Lawyers Association of Michigan (WLAM), you are invited to attend the Stell Reception on Thursday, November 29, 2018 at 6 p.m. at the Kellogg Center in East Lansing.

If you are not familiar with this event, the Stell Reception is an annual dinner that brings together judges, lawyers and other legal professionals to honor a member of our local legal community and to support a worthy cause!

At this year's reception, the Stell Committee is proud to present the 2018 Carolyn A. Stell Award to Ingham County Circuit Court Judge Joyce Draganchuk. The award is named after the first female judge to serve on the Ingham County Circuit Court bench. It is given in recognition of Judge Draganchuk's contributions to our legal community and to the advancement of women in the legal profession.

Past recipients of the Carolyn A. Stell Award include but are not limited to: Judge Laura Baird (2005); Judge Tom Boyd; retired Judge Paula Manderfield (2009); Gretchen Whitmer (2010); Lori Pourzan (2011); retired Judge David Jordon (2012); Judge Amy Krause (2013); Judge Jan Cunningham (2014); Judge Michelle Rick (2015); Judge Andrea Larkin (2016); and Janet Welch (2017). (If you know of any other past recipients who should be included on this list, please pass that information along to wlam.mid.michigan@gmail.com.)

As in years past, funds raised through this year's Stell Reception will be used to support the Carolyn A. Stell Scholarship fund. This year, the fund will provide financial assistance to a deserving female law school graduate to enable her to sit for the Michigan Bar Examination in 2019 – and to be admitted to the State Bar of Michigan.

Tickets for the 2018 Stell Reception are [available online](#). Tickets are \$60/person if purchased on or before November 25, 2018. Ticket prices rise to \$75/person if purchased on or after November 26, 2018.

If you have questions, please feel free to e-mail me at katietucker@sinasdramis.com or e-mail the Board at wlam.mid.michigan@gmail.com. Thank you for your consideration. We hope to see you at this year's reception!

Katie Tucker
President, WLAM Mid-Michigan Region



NALS Presents “The Law And You” Seminar

NALS of Lansing will offer a seminar titled “The Law And You” on Saturday, November 17, 2018. The program will be held at Foster, Swift, Collins & Smith, PC, 313 S. Washington Square, in downtown Lansing.

The program schedule is as follows:

- 9 a.m. - Registration and Breakfast
- 9:30 a.m. - The Clean Water Act, presented by Chuck Barbieri, Foster, Swift, Collins & Smith
- 10:45 a.m. - Break
- 11 a.m. - Conceal & Carry, presented by Lieutenant Paul

Beasinger, Lansing Police Department

- 12:15 p.m. - Lunch
- 1:15 p.m. - Custody and Divorce, presented by Jessica Larson of Mallory, Lapka, Scott & Selin

The cost to attend is \$35 for NALS members and \$40 for non-members. Students must pay \$25. The registration fee includes breakfast and lunch. The deadline to register is November 14, 2018.

If you have questions about the seminar, email Michelle Spiker at michellespiker@att.net.



Established in 1929, NALS is a national leader in the legal services industry, offering professional development through continuing education, certifications and training. NALS members represent every area of the legal industry, from legal secretaries, paralegals,

legal assistants and court reporters to legal administrators and office managers. For more information on NALS, contact Jeanette Ransom, PLS, at 517-371-8283 or at jransom@fosterswift.com, or visit www.nalsoftlansing.org.

Call For Nominations! Top 5 Under 35 Awards

The “Top 5 Under 35” awards are given annually to five members of the Ingham County Bar Association, Young Lawyers Section. Recipients are recognized for their talent, skills, professionalism and civility in the practice of law.

Nomination Deadline:
January 15, 2019

Nomination Form



ICBA Membership Scholarship Application

The Ingham County Bar Association may offer scholarships to prospective members who are experiencing a hardship and cannot pay the standard rates to be an active member of the bar.

Scholarship recipients remain anonymous. It is the discretion of the ICBA President to grant any scholarships. Scholarships can only be approved on an annual basis (i.e., the scholarship does not automatically renew year-to-year).

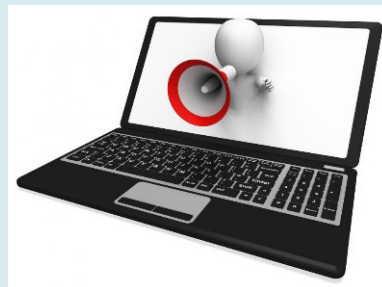
The scholarship application can be accessed [here](#).

Let BRIEFS Help Spread The Word About Your Event!

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

Please provide 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. The deadline is the 15th of each month for the following month's issue (i.e., April 15th for the May issue).



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Owned & Operated by
Attorney Traci R. Gentilozzi *

* Award-Winning Legal Writer
Editor, ICBA BRIEFS Magazine
Former Publisher & Editor, Michigan Lawyers Weekly
Former Communications Counsel, Sinas Dramis Law Firm



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.

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. 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

Jordan Leaming, Co-Chair
801-836-9529
jordanleaming@gmail.com

BRIEFS Advertising Contract

Please publish the advertising checked below in ICBA BRIEFS.

Size

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

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- ☐ One issue (please select month) ☐ Sept ☐ Oct ☐ Nov ☐ Dec/Jan ☐ Feb ☐ Mar ☐ April ☐ May ☐ June
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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.

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

Expiration Date

Credit Card Number	Authorized Signature
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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 with ad placement questions.

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