

May 2022



Ingham County Bar Association

# BRIEFS



## New Judges

President's Message  
Page 4

Meet the new Judges  
Page 5-20

A Michigan Auto No-Fault Case  
that Family Law Attorneys  
Should Know About  
Page 26

# Contents

President's Message .....	4
Reflections on U.S. Supreme Court Justice Ketanji Brown Jackson .....	5
Meet the new Judges .....	6-20
Bench-Bar Conference .....	21
Due Process Rights and Preventing Harmful Errors In Mental Health Code Cases .....	23
MORE Act .....	25
A Michigan Auto No-Fault Case that Family Law Attorneys Should Know About .....	26
ICBA-YLS Networking Event .....	28
ICBA-YLS Litigation Bootcamp .....	29
Featured Young Lawyer .....	31
Press Releases .....	32



@inghamcountybarassociation



@ICBALawyers



## ICBA Logo and Letterhead Policy

The ICBA has adopted a 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

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

## BOARD OF DIRECTORS

### President

Charles A. Lawler  
Clark Hill, PLC

### President-Elect

Pamlea Amato  
Mallory Lapka Scott & Selin, PLLC

### Vice President

Steve Sinas  
Sinus Dramis Law Firm

### Treasurer

Lindsay Dangl  
Murphy & Spagnuolo PC

### Secretary

Alexander Rusek  
White Law PLLC

### Immediate Past President

Sandra J. Lake  
Hall Matson PLC

## NEWLY ELECTED BOARD MEMBERS

Ernschie Augustin  
Chalgian & Tripp Law Offices

Brendon Basiga  
Basiga Law Firm PC

Alexander Rusek  
White Law PLLC  
incumbent

## ADDITIONAL BOARD MEMBERS

Mary Bowen,  
City of Lansing, Office of the City Attorney

Emily Jefferson,  
Department of Attorney General

Paul McCord,  
Fraser Trebilcock

Chris Wickman,  
The Nichols Law Firm PLLC

Jessica Zimbelman,  
State Appellate Defender Office

Aylysh Gallagher,  
Ingham County Prosecutor's Office

## SECTION CHAIRS

### Bankruptcy Law

Norman Witte  
Witte Law Offices, PLLC

Patricia Scott  
Foster Swift Collins & Smith, PC

### Criminal Defense Law

Mary Chartier  
Chartier & Nyamfukudza, PLC

Chris Wickman  
Nichols Law Firm, PLLC

Takura Nyamfukudza  
Chartier & Nyamfukudza, PLC

### Employment & Labor Law

John A. Maise  
White Schneider, PC

Chad Karsten  
Fahey Schultz Burzych Rhodes

### Family Law

Jennifer Martinez  
White Schneider Young & Chiodini, PC

Brooke Elise Van Buren-Hay  
Private Practitioner

Erica Terranova  
Bailey & Terranova

### Probate & Trust Law

Joann M. Schofield, BA, AAS Paralegal  
Tri-Star Trust

April Alleman  
Crenshaw Peterson & Associates, PC

### Real Estate Law

William D. Tomblin  
William D. Tomblin & Associates

Christopher Patterson  
Fahey Schultz Burzych Rhodes, PLC

### Young Lawyers

Aylysh Gallagher  
Ingham County Prosecutor's Office

### Paralegal/Legal Assistant

Elizabeth Cary  
Chartier & Nyamfukudza, PLC

Heidi Pierce  
Fraser Trebilcock

## COMMITTEE CHAIRS

### Annual Dinner

Pamela Amato

### Annual Meeting

Pamela Amato

### Ask A Lawyer:

Raymond Harris / Brandon Schumacher / Emily Jefferson

### Awards:

Ernschie Augustin / Paul McCord

### Barristers:

Aylysh Gallagher / Ernschie Augustin

### Bench-Bar Conference:

Charles Barbieri / Lindsay Dangl / Jessica Zimbelman

### BRIEFS:

Mary Bowen

### List Serve:

Staff

### Meet the Judges:

Brendon Basiga / Jessica Zimbelman

### Education:

Chris Wickman

### Membership:

Emily Jefferson / Paul McCord

### Monthly Deliberations:

Steve Sinas

### Nominating Committee:

Sandra Lake

### Past Presidents:

Sandra Lake

### Section Chair Liason:

Chris Wickman / Patricia Scott

### Shrimp Dinner:

Robert Refior / Elias Kafantaris

### Social Media:

Steve Sinas / Staff

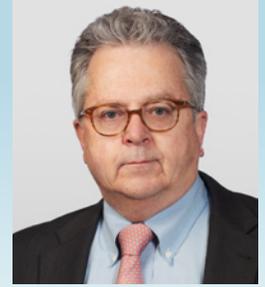
### Sponsors:

Alexander Rusek / Lindsay Dangl

## EXECUTIVE DIRECTOR

Madelyne Lawry  
517-627-3938

# President's Message



Charles Lawler,  
ICBA President  
[clawler@clarkhill.com](mailto:clawler@clarkhill.com)

*“Don’t mistake a lapse in judgment for a lack of character.”*

*We all have moments when we fail to live up to our principles. Humility is how quickly you recognize it, and integrity is how hard you work to rectify it.*

*Character is striving to become the person you claim to be.” - Author Unknown*

This quote was given to me during a discussion with my daughter which related to some less than perfect behavior by some members of a collegiate lacrosse team which she coaches. I believe this quote has value for all of us to read, reflect and act upon when dealing with our coworkers, adversaries, and individuals we interact with in daily life, and our families. Take a minute, read, reflect. It is powerful.

How many times have you witnessed a lapse in judgment and jumped to the conclusion that you may be dealing with someone who lacks character? Isn't that a leap that might not be fair to make? I believe that all of us have, at times in our lives, done something that we are not proud of. Don't we all have those moments when we don't live up to our potential or are not behaving as the person we want to be? Sure, we do. Let's not judge people for a lapse in judgment. Let's help them realize what happened and turn the situation into a learning experience.

In my opinion, the real evidence of who we are and who we want to be is seen, felt and judged through our actions. Do we brush it aside and hope nobody notices? Do we blame it on someone else? Do we think no harm no foul? I hope we all try to take a step back and look in the mirror. We all need to recognize and acknowledge when we have just acted out one of our not so

finer points in life. Own your lack of treating others as you would want to be treated and take steps to rectify the issue. Apologize to anyone you may have offended and try to understand why your actions may have offended them.

Humility is a wonderful trait that surely could find a larger role in our profession. We are counselors and advocates. I believe that the mastering of humility and understanding of others who are not exactly like us will make us all better counselors, advocates and simply better people. Let's all look in the mirror on a regular basis and understand how our actions or inactions affect others. We, as attorneys and counselors, should be leaders in the art of understanding and mentoring others by example. We need to be more self-aware to better provide others with the services, companionship and friendship we are obligated to give them.

Character is a word that has been continually discussed my entire life. When I was young my dad always told me that your character and what you stand for is a thing that no one can take from you. He constantly tried to impress on me that a man's character is one of the most important traits you will be remembered for having and sharing with those around you. When my wife was raising our kids, she always tried to impress character on them with comments like “always wear clean

underwear”, “do the right thing even if nobody is watching”, and “treat all people with respect, even those who can do nothing to help you”. I now spend hours with my father-in-law (my dad is deceased) discussing character, values, what we stand for, how we can help others get in a better place, and how we can instill character in others. This is important to me.

While I have had many lapses in character in my lifetime, I still get up everyday and try to be the person I want to be. This is a life process and those in our profession are given the opportunity, and I think have the obligation, to influence others by demonstrating good character. What do you stand for? What is important to you? What do you want people to say about you when you are not in the room? I think all of us want to be respected, trusted, and believed in. We can do this. I believe we can.

Finally, I have been honored and humbled to have been given the opportunity to serve as the President of the Ingham County Bar Association this past year. It has been one of the best experiences of my life. I really appreciate all the support and help I have received from all in the bar. A special thank you to the board and to Madelyne Lawry and her staff. This really has been a rewarding experience.

# Reflections on U.S. Supreme Court Justice Ketanji Brown Jackson



**Honorable  
Shauna Dunnings**

The confirmation of Justice Ketanji Brown Jackson to the United States Supreme Court felt deeply personal to me. She represents someone who reflects my own identity.

I grew up in a family that was very involved in the civil rights movement in the 60's and 70's. To witness the confirmation of the first Black female justice in the court's 233 year history made me feel like "we (have) overcome" as a nation.

The fact that she is eminently qualified and will be the first former public defender to serve on the Supreme Court is significant. Diversity on the United States Supreme Court--be it race, ethnicity, gender, or professional background—is valuable. Justice Ketanji Brown Jackson will be a critical voice for underrepresented and disenfranchised people in this nation.

***Honorable Shauna Dunnings***  
Chief Probate Judge  
Chief Circuit Judge Pro Tempore



**Judge  
Cynthia M. Ward**  
[cynthia.ward@lansingmi.gov](mailto:cynthia.ward@lansingmi.gov)

Justice Ketanji Brown Jackson's historic nomination, confirmation and ascension to the Supreme Court of the United States caused quite the stir (in a good way) among my family, friends, and supporters. I received a number of calls from people of varying ages and backgrounds who expressed enormous pride and shared that they were thinking of me during this historic moment. Justice Ketanji Brown Jackson showed America what is possible and what "able to be done" looks like at the highest level. Justice Ketanji Brown Jackson's intellect and exceptional qualifications speak loudly. No number of attacks can diminish the woman and jurist she is. She represents strength and has consistently demonstrated her commitment to the importance of an independent judiciary. As a woman of color, I have always known what is possible even when others have had doubt. I am honored to be a part of this tribe of Black women jurists.

***Judge Cynthia M. Ward***  
54-A District Court  
124 W. Michigan Avenue, 6<sup>th</sup> Floor  
Lansing, MI 48933  
O: 517-483-4412



# Judge Koenig

By Larissa Zubac

Larissa Zubac  
arissa.zubac@gmail.com

*Brief summary of career path. How did you end up here? Did you anticipate your career going in this direction? If not, where did you think you would be?*

I was the law clerk for the Smith Brothers Law Firm in Grand ledge while in law school until I was appointed as Special Master in the class action lawsuit *Cain v MDOC* which involved all of the state prisoners in Michigan. The MDOC had been found in contempt of court seventeen times before I was appointed by Judge Giddings. I worked closely with the Judge and the parties to resolve disputes and kept the case moving forward. Over the course of those ten years, I went to every facility and met hundreds of staff and inmates; we resolved problems and even saved a few lives.

Afterwards, it felt like private practice was calm in comparison. When Curtis Hertel decided to run for Register of Deeds, I was encouraged to take his spot on the Ingham County Board of Commissioners. I served on thirty committees over the course of ten years, before running for Circuit Court Judge and being sworn in in January of 2021.

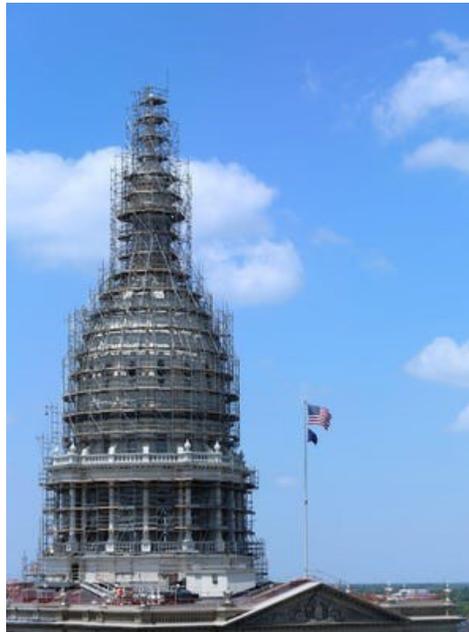
I had been interested in international environmental law but never got near it in practice.

*What made you decide to practice law? To pursue becoming a judge?*

My brother Ron and I have a running joke that I went to law school so he wouldn't have to, but I became a judge because I wanted to. Our mother was a professor at Cooley Law School; so, it was expected that one of us had to attend law school.

*What do you wish every attorney would know coming into your court room?*

The law, the facts, and that with a sense of humor and humanity – there isn't a thing that we can't work out.



Judge Koenig

*What do you wish every pro per litigant knew coming into your court room?*

I wish every pro per litigant knew that we are here to help them, and that there are lots of people just finding their way. If they make a mistake, we can probably fix it. We are here to serve.

*What non-legal field related job have you had that you feel has impacted you most and why?*

One of my first jobs was doing high rise building maintenance – roof top to 25 stories down window washing. You see a lot from up there and learn to overcome your fear, which, is a valuable skill that you can almost always use. I was then adopted by a scaffold building company because I wasn't afraid of heights. With this job, I was a laborer for local #1076. We worked in power plants from Monroe to Lansing's Eckert Station – home of Wynken, Blynken and Nod, the trio of smokestacks. This eventually led to me working on the State Capitol Restoration project in 1992. All of these blue collar, hardworking jobs taught me

*Judge Koenig continued*

that I could do anything, and showed me what it meant to be a part of a team – and to make something happen.

***Do you face any challenges as a woman in a judicial role?***

After having been the only female on the job site at most of the blue-collar jobs I had, it makes me laugh at any sexism that I face while in the robe – it’s so passé and ridiculous.

***Attorneys often bring their work home with them, whether it be in a briefcase***

***or in their mind. Do your duties as a judge keep you up at night?***

Yes. You have me 24 hours a day, 7 days a week. That being said, I like the work, so it isn’t a problem.

***What is your most favorite and least favorite aspects of being a judge?***

My favorite thing is learning new things every day and getting people to where they need to be – solving the problems at hand. My least favorite is trying to get people to where they need to be when

they don’t want to do the work. “You can lead a horse to water...”

***What are some ways attorneys can improve their oral arguments? Their written arguments?***

Be brief but include some facts as examples – we hear a plethora of cases. Orient first (i.e., this motion/hearing/case is about...). List the issue or issues. State the proposed solution and exactly what you want the court to do for you. Explain why the law supports your position. Always proofread three times.

SINCE **S** 1951  
**SINAS DRAMIS**  
LAW FIRM

**70+ YEARS** OF PERSONAL INJURY EXCELLENCE

Since 1951, Sinas Dramis Law Firm has been providing injured people with compassionate, skilled, and dedicated legal representation.

**SINASDRAMIS.COM**  
(866) 758.0031

**OFFICES: LANSING | GRAND RAPIDS**  
**KALAMAZOO | METRO DETROIT**

*Referral Fees*  
*Always Honored*



# Judge Hillman

By Takura Nyamfukudza

Takura Nyamfukudza  
takura@cndefenders.com

## *How long have you been on the bench?*

April 13<sup>th</sup>, 2020, is when I took the oath of office during the stay-at-home order. Nobody noticed me for the first six months. I feel settled but I'm still learning. Some new twist always happens just when you think you know the law. You can't get too settled in your ways.

## *For those who don't know, how long did you practice before your appointment to the bench?*

This May will be 35<sup>th</sup> law school reunion. So, I've been a lawyer for thirty-five years. The first year I was a judge for a circuit court. Thirty-two years I practiced criminal defense and prosecution. Upsides to both. But criminal defense is very difficult when things aren't going well. Can be like a sinking ship. It can be tough to stand with people in their worst times.

I still receive calls from some of my former clients. I recently got a card from someone I was able to get into Mental Health Court (MHC). Now, I'm the presiding MHC judge. Getting former clients in touch with counsel so they can get things expunged that couldn't be expunged before.

## *Why did you choose to take the bench after such a successful career as a practitioner?*

What I like the most about this job is that you get to do what you think is right every day. In private practice, there are different competing interests. Sometimes, as an advocate, you have to set aside your own personal judgment and do what's best for your client. As a judge, you aren't bound by that any longer. It's like being an umpire because you just call balls and strikes.

## *Did the many years that you spent as an advocate make it challenging to remain neutral?*

The only time you want to intervene is when you see someone isn't doing a good job for their client. You can go off the record, though. It's awkward when you see one side that's not being effective. The system is best served when both sides are effective. However, I remember being a judge and having a judge interject in ways that weren't helpful.

## *What do you wish practitioners would do more frequently when they practice in front of you?*

I love motion practice. I like having the law presented to me in briefs. Sometimes the nature of district court is that you're dealing with mostly misdemeanors. When you do felonies, many people wait until circuit court to file motions. Because of private practice experience, I look the law up when I



Judge Hillman

have a question. I don't always wait for the attorneys to bring it up.

## *What do you wish you saw less of?*

I wish there were less times when the attorney had *not* spoken with their client before coming in front of me. Or, when they come on at the time of the hearing on Zoom and ask for a breakout because they haven't spoken. It's especially challenging on probation violation days. That is when a person is most likely to get a jail sentence. As such, that's probably one of the most critical times to put one's best foot forward.

As a prosecutor, I would always have offers ready in an attempt to save as much time as possible. One thing I enjoy about district court is the opportunity to meet younger attorneys and perhaps mentor them.

## *Are you in charge of any specialty courts?*

Yes – MHC. It's the most challenging and interesting part of my job. Able to see progress that people are making. Very rewarding when they make progress. It's a lifelong struggle. We

*Judge Hillman continued*

happen to go through some of the toughest times with them. Rewarding to see people healthier than when they started. Lots of gratitude expressed as they go through the process. Which you don't get on the regular docket. I wish some of the MHC resources were available to all criminal defendants. I handle DV cases. People can't budget for testing or counseling. So, they don't get the help they need.

***Should we have more specialty courts? If so, which areas do you think we most desperately need them?***

Domestic violence area needs more resources. There's no grant funding for that area. And it's a real problem in our society. I see a lot of methamphetamine cases as an out-county judge. I wish there were more resources readily available for treatment of that addiction. The model of specialty court where we see the participants more often and direct accountability is great. But our volume of cases makes that difficult to accomplish.

***Did you outgrow the need for mentors when you ascended to the bench?***

No, not at all. I have several colleagues who are judges. They are in this county and others. I also have some lawyers – retired – that I talk to now. They have good sense, and I can trust them to tell me like it is – no sugarcoating. People often don't want to offend judges. So, it's good to have sounding boards that tell it like it is.

***How do you relax?***

Gardening is an interest I have. MSU Master Gardening program. I like to

hike, too. Exercising outdoors is another favorite pastime. Kayaking and cycling. I used to participate in team sports when I was younger. But not as much now. I do play golf. My 60<sup>th</sup> birthday is tomorrow. My wife and daughter are triathletes. So, I've been the towel boy many-a-time.

***If Lawyers Got Talent was still going, what would your special talent or skill be?***

Can't sign or dance. And I don't know that I'm very funny. I like to paint but I'm not particularly good at it. Took a water painting class at LCC. Pretty good at garden demo. Pulled a lilac bush out of the ground using my pick-up truck. Which is kind of fitting as an out-county judge. I had seen that on tv – it worked! My interest in gardening goes back to my mowing business that I had as a young boy growing up in East Lansing.

***Any advice for people considering law school?***

Think long and hard before committing. The days of going to law school without a specific career path in mind are behind us. I was a good writer and analyst during my day. But things have become more specialized. So, it's best to figure out your niche early and tailor law school to that.

Foster Swift had a summer associate program. It was competitive. I didn't go through that process and didn't even know it existed. I wish I'd gone through something similar.

I just knew I wanted to be in court. Ultimately learned through experience at a large firm that there are many lawyers

that don't set foot inside a courtroom. Accounting, tax planning, and real estate are the areas where people make the most money. They didn't go to court very often. These were the people helping businesses and folks who are managing their wealth.

My experience as an undergraduate student, caseworker aide for the juvenile program, gave me real-world experience that really increased my desire to attend law school. I'd sit in the back of the courtroom during hearings. The referees taught me quite a bit. I've come full circle from my undergrad days.

***Final thoughts?***

Being on the bench makes me wish I'd tried more cases. Sometimes, there is real value on airing everything out and letting all the facts be heard. One has to be a warrior to try cases though. You carry around that secondary trauma. Therefore, it's not for everybody. There are people who do it well, though. In short, I enjoy seeing good lawyering. I harken back to travelling to different counties and showing this to different judges. Even though it wasn't always well received. I enjoy having out-of-towners come into my courtroom and showing or teaching me different things.

Zoom court makes sense for getting a new date for example. But there are some matters that should be in person. Landlord / tenant and MHC on Zoom is exhausting. Still, I am enjoying the job thoroughly and have no plans to stop before aging out, which won't happen for a decade.



# Judge McCormick

By Larissa Zubac

Larissa Zubac  
arissa.zubac@gmail.com

*Describe your career path and how you accomplished becoming Judge Lisa McCormick. Did you anticipate your career going in this direction?*

Luckily for me I was raised by two incredible individuals that I am fortunate to call Mom and Dad. They taught me to find what I love, fight for what was right, the responsibility of volunteerism, and to never settle for women having a “glass ceiling.” It is with their guidance that I landed in Michigan to go to law school. I had no idea what I was going to do. Beginning my first professional job as an attorney with the Ingham County Prosecutor’s office was exciting and where I found my true passion. I would have never believed you if you told me on my first day that I would spend the next 21 years as a Prosecutor.

I lost my first case I tried in East Lansing District Court. I learned on that day how difficult it was to be a successful trial lawyer, even with good facts and the amount of work and preparation necessary. I learned that your credibility as a litigator is essential as you strive for justice. If you are not a person of your word, your litigation career will be riddled with problems, and I personally saw this play out for attorneys more than once. I tried many cases, some that I will never forget; not because I won or lost, but because of the impact I was able to make, as well as how the case impacted me.

My greatest accomplishment to date is having the honor of founding Small Talk Children’s Advocacy Center. It was an opportunity for me to unite many disciplines by bringing them together for the betterment of children. This was a tremendous task, but with tenacity, grit, a refuse-to-lose attitude, and most of all, compassion for children, I was able to accomplish what I set out to do. Appointed by Governor Whitmer as the Children’s Ombudsman and then Judge in the 30<sup>th</sup> Circuit has been the greatest honors in my life. It is a privilege to serve the State of Michigan and citizens of Ingham County. Every day when I take the bench, I know how fortunate I am to preside over every case for every family that comes before me. I have been entrusted with a tremendous responsibility and I will always do everything I can to live up to that responsibility.

*As Presiding Judge of the Family Division, what is your goal moving forward for Family Court in Ingham County?*

We have a lot to be proud of in Ingham County, the thing perhaps we have the most to be proud of is our constant want and need to improve on practices and do better for our community and its members.



Judge McCormick

My goal is we will continue to challenge our employees to keep that mindset going and continue coming up with new and innovative ways to assist families.

*What would you like every attorney or pro per litigant coming into your courtroom to know?*

When I take the bench, I understand the tremendous responsibility I have, and in turn, expect litigants to honor and respect their responsibilities as well. I know the decisions we all make effect any party that comes before me. I read every motion thoroughly and review the law carefully to make decisions. I expect all officers of the court, attorneys, professional employees such as police or MDHHS Caseworkers, and witnesses to come to this court prepared and conduct themselves in an appropriate manner.

*What non-legal field related job have you had that you feel has impacted you most and why?*

My sister owned a restaurant when I was younger. I waited tables in between college and law school for her at this restaurant. The most valuable lesson I

learned was how you treated people, how you approached them, how you met their needs and how you handled their concerns ultimately dictated the outcome of their experience. It wasn't always whether the food was good or great, it was the level of service they received. People just want to be respected and treated with dignity. If you are going to work with families, think about how they are receiving your treatment of them. They may not always like or agree with the outcome of their experience with you, but they will always at the least acknowledge whether or not they were treated with dignity and respect.

***What is a fun fact about you that people may not know?***

I have a love for knitting. I find it relaxing after a long day. It also gives me great satisfaction finishing a project I plan out and see all of the way through completion. If I am not knitting, I am riding or running along with my favorite Peloton instructor.

***Attorneys often bring their work home, whether it be in a briefcase or their mind. Do your duties and responsibilities keep you up at night?***

I know every decision I make impacts someone, in some way. The decisions are seldom easy and sometimes in the family division they are decisions that can and do keep me up at night. Sometimes there is not a perfect result. What I guarantee is every decision I make is carefully thought out and based on the law.

***What is your favorite part and least-favorite part of being a Judge in the 30th Circuit?***

I love being in the courtroom and practicing law. Every case is different, every circumstance is different and every families need or needs are different. The most satisfying part of my position is having the privilege of presiding over adoptions. Observing children and families together excited about their future and all of its possibilities is something I am so fortunate to be a part of and I cherish that experience every single time. My least favorite aspect is the isolation that naturally occurs. This has just been heightened by the use of Zoom and this pandemic.

***What are some ways attorneys can improve their oral arguments and/or their written arguments?***

For oral argument, every Judge is different. I have to read the written motions as basis for the oral arguments so attorneys should not use oral arguments to restate their motion. Instead, this is the attorney's opportunity to highlight what they want to make sure I know and also preserve any issues they may want to appeal.

For written motions, attorneys should clearly articulate the law and the facts of their case, and apply the law to those facts. Do not be afraid to concede certain factual or legal issues. Make sure it is clear what you are asking the court to do.

***What message or advice would you have for a younger you if you could go back in time and deliver it?***

Do not let fear of the unknown or fear of failure dictate your next move. My advice to myself would be what my mother always said, the opportunity of a lifetime only comes within the lifetime of the opportunity.



# Judge Barkman

By Mike Nichols

Mike Nichols  
MNichols@nicholslaw.net

Judge Barkman was appointed to the 29<sup>th</sup> Judicial Circuit bench on March 19, 2022. Judge Barkman, who lives in Dewitt with her husband and 13-year-old twins, replaces Judge Michelle Rick, who was elected to the Michigan Court of Appeals. Judge Barkman will join Judge Shannon L.W. Schlegel in covering both Clinton and Gratiot counties. I have known Judge Barkman for many years (I shall not disclose exactly how long) but she will, without-a-doubt bring a level of professionalism and a steady temperament to her role.

Judge Barkman was raised in Lansing. She was born in Providence, Rhode Island. She lived in the Lansing area since she was 4 years old. Cori Barkman graduated from Eastern High School, went to Barnard College before transferring to the University of Michigan, where she graduated with honors in comparative literature. Her first job: a flight attendant after getting her degree. She soon decided that she had a great deal of interest in law and enrolled in the Law School at Wayne State University. While in law school, she interned at the Wayne County Prosecutor's office where she made use of her past by assisting in litigating a case involving a serial killer who had murdered a flight attendant while on layover at a Detroit airport hotel.

Cori then worked at the Wayne County Prosecutor's office after graduation, until joining the Attorney General's staff. She tried numerous civil cases while at the AG's office, mostly in federal court. Judge Barkman then served as an Administrative Law Judge for 3 years before rejoining the Attorney General's office as First Assistant in the Corrections Division where among other tasks she oversaw complex civil litigation.

I know that a lot of lawyers who represent the accused in criminal cases often wonder: "This new judge came from nowhere and all we know is that she spent a lot of time as a prosecutor." I asked her to share what her philosophy will be on the bench. Judge Barkman makes this commitment:

*"To make everyone involved in the legal process to feel respected and welcome in the courtroom. Even if the outcome was not ultimately what a party desired, I hope that litigants feel that they were listened to, their case was considered, the law was applied, and they were treated fairly under the law."*

It appears that no candidates filed signatures to oppose her in the November election to complete Judge Rick's term, so Judge Cori Barkman will



Judge Barkman

have 6 years to show us her commitment to that philosophy.

One of the cooler things about Cori Barkman in my opinion is that she's a musician and once formed an all-girl metal band. Her mom, Susan, shares with me: "When Cori was about twelve, she developed a taste for heavy metal music ... she remained in a heavy metal band through high school and college." It sounds like she's had to "turn it down" since become a wife, mom and busy trial lawyer.

She is also an athlete, running or cross training almost daily. Fun-fact: her dad, Owen is a well-known and successful coach, coaching runners from all over the world, including a Kenyan who took 5<sup>th</sup> place in Boston recently.

Owen, who is also my "coach" says this:

*"First, she was always the girl with the biggest heart: She cared for everything that was alive - other children, dogs, cats, horses, guinea pigs, deer, snakes, and even pill bugs and earthworms. I have a great photo of her from when she was about*

Judge Barkman continued

*twelve years old with six garter snakes resting on top of her head. She was loving and fearless when it came to animals.*

*Also, she had a tremendous sense of humor. She loved to laugh about things.*

*And she was always a rebel. If something didn't make sense to her, she would speak out against it without hesitation. She was thrown out of the Pattengill Middle School lunchroom one day for yelling loudly about restrictive school policies concerning lunch. And she loved heavy metal music and even became very good at playing metal music on her electric guitar - and formed her own all-female group."*

Judge Barkman has already presided over a high-profile trial and is fitting into her new role nicely. Good luck on the bench and juggling your new roles serving Clinton and Gratiot counties.



**Mary Bowen**  
marybowenesq@att.net

# Judge Greenwalt

By Mary Bowen

## *Where are you from?*

I was born in St. Paul, Minnesota.

## *Where did you attend college?*

I attended Boston College where I majored in English. I also have a Master's degree in English Literature from the University of Wisconsin-Madison.

## *Where did you attend law school?*

I attended the University of Minnesota. After I completed my first year at the University of Minnesota, I transferred to Michigan State University College of Law (MSU Law).

## *When did you graduate from law school?*

I graduated from MSU Law in May 2009.

## *How long have you been practicing?*

I have been practicing for 13 years.

## *When were you appointed judge?*

I was sworn in August 2021.

## *Describe your legal career prior to your judicial appointment.*

I worked for the Abood Law Firm while in law school, then I clerked for Justice Steven Markman after I graduated

from law school. After my judicial clerkship, I worked as an assistant prosecutor for the Ingham County Prosecutor's Office for five years. Then I worked for the Michigan Supreme Court Commissioners' Office as a commissioner.

## *What position best prepared you for your judgeship?*

The time I spent at the Ingham County Prosecutor's Office as an assistant prosecuting attorney helped significantly because I started out in the district court. My responsibilities included managing dockets, which helped me understand the work of the court and procedures.

## *What previous position did you enjoy the most?*

Each role had aspects I enjoyed. I enjoyed the judicial law clerk position because it was intellectually stimulating. It allowed me to observe and provide counsel. In my role as a prosecutor, I liked being in court and working with people. When I worked in the Michigan Supreme Court Commissioner's Office, I did not deal with people in a litigation capacity. I reviewed numerous transcripts. In this role, I solved problems. My current role as a judge allows me to have contact with people and help them solve their problems.

***Describe your day-to-day role as a judge.***

Here at the 54B District Court, we hear parking/traffic matters that deal with payment obligations. We have arraignments in the morning, depending on the day. Mondays are our landlord-tenant dockets and in-custody arraignments. We authorize search warrants. First and third Tuesdays are dedicated to Drug Court. Jury selection occurs on one Tuesday every month in the afternoon. First and third Wednesdays are dedicated to the Sobriety Court. Thursdays are dedicated to review hearings and preliminary examinations. Fridays are dedicated to probable cause conferences (PCCs) and meetings.

***What tips do you have for practitioners that appear before you?***

I have really been impressed with the attorneys that have appeared before me so far. They are easy to deal with and have adjusted well in the midst of the pandemic. The time you spend with your clients makes a difference. Help your clients understand that these Zoom hearings are court proceedings and prepare them for what is to come. I have seen an uptick in the failure to comply with court orders after a plea has been entered. Their clients are not meeting with the probation department for presentence investigation (PSI). Since everything is remote, there is a lack of follow through. Your clients need to understand the importance of hearings conducted remotely.

***What tips do you have for young lawyers?***

Get involved with the Ingham County Bar Association Young Lawyers Section (ICBA-YLS). Since we aren't in court all the time, get to know your colleagues. Get involved in other organizations.

***Do you have any tips for attorneys who aspire to become a judge?***

Try to do what you do to the best of your ability. Meet people and maintain the relationships. Keep in mind the skills you develop today. They will help you with other opportunities in the future.

***What do you consider to be one of your greatest accomplishments?***

The biggest highlight is this appointment; being sworn in was a special day. Seeing the outpouring support of judges and those I previously worked for meant a lot to me. Justice Markman was the keynote speaker for my investiture. My family came from out of state to attend, including my 95-year-old grandma. Being able to address the people as a judge and living up to the oath is such a great accomplishment.

***What do you find most fulfilling as a judge?***

Connecting with people, that is why you do the work!

***What organizations are you apart of?***

I am a member of the ICBA, the Michigan District Court Judges Association- specifically, I am a member



Judge  
Greenwalt

of their Legislative Committee and Rules Committee. I am also active in parent organizations at my children's school.

***Describe some of the differences between district court and circuit court.***

District court is known as the people's court; most people have contact at district court. The district court handles less serious offenses. Whereas in the circuit court, the circuit court handles felonies and large amounts in controversy,

***Any other interesting facts about you?***

Law is not my first career. I went to law school later on in life. I had my first child at the end of my first year of law school. My grandfather was the Mayor of St. Paul, and my dad was a practicing attorney.

***Any hobbies/crafts or crafts?***

I love yoga, especially Iyengar Yoga. I have practiced yoga for 20 years.



# Judge Morton

By Mike Nichols

Mike Nichols  
MNichols@nicholslaw.net

Judge Kelly E. Morton won election as a District Judge in the 56A District Court. She is serving her first 6-year term and fills the seat that was held by Judge Julie Reincke, who retired.

What I learned in my interview with Kelly Morton is that for starters, she and my wife/law partner have something in common: they both completed legal assistant programs at a small college. Judge Morton graduated from Rochester Adams High School, where she pretty much worked (since she was fifteen years old) as her extracurricular activity. After high school, she went to Oakland Community College and then on to Oakland University.

Even though she was accepted at her first choice, Michigan State University, Judge Morton wanted to stay closer to home for a while so that her brother – who was three years old at that time – would get to know her at least a little before she ventured off to parts unknown.

After O.C.C., she transferred to Oakland University. At first, she aspired to be an elementary school teacher but then quickly changed her mind. She jumped into legal studies and contemplated the law as a career.

From there: it was off to the Detroit College of Law at Michigan State

University. She finished at MSU Law in 2000. She was the note and comment editor on law review and president of the Women's Law Caucus. After graduation, she passed not one, but two bar exams. She was licensed in Illinois (which she has de-activated since). She then went on to get her license in the Great Lakes State.

Young lawyer Kelly Morton found herself in Alpena. She clerked for two judges there and was contemplating a move to private practice when the prosecutor's office contacted her. A brand-new assistant prosecutor in Alpena County was her first foray into public service.

As time went on, Kelly kept looking for options that would bring her a little closer to her roots. She answered an ad from long-time Eaton County Prosecutor Jeff Sauter. She drove down to the meeting and never looked back. Everyone remembers Jeff fondly, including Judge Morton. She calls him an amazing mentor: "honesty and integrity were everything ... never compromise those two things for any case," she says. Kelly reflects on her time working for Jeff Sauter as a time of great growth for her as a trial lawyer and public servant. Not that her last boss, Doug Lloyd, is anything but honest and uncompromising when it comes to integrity, but Jeff Sauter was the



Judge Morton

top prosecutor when Kelly was at her most impressionable time as an up-and-coming lawyer.

When it comes to her approach to the bench, I had to ask her as a criminal defense attorney about her philosophy. "Jail is not rehabilitative," she says. Judge Morton pointed out that as a prosecutor, her main practice area and passion were prosecuting criminal sexual conduct cases, especially those involving child victims.

Judge Morton says her focus is and will be on assessment-based decision making, in which resources from either court staff or the parties through their attorneys will help decide the big issues in a sentencing case, such as jail vs probation or probation vs straight fines and costs. She says that so far "I love it" when talking about her new role. Judge Morton frankly observed that most people are probably surprised at her focus on rehabilitation and eschewing jail when she used to be a pretty tough prosecutor. "Not that I won't ever use jail" – she points out – "Sometimes you just have to, but it really does not help rehabilitate someone."

*Judge Morton continued*

Kelly and her husband, Brent Morton have three kids. Their 17-year-old son is a student-athlete at Charlotte, where he is excelling at track and football. Their 13-year-old daughter is no slouch either as a volleyball player in Charlotte. They also have a precious 7-year-old daughter with special needs. When they are not watching their kids and going from game to game to practice to practice, they like to enjoy Michigan's outdoors by camping, especially some of the parks near the Ludington-area (one of Michigan's under-rated gems).

Judge Morton reminded me that Brent, now an assistant Attorney General, was a defense attorney in a practice with his brother before Brent joined the prosecutor's office at Eaton County. I was about to think that we had something else in common because I met Wendy on opposite sides of a case. Judge Morton pointed out that it was not until Brent became an assistant prosecutor that they started dating. It made me stop and wonder if Brent would have stood a chance with her if he remained in private practice. A different interview for a different time.

Here is to your continued success and best wishes in your career on the bench serving the citizens of Eaton County.



**Mary Bowen**  
marybowenesq@att.net

# Judge Rick

By Mary Bowen

## *Where are you from?*

Gaylord, Michigan. My parents moved to Gaylord from Bay City after my dad graduated from pharmacy school.

## *Where did you attend college?*

I graduated from Michigan State University with a degree in Multidisciplinary Social Science and three minors: Political Science, French and Sociology.

## *Where did you attend law school?*

University of Detroit, now known as University of Detroit Mercy (UDM). What attracted me to U of D was that the law school provided free representation to those detained during the Detroit riots.

## *When did you become a member of the State Bar of Michigan?*

I received my license to practice law in 1991.

## *When were you elected to the Michigan Court of Appeals?*

I was elected in 2020.

## *What is case call?*

The panel assembles that will preside over oral arguments. This two-day period is referred to as case call. We have a rocket docket where there a set

number of cases heard at 10:00am and 11:00am. Arguments are limited to 15 minutes per side. Judges are randomly assigned to the panels.

In addition to case call, we all receive our assignments one month before case call. The Clerk assembles all appellate filings. Each chamber takes one-third of the filings each month. We are responsible for preparing an opinion or a dissent. We review applications for leave of appeal. We are separately assigned to a different panel to review these applications. We vote to grant or deny the applications.

## *What is one big difference between a trial court and the Court of Appeals?*

Trial courts decide everything on their own initiative. With the Court of Appeals, we are more collaborative, and we try to produce opinions in accordance with the law. We will go into conference with our colleagues to make decisions or recommendations if pre-hearing or draft opinions are sent to us.

## *Why did you want to become a judge?*

I had not aspired to become a judge, but when the opportunity presented itself, I went all in. I saw this as something that I could become. I was the first woman appointed to the circuit court bench in Clinton County.



Judge Rick

*Describe your career prior to your election to the Michigan Court of Appeals -4th District.*

I started out as an associate attorney for the Hubbard Law Firm. Next, I worked for the Livingston County Prosecutor's Office as an assistant prosecuting attorney. Then I worked as an assistant attorney general for the Michigan Department of Attorney General. Then I worked as Deputy Legal Counsel for Governor Jennifer Granholm, and I was later appointed to the 29<sup>th</sup> Circuit Court in 2007.

*Do you have tips for practitioners that appear before you?*

Be a collaborative. Understand that the questions posed by the panel are not designed to trap anyone, but their purpose is to lead to a fruitful discussion which may alter the original course of the case. I want people to understand the pursuit of truth, justice is not a straight line. Don't be afraid to concede a point. Lawyers exhibit strength when they acknowledge the strengths and weaknesses of their cases. Read the room. Don't have your nose in your notes. Refer to the judges on the panel as "Judge" and "Your Honor."

*What community organizations/bar associations are you apart of?*

I am a member of the Michigan Judges Association, National Association of Women Judges (NAWJ), Women Lawyers Association of Michigan, Clinton County Bar Association, State Bar of Michigan (SBM) Prisons and Corrections Section, SBM Access to Justice Committee, SBM Affordable Legal Services Committee, and the Rural Justice Collaborative. I am a part of the Steering Committee for Limited English Proficiency. The committee provides guidance for interpreters who work with person with limited English

proficiency. I was previously involved with the Safe Center which covered Clinton and Shiawassee counties.

I also teach an Access to Justice Course at UDM Law School. Students are required to provide 30 hours of pro bono service. We've held traveling expungement clinics and we are in process of organizing another soon.

When I served on the 29<sup>th</sup> Circuit Court bench, I ran Journey Court which is a trauma informed drug treatment court. Journey Court is transformative for the people involved.

*Do you have any hobbies or crafts?*

I love to travel. I used to be a girl scout leader for all three of my daughters. I took one of the girl scout troops to the White House in 2001. I have run the Detroit half marathon twice. My husband and I did a study abroad in Berlin when the wall was falling.

*What the best advice given to you?*

"As a trial judge remember this, no matter how insignificant these things seem to you, these things are the most important to litigants." -The Honorable Scott Schofield (retired Berrien County judge).



**Mary Bowen**  
marybowenesq@att.net

# Judge Flores

By Mary Bowen



Judge Flores

## *Where are you from?*

I was born in El Paso, Texas.

## *Where did you attend college?*

I went to the University of Colorado in Boulder. I graduated with a degree in Journalism.

## *Where did you attend law school?*

Western Michigan University - Cooley Law School.

## *Is law a first career or second career for you?*

I spent the first few years after college working in television, specifically in broadcast journalism. Law is a second career for me. I originally thought I would be a news anchor since I loved the production side of things. After covering some jury trials, I decided that trial practice was something I wanted to do.

## *When did you graduate from law school?*

I graduated from Cooley in 1992.

## *How long have you been a licensed attorney?*

30 years. I was sworn in May 1992.

## *Describe your legal career prior to becoming a judge?*

After I graduated from law school, I accepted an assistant prosecuting attorney position with the Mecosta County Prosecutor's Office. I worked there for twenty months. Those twenty months were formative for me. After Mecosta County, I went to the Ingham County Prosecutor's Office, where I worked for eleven and a half years. Here, my career flourished. I had the opportunity to serve as a unit chief for the Child Sexual Assault and Physical Abuse section and a unit chief for the District Court. Then I transitioned into academia. I was hired as a professor at Cooley where I taught Evidence and Trial Skills from 2005-2010. Then I taught at the University of Michigan Ann Arbor campus from 2010-2014. In 2014, I came back to Cooley to teach Criminal Law, Criminal Procedure and Evidence.

## *Why did you want to become a judge?*

I always wanted to return to where I started my career -- in the 54A District Court. When I practiced in 54A, I had previously practiced in front of Judge Louise Alderson. The first court room in which I did my first trial was in front of Judge Jack Davis. This is the public service part that I missed in my other positions.

## *Any tips for young attorneys?*

Set your ego aside. During your first three years of practice, you will be like a sponge. Learn as much as you can. Develop relationships that will last a lifetime. Build a good reputation. Treat administrative staff like gold. Listen to court reporters because they know what their judges like and dislike. Good judges treat their staff like family. Learn from the judicial staff. A lack of people skills can make life difficult. Get out of the office, get out of adversarial mode and meet people.

## *Any tips for those aspiring to become judge?*

There is more than one road to becoming a judge. The opportunity exists because you like what you are doing. Practice in the court where you want to spend your day. Make sure you like the court you practice in. Become a judge because it's what you want to do, not for the sake of the title. Have a good work ethic. Make sure you enjoy working with people. Someone told me that you are elected or appointed for a good reason. You can't do this for the title.

## *Any hobbies or crafts?*

My extra time is spent with family and friends. My family and friends are important to me.

Judge Flores continued

### *What did you enjoy the most about teaching?*

I enjoyed being a teacher and building relationships with former students from twenty years ago that loved my classes. Relationships are more important to me than titles. I enjoyed teaching future lawyers about how to do things correctly.

### *What community organizations/bar associations are you apart of?*

I was previously on the board of directors for the Small Talk- Child Advocacy Center and I was previously on the board of directors for a domestic violence center in Mecosta County. I am heavily involved in my church and I am a member of the Ingham County Bar Association. I also assisted with the Innocent Project at Cooley and provided perspectives on evidence.

### *Any other interesting facts about you?*

I met my wife in law school. She is a lawyer too. I have two identical twin daughters in California. Both are graphic designers.

### *Final thoughts?*

This whole process has taught me how important mentors are. There are reasons why we gravitate toward certain people. Externships are invaluable because they us help determine what we don't want to do versus what we enjoy doing. Externships expose us to different practice areas. Find what you enjoy doing and do not waste time on something you dislike.



**Mary Bowen**  
marybowenesq@att.net

# Judge Schlegel

By Mary Bowen

### *Where are you from?*

I was born in San Diego, California. Of note, my dad was in the Marines so we moved around a lot. I attended thirteen different schools growing up.

### *Where did you attend college?*

I graduated from the University of California – San Diego, with a Bachelor of Arts in Sociology and a Minor in Women Studies and Math Perspectives.

### *Where did you attend law school?*

I graduated from Western Michigan University Cooley Law School.

### *Is law a first career for you?*

Yes, even though I was not a traditional student in law school. I put myself through school.

### *What do you consider to be your greatest accomplishment?*

My daughter Madeleine. She makes me a better person and is one of my biggest supporters. When I told my family I planned to run for judge, she told me, “You got this!”

### *Why did you want to become a judge?*

I knew I wanted to become a judge in law school. I wanted to make a broader impact on litigants from the bench rather than in practice. I wanted

litigants to leave the court with a feeling of justice and to be treated with dignity and respect. I wanted to help with their conflicts. I also wanted to impact attorneys in different ways. My mediation experience further solidified the desire.

### *When were you elected?*

I was elected in 2020 and I took the bench on January 1, 2021.

### *How long have you been practicing?*

Prior to taking the bench, I practiced for twenty years. I had my own practice for close to twenty years.

### *Describe your legal career prior to becoming judge.*

I originally thought I would go into corporate law. I used to work in Macomb County as a juvenile drug court coordinator which led me to taking on juvenile delinquency court appointments and low-level criminal cases early in my career. After that, I started taking on family law cases and my practice took off from there.

In 2014, I ran for district court judge. I lost, although I had 44% of the vote. During this time, I stopped taking on cases because I devoted time to my campaign. After this experience, I asked myself what I really wanted to do. Since I wanted to hone in on my family and

mediate cases, I obtained my mediation certification. Then I represented victims in sexual harassment cases at MSU and I served as a special prosecutor for the Michigan Department of Health and Human Services.

### *What do you miss about private practice?*

I miss the comradery of colleagues, the familiarity and laughter among colleagues. I miss trial practice.

### *What past practice experiences prepared you for your current role?*

Since I used to be a trial attorney, I remember what it was like to have clients. I remember what it was like to stand before a judge as an attorney. My experiences as an attorney remind me to exhibit patience and to listen to the attorneys that appear before me. I used to chair the Clinton County Planning Commission. As the chair, I ran the meetings. I recently had a conversation with a county commissioner. The county commissioner commented on how well I ran my courtroom. My past experience of running meetings has helped me run my docket.

### *What do you find most fulfilling as a judge?*

When litigants leave the courtroom and they may not have gotten the result they wanted, they genuinely feel like someone listened to them. When litigants leave the courtroom, they were treated well, they had their day in court. These positive impacts shape the public's perspective of the court system. With my criminal cases, I have had a few criminal defendants come back for different reasons and they told me that the words I said to them meant something to them.

### *Describe your weekly docket.*

Mondays are my criminal docket which comprises of sentencing, motions to set aside, probation violation hearings, and final pretrial conferences. Tuesdays consists of family law cases. I conduct Journey Court, twice a month on Tuesdays. Journey Court is our drug court program. Wednesdays are jury trial days. Thursdays are civil motion days, e.g. motions for summary disposition, motions to compel. Fridays are a catch all day, where I handle objections to referee recommendations and I review cases for the next week.

### *What tips do you have for young attorneys?*

Be prepared. Do what you are passionate about, everything else will fall into place. I admire zealous advocacy but be careful it does not cross the line where you are attacking opposing counsel. You may handle a lot of cases which may seem routine to you, but these cases are not routine to your clients. So do not treat these cases as such! Civility goes a long way. We are in a demanding profession so take time out for yourself, take care of your family.

### *What tips do you have for practitioners that appear before you?*

Be prepared. With Zoom, etiquette is lost. Remind your clients that these are court proceedings. I really like when parties have prepared a proposed order prior to the hearing, instead of submitting the proposed order after the hearing concludes. Finally, make sure you have a conversation with opposing counsel before you walk into court.

### *What tips do you have for those who aspire to become judge?*

Give yourself time to be in the legal



**Judge Schlegel**

community and develop the experience you need. Network and become active in your community and legal community. Your colleagues should know who you are. Know the reason why you want to become a judge. What are your motivating factors? It is truly a public servant position; people elect you. Make sure you have a good temperament. There is nothing wrong with a being zealous advocate but do not overdo it.

### *What community organizations/bar associations are you member of?*

Women Lawyers Association of Michigan (WLAM), National Association of Women Judges (NAWJ), Clinton County Bar Association, Ingham County Bar Association, Kiwanis Club of St. Johns, Dewitt Lions Club, and I am active in my church.

### *What are some interesting facts that folks may not know about you?*

I ran three marathons. I enjoy running. I am studying to become a beekeeper. Maui is my favorite place to go. I went scuba diving, spearfishing and I saw sharks.

### *What are you currently reading?*

I am reading Fanny Flag's "Welcome to the World Baby Girl."

# Bench-Bar Conference

By Lindsay Dangl



Lindsay Dangl  
ldangl@mbspclaw.com

The Ingham County Bar Association hosted the biennial Bench-Bar Conference on March 19, 2022. We are so grateful to all the Judges and attendees who made this event a

success. We had nearly 100 members of our Bar registered and 14 members of the Judiciary. The conference was held at the Ingham County Circuit Court, which was remarked by many of the newly minted lawyers to be their first opportunity to actually be in a courtroom.

Chief Judge Draganchuk began our conference with a recognition of the level of civility we have in our Bar and we want to have into the future. To make sure to greet and acknowledge each other, use simple courtesy saying please and thank you, treat each other equally and with respect, and welcome feedback from one another in a respectful manner. Judge Draganchuk encouraged all to be approachable, honest, respectful of others' time, and to make sure to take time to acknowledge the contributions of others. We're happy to report that theme continued throughout the conference. Attendees were treated to thought-provoking presentations regarding the Michigan No Fault law, family and probate matters, important criminal law reforms, presenting civil cases on the Zoom platform, and

appellate law best practices. Thank you to all of our presenters including Chief Judge Joyce Draganchuk, Hon. Wanda Stokes, Stephen Sinas, Hon. Shauna Dunnings, Referee Morgan Cole, Referee Larissa Zubac, Assistant Friend of the Court Robert Hotchkiss, Hon. Molly Greenwalt, Hon. Stacia Buchanan, Hon. Rosemarie Aquilina, Hon. Donald Allen, Jr., Kevin Roragen, Brandon Schumacher, Hon. Michelle Rick, Hon. Michael Gadola, and Jessica Zimbelman.



Given all the events of the past two years, this year's conference also featured a Mental Health and Wellness Session with Eneziah Walters, LMSW, and Thomas Grden to discuss how those of us in the legal field can successfully manage work and other obligations in life in a healthy manner and discuss resources that the State Bar of Michigan has for helping to manage our mental health.

As always, this year's conference ended with our Ask the Judges panel who



provided valuable advice and practice tips as well as discussing the positive aspects of the bench-bar relationship and discuss how to avoid discord with the Judiciary. Thank you to all of the Judges who participated in this important discussion including panelists Chief Judge Joyce Draganchuk, Chief Judge Shauna Dunnings, Hon. Michael Gadola, Hon. Amy Ronayne Krause, Hon. Michelle Rick, Hon. Rosemarie Aquilina, Hon. Wanda Stokes, Hon. Lisa McCormick, Hon. Stacia Buchanan, Hon. Molly Hennessey Greenwalt, Hon. Richard Hillman, and Hon. Cynthia Ward (and Hon. James Jamo from the gallery).

Ingham County Bar Association  
Semi-Annual Bench-Bar Conference  
Saturday, March 19, 2022 - 8:00 a.m. - 12:30 p.m.  
Veterans Memorial Courthouse  
313 W. Kalamazoo Street - Lansing, Michigan 48901  
Space is limited  
Casual Attire Recommended

## Onsite

We appreciate all who attended and participated in this key conference. If you missed this year's conference, make sure to mark your calendar and plan to attend in 2024



# Due Process Rights and Preventing Harmful Errors In Mental Health Code Cases

By: Liisa Speaker



Liisa Speaker  
lspeaker@speakerlaw.com

There has been an uptick in Court of Appeal decisions involving the Mental Health Code. This is due to a statutory change in MCL 600.867 that changed appeals of Probate Court Orders in mental health code cases. Previously, these orders were appealed to Circuit Court, but now are appealed to the Court of Appeals. The courts rules were amended in 2017 to encompass this statutory change. MCR 5.801(A)(4). Mental Health Code cases blend together due process rights and mental health.<sup>1</sup>

There are many recent published decisions on issues that concern due process rights of individuals with mental illness or disability. The following cases represent the published appellate decisions since the statutory changes:

*In re Lisa Brosamer*, 328 Mich App 267 (2019) (Docket No. 346394)

*Matter of Moriconi*, \_\_\_ Mich App \_\_\_ (2021) (Docket No. 356037)

*In re Tchakarova*, 328 Mich App 172 (2019) (Docket No. 345739)

*In re Londowski*, \_\_\_ Mich App \_\_\_ (2022) (Docket No. 355635)

*Wiesner v. Washtenaw Cnty. Cmty.*

*Mental Health*, \_\_\_ Mich App \_\_\_ (2022) (Docket No. 355523)

## Guardianship in Probate Court for Developmentally Disabled

Statutes pertaining to guardianship proceedings for developmentally disabled persons are enumerated in Michigan’s Mental Health Code.<sup>2</sup>

*In re Lisa Brosamer* is a prime example of how the probate court correctly applied the standard in MCL 330.1536 which provides in part that “[a] resident in a center may be transferred to any other center...if the transfer would not be detrimental to the resident.”<sup>3</sup> When respondent, Lenawee Community Mental Health Authority, planned to move Lisa Brosamer, a severely intellectually disabled woman, from one facility to another, the petitioner sought an *ex parte* order denying the transfer.<sup>4</sup> The appellate court affirmed, determining that the “probate court did not abuse its discretion by granting permanent injunctive relief” and prohibiting Lisa’s transfer to a different facility. It found that Lisa’s “overall well-being” was of utmost importance.<sup>5</sup> The Mental Health Code allowed Lisa statutory protections that would otherwise be unconsidered under the Probate Code.

## Guardianship for Mentally Disabled

Guardianship proceedings regarding individuals with mental illness or disability in the probate court should be

conducted pursuant to the Mental Health Code rather than the Probate Code. If a probate court neglects to conduct the guardianship proceedings under the Mental Health Code, it risks denying mentally disabled adults the statutory protections of the Code which may result in harmful errors. *In re Neal* illustrates how a guardian for a mentally disabled adult “may be made pursuant *only* to chapter 6 of the Mental Health Code.”<sup>6</sup> This is regardless of whether the person also “satisfies the definition of a legally incapacitated person as defined in the Revised Probate Code.”<sup>7</sup>

The use of the wrong statutory procedure can be harmful as the “Mental Health Code provides safeguards to protect the substantive rights of the developmentally disabled.”<sup>8</sup> Furthermore, these “safeguards would be nullified if a party petitioning for the appointment of a guardian for a developmentally disabled person were allowed to proceed under the Revised Probate Code.”<sup>9</sup>

Cases concerning individuals with mental illness facing court-ordered involuntary mental health treatment should also be adjudicated under the Mental Health Code. Court-mandated, involuntary hospitalizations and medical procedures give rise to due process concerns for individuals with mental illness or disability.

## Right to Appeal in Medicaid Cases

A Medicaid applicant or beneficiary has

the right to appeal decisions made by a state agency, such as MDHSS, to the circuit court.<sup>10</sup> In *Wiesner v Washtenaw County Community Mental Health*, the Court of Appeals held WCCMH, a Medicaid entity of MDHSS, had no jurisdictional right to appeal to the circuit court because they were not a “person” as defined under MCL 24.301 and furthermore, the Legislature has remained silent in regards as to an agencies right [or lack thereof] to appeal.<sup>11</sup>

### Involuntary Hospitalizations and Medical Procedures

Involuntary hospitalizations and medical procedures undeniably place limits on individual freedoms. For example, “[i]t is axiomatic that an individual subjected to involuntary mental health treatment decisions will be made for the individual and, if inpatient treatment is ordered, his or her freedom of movement will be limited.”<sup>12</sup> In fact, the limitations on an individual’s freedoms extend far beyond the length of a hospitalization or medical procedure. Rather, there are “collateral legal consequences” flowing from these types of court orders.<sup>13</sup>

The Court of Appeals in *In re Tchakarova*, addressed this issue of “collateral legal consequences” when it was confronted by the Petitioner’s allegation of mootness as it is of public significance to be concerned with limits on individual freedoms. The court concluded that “public has a significant interest in ensuring that orders curtailing a person’s liberty are properly entered.”<sup>14</sup> In this case, it was determined that a potential legal consequence stemming from the involuntary hospitalization of the Respondent-Appellant would disallow her from possessing a firearm

in the future, compromising a Second Amendment right to bear arms.<sup>15</sup>

Other Constitutional questions must be considered by judges when involuntary hospitalizations or medical procedures are subject to the court’s decision. Due process rights are of particular concern in these cases as these constitutional rights are embodied in the Mental Health Code.<sup>16</sup> In *Matter of Moriconi*, the trial court was on notice “that the procedures specified in the applicable portion of the Mental Health Code were apparently not followed...rais[ing] due process concerns, especially when dealing with involuntary mental health treatment.”<sup>17</sup> At its core, due process requires that prior to a deprivation of life, liberty or property by adjudication, it is necessary there be notice and opportunity to be heard.<sup>18</sup>

A person who is the subject of a petition for involuntary medical treatment is still provided with the statutory right to be represented by counsel.<sup>19</sup> In *In re Londowski*, following trial court judgment ordering respondent to involuntary hospitalization and medical procedures, Respondent appealed the lower court’s decision due to a [lack of] effective assistance of counsel.<sup>20</sup> The Court of Appeals remanded the case for further proceedings consistent with the two-part test set forth in *Ginther*:

1. Whether counsel’s performance was “deficient” under an objective standard of reasonableness; and
2. Whether respondent was prejudiced by demonstrating that “counsel’s errors were so serious as to deprive the [respondent] of a fair [hearing] ... whose result is reliable.”<sup>21</sup>

Generally, medical procedures for those

with severe mental health concerns or mental disabilities are able to be adjudicated under the Mental Health Code in probate court. It must be that “the probate court carefully and thoughtfully carrie[s] out its role and [makes] a well-reasoned decision” for each individual case brought under the purview of the Mental Health Code.<sup>22</sup>

Ultimately, probate courts must apply the Mental Health Code, rather than the Probate Code to adjudicate cases concerning individuals with mental illness or developmental disabilities. In doing so, the court protects vulnerable individuals and ensures that due process rights are guaranteed to all.

### Endnotes

- 1 MCL 330.1100 et seq.
- 2 MCL 330.1400 to 330.1758.
- 3 MCL 330.1536
- 4 *In re Lisa Brosamer*, 328 Mich App 267; 936 NW2d 870 (2019) (Docket No. 346394)
- 5 *Id.*
- 6 *In re Neal*, 230 Mich App 723; 584 NW2d 654 (1998) (emphasis added) (referencing MCL 330.1604(2))
- 7 *Id.*
- 8 *Id.* (citing *Michigan Ass’n for Retarded Citizens v Wayne Co. Probate Judge*, 79 Mich App 487, 492; 261 NW2d 60 (1977)).
- 9 *Id.*
- 10 *Wiesner v Washtenaw Cnty Cmty Mental Health*, No. 355523 (Mich. Ct. App. Feb. 17, 2022)
- 11 *Id.*
- 12 *In re Tchakarova*, 328 Mich App 172, 181; 936 NW2d 863 (2019) (Docket No. 345739)
- 13 *Id.*
- 14 *Id.*
- 15 *Id.*
- 16 *In re Moriconi*, \_\_\_ Mich App \_\_\_; \_\_\_ NW2d \_\_\_ (2021) (Docket No. 356037)
- 17 *Id.*
- 18 *Id.*
- 19 MCL 330.1454
- 20 *In re Chadd Londowski*, No. 355635, (Mich. Ct. App. Feb. 17, 2022)
- 21 *Ginther*, 390 Mich 436, 443-445
- 22 *In re Wirsing*, 456 Mich 467; 573 NW2d 51 (1998)

# MORE Act

By: Kenny McGrain



Kenny McGrain  
[kmcgrain@4grewal.com](mailto:kmcgrain@4grewal.com)

On March 31, 2022, the House of Representatives, by a vote of 220-204, voted to pass the Marijuana Opportunity Reinvestment and Expungement Act (the MORE Act), which would remove marijuana from the list of scheduled substances under the Controlled Substances Act. It would also retroactively remove cannabis arrests, charges, and convictions from an individual's record at no cost to that individual, amongst other things. However, while the MORE Act awaits a vote in the Senate, it is essential to outline the potential impact that this Act could have on the State of Michigan.

First and foremost, although the House of Representatives voted to pass the MORE Act, it is unlikely that the Senate will approve the bill. In order for the MORE Act to pass through the Senate, 60 out of 100 Senators must approve the bill. Despite the momentum that has been gained in support of the bill, the bill continues to receive opposition from Republican senators, who believe that legalized cannabis will lead to greater levels of organized crime and an increased level of power for cartels. Because the Senate is currently split

50/50 between the two parties, it appears unlikely that the bill will receive 60 votes in support of it.

So, how would the Senate's approval of the MORE Act affect the current state of cannabis law in Michigan? The short answer is that it won't. Currently in Michigan, adults 21 years of age or older may legally use marijuana in private. The use of marijuana in public places such as on the street or in the park is prohibited. The MORE Act passing through the Senate would not change this. However, there are some places in Michigan that fall under federal jurisdiction rather than state jurisdiction, including airports, government buildings, and prisons. It is likely that the MORE Act's passage would allow for the possession of marijuana in these areas, although the use of marijuana in these areas—and public areas in general—would likely remain prohibited, at least initially.

However, the MORE Act's passage would likely affect supply and demand of marijuana in Michigan and across the country. In Michigan specifically, it's likely that many more people would be more inclined to purchase marijuana products. Despite the current state legality, some people continue to display negative attitudes towards the purchase, possession, and consumption of cannabis. If marijuana became federally legal, it is likely that more people would begin purchasing it. Since the demand for marijuana would increase immediately, it is likely that marijuana prices would increase as well while dispensaries adjust

to this increase in demand. In the long term, however, prices would decrease more and more as the state of Michigan and local municipalities adjust to this increasing demand and modify their marijuana-related regulations. Eventually, marijuana would be extremely cheap and easy to purchase, much like alcohol is nowadays.

In states where marijuana use is currently illegal, especially recreationally, there would be a much larger impact. States that begin selling marijuana for the first time would likely encounter an incredibly high demand for marijuana products, just as Michigan did. As a result, prices would start off extraordinarily high. This could cause out-of-state consumers, especially those close to state borders, to travel to other states—specifically those in which marijuana had previously been legal—to purchase marijuana products. With all three states that border Michigan (Wisconsin, Indiana, and Ohio) having yet to fully legalize marijuana, this could lead to consumers from these three states crossing the border into Michigan to purchase marijuana until prices in their home states decrease, which would provide a strong boost for the Michigan economy.

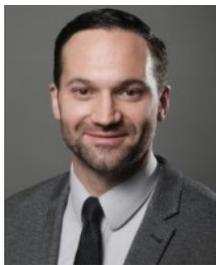
Regardless of whether the Senate votes to approve or disapprove this bill, the momentum towards legalizing cannabis continues to grow. As of now, cannabis is legal for medical use in 36 states and legal for recreational use in 19 states. Michigan, a trailblazer in cannabis, is one of the states in which cannabis usage

is legal both medically and recreationally. In fact, in just March of 2022 alone, marijuana establishments in the State of Michigan sold over \$153 million worth of marijuana products, which has resulted in substantial growth for the Michigan economy despite the ongoing COVID pandemic.

Recently, on April 4, 2022, the House of Representatives—by a 343-75 vote—approved a bipartisan marijuana research bill to streamline studies into cannabis that had already unanimously passed through the Senate. Even if the current version of the MORE Act does not make it through the Senate, it is a positive sign that Congress is at least devoting more resources towards cannabis research. As momentum continues to gather, it is becoming more and more evident that the federal legalization of marijuana is on the horizon.

# A Michigan Auto No-Fault Case that Family Law Attorneys Should Know About

By: Stephen Sinas



Stephen Sinas

Family law attorneys should know that the specific terms of any child custody agreement or order can determine which parent's auto no-fault insurance coverage applies if the child is injured in an auto crash. The Court of Appeals recently issued a published opinion in the case of *Corbin v Meemic Ins Co, et al* (COA Docket 354672; 1/13/22), that shines further light on this issue. Ultimately, *Corbin* illustrates how it is more difficult to determine which parent's insurance company pays a child's claim for PIP benefits when physical custody rights are not specified in a custody agreement or order.

*Corbin* featured a dispute over the legal domicile of a minor plaintiff who was left disabled as a result of a car crash. Under the Michigan No-Fault Act, the general rule is that a person receives their no-fault PIP benefits from their own insurer, the insurer of their spouse, or the insurer of a resident relative domiciled in the same household.

Notably, in *Grange Ins Co of Michigan v Lawrence*, 494 Mich 475 (2013), the Michigan Supreme Court held that “a child, whose parents are divorced and who has more than one legal residence, may have only a single domicile at any point in time that continues until the child acquires a different one.” *Id.* at 496. In *Corbin*, at the time of the crash, the minor plaintiff's mother and father shared joint physical custody of the child, pursuant to an order of filiation that was entered upon their divorce, but left the issue of custody up to their discretion so long as they cooperated and worked together.

After the crash, a dispute arose between Farm Bureau and Meemic over who was higher in priority for payment of the plaintiff's [minor child] PIP benefits—a dispute which turned on plaintiff's domicile at the time of the crash. In ruling on that issue, the trial court relied on the analysis set forth in footnote 78 of *Grange*, *supra*, which provides:

“In the unusual event that a custody order does grant an equal division of physical custody, and only in this instance, then the child's domicile would alternate between the parents so as to be the same as that of the parent with whom he is living at the time. Restatement [Conflict of Laws 2d], 22 (1971). Thus, the child's domicile is with the parent who has physical custody as established

by the custody order at the specific time of the incident at issue. This approach is constituent with the terms of the custody order and avoids a finding that the child has dual coexisting domiciles. [Id. at 512 n 78 (first alteration in original).]”

Since the plaintiff in *Corbin* was in her mother’s custody at the time of the crash, the trial court reasoned that, under *Grange*, she was legally domiciled with her mother.

The Court of Appeals disagreed, however, holding that footnote 78 from *Grange* did not apply to this case because the order of filiation entered upon plaintiff’s parents’ divorce did not “grant an equal division of physical custody.” Rather, the order of filiation left the issue of custody unresolved, and up to the discretion of plaintiff’s parents so long as they cooperated as co-parents. Thus, the Court of Appeals remanded back to the trial court to determine Corbin’s domicile by applying the traditional multifactored analyses from *Workman v Detroit Auto Inter-Insurance Exch*, 404 Mich 477 (1979) and *Dairyland Ins Co v Auto Owners Ins Co*, 123 Mich App 675 (1983), which factors include:

“(1) the subjective or declared intent of the person of remaining, either permanently or for an indefinite or unlimited length of time, in the

place he contends is his ‘domicile’ or ‘household’; (2) the formality or informality of the relationship between the person and the members of the household; (3) whether the place where the person lives is in the same house, within the same curtilage or upon the same premises[;] (4) the existence of another place of lodging by the person alleging ‘residence’ or ‘domicile’ in the household. [*Dairyland* at 497, quoting *Workman* at 496-497 (1979).]”

The Court of Appeals further held that even though, under these domicile factors, there was substantial evidence that plaintiff was domiciled with her father at the time of the crash, the Court would not stand in the position of finder-of-fact on the issue. Accordingly, the Court remanded the case for further proceedings in the trial court to apply these domicile factors and determine which insurer should pay the minor plaintiff’s benefits.

*Corbin* makes it clear that under *Grange*, if a custody agreement or order establishes that both parents equally share physical custody of a child, the determination of which parent’s insurer pays the claim is relatively straightforward – it is typically the insurer of the parent who had custody of the child at the time of the crash. However, *Corbin* also makes it clear

that when custody agreements or orders do not have specific terms regarding physical custody of a child and leaves that issue open between the parents, the courts must apply the domicile factors under *Workman* and *Dairyland* to determine which parent’s no-fault insurance coverage should pay the child’s no-fault PIP benefits. Under this scenario, there can be much more uncertainty and ambiguity about which parent’s no-fault insurance coverage should pay a child’s no-fault PIP benefits if injured in a crash. Family law attorneys should be mindful of these realities when addressing terms of physical custody between parents. Furthermore, when a child of divorced or separated parents is injured in an auto crash and terms of physical custody have not been formally established between the parents, a careful analysis of the child’s domicile under the *Workman* and *Dairyland* domicile factors is needed to determine which parent’s no-fault insurance coverage must pay the child’s no-fault benefits.

Note to reader: please visit the academic website [autonofaultlaw.com](http://autonofaultlaw.com) for free and extensive information about the Michigan No-Fault Law, including our most recent Quarterly Case Summary Report that explains all the appellate no-fault cases decided between January 1, 2022 and March 31, 2022.



ICBA SECTION NEWS

## ICBA-YLS

# Co-hosts Successful Networking Event

By: Kelly R. McClintock



**Kelly R. McClintock**  
[kmclintock@4grewal.com](mailto:kmclintock@4grewal.com)

On Saturday, February 26, 2022 the Ingham County Bar Association – Young Lawyers Section (ICBA-YLS) co-hosted a networking and mentoring event with students at the MSU College

of Law. ICBA Young Lawyers partnered with fellow attorneys from the State Bar of Michigan’s Young Lawyers Section to host the event in East Lansing. Over 50 students and attorneys came to lunch and network with one another in person – at long last! Lawyers came from across the state to share their experiences from an array of legal professions, including attorneys working as prosecutors, personal injury attorneys, defense attorneys, cannabis attorneys, and law clerks. ICBA-YLS gives special thanks to SBM Young Lawyers Chair, Kristina Bilowus, who is also the Assistant Director of Career Development at the MSU College of Law.





ICBA SECTION NEWS

## ICBA-YLS

# Hosts a Litigation Bootcamp

By: Marisa Vinsky and Aylysh Gallagher



**Marisa Vinsky**  
marisa@cndefenders.com



**Aylysh Gallagher**  
agallagher@ingham.org

On Saturday, April 2, 2022, the Ingham County Bar Association's Young Lawyers Section hosted a Litigation Bootcamp at Foster Swift in Lansing. This event had a mix of in-person and virtual attendees, with over eighty individuals registered. In-person attendees enjoyed lunch sponsored by Grewal Law. Not only did we have attorneys attend from Ingham County, but attorneys across the State of Michigan joined us for this awesome event.

The event kicked off with the wonderful duo of the Honorable Joyce Draganchuk, Chief Judge of 30th Circuit Court, and the Honorable Amy Ronayne Krause, Michigan Court of Appeals Judge. Both judges have extensive experience in front of and on the bench. In 2004, Judge Draganchuk was elected to the Ingham County Circuit Court and maintained a full civil and criminal docket in the General

Trial Division. From 2012-2020, Judge Draganchuk served as the Presiding Judge of the General Trial Division. Judge Ronayne Krause was appointed to the Court of Appeals in November of 2010. Previously, she served as a judge on the 54A District Court in Lansing for nearly eight years. They presented on everything you need to know about Evidence. This interactive session was a hit, with many laughs and a wealth of information. ICBA-YLS appreciates the continued support of these two esteemed judges who truly care about teaching the next generation of lawyers.

The next session was a panel who discussed difficult witnesses and cross-examination. This panel consisted of three skilled attorneys: Mary Chartier, Randy Behrmann, and Bryan Waldman. Mary Chartier is a criminal defense litigator and partner at the firm of Chartier & Nyamfukudza, P.L.C. Ms. Chartier has extensive experience litigating serious and complex criminal defense cases and has successfully defended clients in numerous federal and state trials. She has served as lead counsel and defended people of numerous crimes, including those involving terrorism, racketeering,

drug dealing, human rights violations, crimes against the United States, bank robbery, criminal sexual conduct, and homicide. Randy Behrmann is an Assistant Prosecutor for Ingham County, having served in this role since 2013. He is the current Unit Chief of the District Court, where he oversees docket APAs handling criminal misdemeanor and felony files through preliminary examination. He also previously served as the Unit Chief of Circuit Court. Bryan Waldman is the president of the Sinas Dramis Law Firm. He has obtained a number of significant verdicts for plaintiffs in personal injury cases, including a \$10.7 million verdict in a wrongful death medical malpractice case in 2003. These attorneys' real-world stories and experiences provided a unique opportunity for the attendees to learn how to react to situations that you may not find in a law school textbook. The panel was filled with conversation, questions, and helpful



tips that will positively impact everyone who attended. We were grateful to have this strong panel of litigators at our Litigation Bootcamp.

We ended our Litigation Boot Camp with two fabulous, experienced litigators: Andrew Stevens and Ayanna Neal. Andrew Stevens has served as an Assistant Prosecuting Attorney for Ingham County from 2010 to present. Mr. Stevens has extensive felony trial experience and has prosecuted many cases, ranging from homicide, armed robbery, delivery of controlled substances causing death, and high-level narcotics trafficking to name a few. Ayanna Neal joined Grewal Law PLLC as an attorney after dedicating fifteen years to representing the people of the state of Michigan in prosecution for Ingham County Prosecutor's Office. Ayanna began practicing law two years prior to working as a prosecutor and handled child custody, contracts, and estate planning cases and has experience selecting a jury from both sides of the aisle. Mr. Stevens and Mrs. Neal started with a detailed presentation on jury selection followed by numerous questions from the attendees. They offered practical advice, shared real life experiences, and provided invaluable insight to all that attended. We were very fortunate to have them close our Litigation Bootcamp.

The continued education of lawyers in Ingham County and beyond is very important to the Young Lawyers Section, and we were happy to provide an opportunity for attorneys to connect all across the state. We appreciate all of the support from the local attorneys, judges, and law firms who made this event possible. Look forward to more educational events in the future!





## ICBA-YLS

# Featured Young Lawyer:

*Logan Byrne*



**Logan Byrne**  
[byrneelog@msu.edu](mailto:byrneelog@msu.edu)

Logan Byrne is a young attorney, dedicated public servant, and alumnus of both Michigan State University College of Law and Eastern Michigan University. He currently works as a full-time Judicial Law Clerk for the

Hon. Rosemarie Aquilina in Ingham County and a part-time Judicial Law Clerk for the Hon. Elizabeth Kelly in Genesee County.

Logan sits on the Clinton County Zoning Board of Appeals and is the newest board member of the Ingham County Bar Association Young Lawyers Section (ICBA-YLS). He is also a candidate for State Representative in Michigan's new 77th House District, which includes Lansing, Grand Ledge, and Clinton County.

### **Where do you work and what do you do there?**

I currently work as a full-time Judicial Law Clerk for the Hon. Rosemarie Aquilina in Ingham County and a part-time Judicial Law Clerk for the Hon. Elizabeth Kelly in Genesee County. In Ingham County, I write opinions, orders, and bench memorandums for Judge Aquilina's double criminal docket. I also advise the Judge on matters before the

Court and help facilitate jury trials. In Genesee County, I work primarily on the Felony Criminal Flint Water Cases. More specifically, I advise Judge Kelly on motions before the Court and assist in drafting opinions and orders related to the Felony Criminal Flint Water Cases.

### **Where did you go to school?**

I went to law school at Michigan State University College of Law and undergrad at Eastern Michigan University.

### **When were you admitted to practice in Michigan?**

I took the Michigan and California bar exams in the Fall of 2020. I passed both and was admitted into the Michigan Bar in late 2020 and the California Bar in early 2021.

### **Why did you go into the legal field?**

I decided to go to law school because I wanted to pursue a career where I could make a positive impact on people's lives. I became passionate about many areas of law but have focused a lot of time in the area of immigration law.

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

I would tell students to keep an open mind about different practice areas and try a little bit of everything. In other words, take a wide range of classes and expose yourself to as many practice areas as possible. You never know if you are going to like/dislike something until you try.

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

If I did not go the law school/criminal justice route, I would have pursued an engineering or physics degree.

### **Where did you grow up?**

I grew up in Attica, Michigan. It is a small farm community in Lapeer County.

### **Who is your biggest role model and why?**

It is hard to pick one specific person, but I have always looked up to attorneys who are willing to take a pay cut to work in the nonprofit sector. We need more attorneys that are willing to step up and help underserved communities and do pro bono work.

### **What do you do in your free time?**

When I am not working, I am usually doing something for my campaign for State Representative. However, after a long day, I like to cook and hangout with my dog, Oliver.

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

I have a dog named Oliver. He is a black lab mix that I adopted from the Humane Society while in law school. He is a great dog and super smart. He always loves meeting new people and gets to play with other dogs at doggy daycare when I am at work.

The ICBF Presents

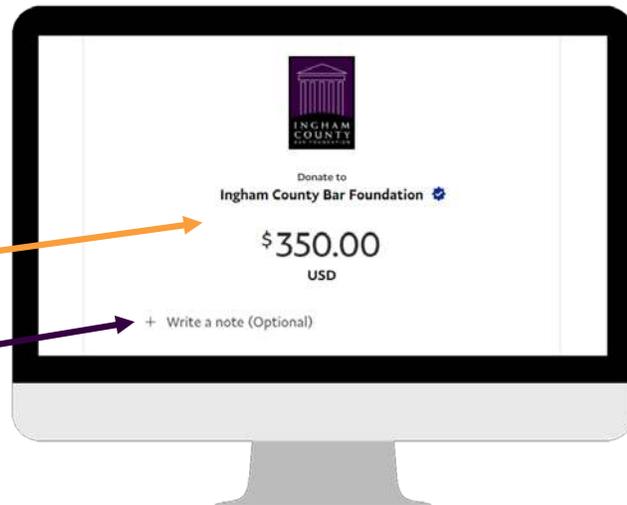
# Billable Hour Honor Roll



A new opportunity for local attorneys (including Non-Fellows) at all different levels to participate with the foundation; this campaign is independent of Fellows commitment.

To participate in the Billable Hour Honor Roll in 2022, attorneys must donate the equivalent dollars of one hour of their billable time! To make your donation, **click**

Please be sure to state: **"Billable Hour Honor Roll"** in the "write a note" line at the top of the donation page.



## Why Join?

Every contribution counts towards building a stronger Foundation! With the Billable Hour Honor Roll, the ICBF can expand its contributions, expand attorney participation, and help more organizations!

**For more information, click [here!](#)**

# Press Release

## Fraser Trebilcock Welcomes

### Elizabeth M. Siefker to the Firm

FOR IMMEDIATE RELEASE May 2, 2022



**Elizabeth M. Siefker**  
[esiefker@fraserlawfirm.com](mailto:esiefker@fraserlawfirm.com)

**Lansing, MI** – Fraser Trebilcock is pleased to announce the hiring of attorney Elizabeth M. Siefker who will work primarily in the firm’s Lansing office.

Elizabeth joins Fraser Trebilcock as an associate attorney in the trusts and estates practice group focusing on business planning, estate planning, and elder law. With experience assisting clients in every aspect of the estate planning process, including handling probate court matters, Elizabeth understands that each plan will be unique to the client’s situation.



124 W. Allegan St. Suite 1000 Lansing, MI 48933 (517) 482-5800	One Woodward Ave. Suite 1550 Detroit, MI 48226 (313) 237-7300	125 Ottawa Ave NW Suite 153 Grand Rapids, MI 49503 (616) 301-0800
---	--	--

Contact: Eriks Dumpis, (517) 377-0865, [edumpis@fraserlawfirm.com](mailto:edumpis@fraserlawfirm.com)

While at Detroit Mercy School of Law, Elizabeth was an Executive Editor of Law Review, and authored an article on contested wills that would later be published by the University. In her free time, Elizabeth enjoys reading, running, traveling, and spending time with friends and family.

“We are thrilled to have Elizabeth join the firm and are confident that she will continue the mission of providing excellent legal services to our clients,” said Michael H. Perry, President of Fraser Trebilcock.

#### **About Fraser Trebilcock:**

Fraser Trebilcock is one of Michigan’s longest-established full-service law firms. Since 1883, Fraser Trebilcock has been providing preeminent legal services and representation to small and large businesses, individuals, governmental entities, and associations. Through its association with SCG Legal, Fraser Trebilcock has access to a global network of independent law firms. More information is available at [fraserlawfirm.com](http://fraserlawfirm.com) | [scglegal.com](http://scglegal.com).

# Press Release

## Loomis, Ewert, Parsley, Davis & Gotting P.C.

is pleased to announce **Kenneth W. Beall**

**Kenneth W. Beall** has as re-joined the Firm as Of Counsel, following over 30 years as a partner/shareholder in the Firm and a brief four year leave to pursue other ventures. Ken Beall is a real estate and commercial transactional attorney who specializes in economic incentives. For over 40 years, Ken has worked extensively

with developers and operators of commercial and multi-family properties, as well as financial institutions (in connection with loans to and investments in such developments), and government entities facilitating such projects. He provides strategic guidance in identifying possible economic incentives, such as low income

housing tax credits, federal historic tax credits and New Markets tax credits, and other state and local incentives, including incorporating them into each unique project. In addition, Ken assists clients on a variety of other matters, including tax, business organizations, acquisitions, finance, and restructuring.

Liisa Speaker, author of:

## KIDS CAUGHT IN THE MIDDLE

HOW FAMILIES ARE HARMED  
WHEN JUDGES DON'T  
FOLLOW THE LAW

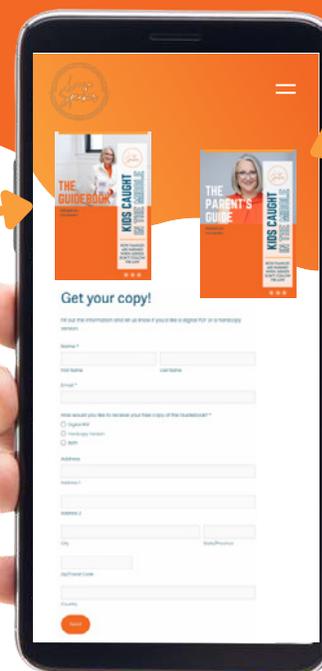
Is excited to share two new  
supplements - The Guidebook and  
The Parent's Guide! Both include  
bonus material!

Visit Liisa's website to  
get your copy!

[www.liisaspeaker.com/theguidebook](http://www.liisaspeaker.com/theguidebook)

For attorneys: a quick  
reference for when  
you are confronted  
with an unfamiliar  
area of family law

For parents:  
a quick  
overview of  
the area of  
law that  
impacts their  
family



INGHAM COUNTY BAR ASSOCIATION YOUNG LAWYERS  
SECTION PRESENTS  
**THE 7TH ANNUAL PAPER CHASE 5K**



The Paper Chase  
— 5K Run/Walk —

DATE: SUNDAY, JUNE 12, 2022 AT 10:00A.M.

LOCATION: GRANGER MEADOWS PARK TRAIL  
PARKING: 16101 BROOK RD., LANSING, MI 48906

**THANK YOU FOR SUPPORTING  
THE INGHAM COUNTY YOUNG  
LAWYERS SECTION!!**

Registration:  
Visit <https://runsignup.com/Race/MI/Okemos/ThePaperChase>  
QR scan the QR Code below



ICBA-YLS THE PAPER  
CHASE 2022

- ALL AGES ARE WELCOME!! RUN/WALK

SIGN UP TODAY:  
<https://runsignup.com/Race/MI/Okemos/ThePaperChase>

Individual Run/Walk = \$25; Team Run/Walk = \$25  
Price will increase to \$30 after May 15, 2022 at 11:59p.m.

- PROFESSIONAL COURSE  
MANAGEMENT & TIMING

- AWARDS

- REFRESHMENTS

- EXCLUSIVE!

**RACE SHIRT PROVIDED FOR ALL WHO  
REGISTER ON OR BEFORE JUNE 1, 2022!!**

**PARTICIPANTS WHO REGISTER AFTER  
JUNE 1, 2022 WILL RECEIVE A SHIRT ON A  
FIRST-COME, FIRST-SERVED BASIS.**

- A portion of the proceeds from the race  
will benefit the Boys & Girls Club of  
Lansing and the Ingham County Young  
Lawyers Section!

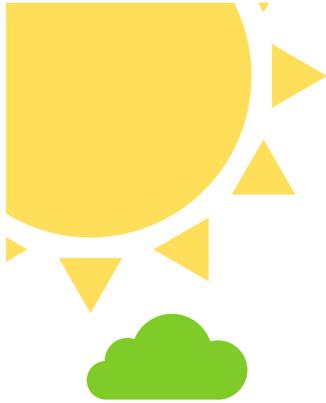
- SPONSORSHIP OPPORTUNITIES

- Please consider sponsoring. Level  
sponsorships are still available! Contact  
Kelly McClintock no later than  
Wednesday, May 11, 2022!

- Platinum (\$1,000.00+)
- Gold (\$500.00+)
- Silver (\$250.00+)
- Bronze (\$100.00+)



Questions? Interested in Sponsoring?  
Contact Kelly McClintock at:  
[kmcclintock@ingham.org](mailto:kmcclintock@ingham.org)



**Ingham County Bar Foundation**  
**17TH**

ANNUAL MEMORIAL

**GOLF**  
**CLASSIC**

A share of the proceeds  
will benefit the

**ICVTC**

Friends of Ingham County  
Veterans' Treatment Court

**AUG. 4, 2022**

REGISTRATION

**\$150**

PER PLAYER

**HAWK HOLLOW**  
**9:00 AM SHOTGUN START**

**Register Here!**

# Ingham County Bar Association

## BRIEFS Advertising Rates & Policies

### Advertising Rates:

Rate Per Issue	Member Rates:	Ad Size
\$100.00	\$75.00	Quarter Page
\$200.00	\$150.00	Half Page Horizontal
\$200.00	\$150.00	Half Page Vertical
\$375.00	\$281.25	Full Page
\$25.00	\$18.75	Classified Ad

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

**Discounts for Members and Sponsors:** All ICBA members in good standing receive a 25% discount on the Advertising Rates. For the discount to apply all lawyers mentioned in the advertisement must be members of ICBA or the law firm must be a sponsor of ICBA.

ICBA Champion Package sponsors will receive one free half-page ad in BRIEFS. This half-page ad will also include the designation as a Champion sponsor.

Classified ads (text only) will be published for free for ICBA members in good standing. A classified ad includes an advertisement of office space for rent/lease/sale, an employment opportunity, and/or a request for employment.

Due to rising costs associated with publication, ICBA will no longer be offering free Press Releases. Instead, all publication requests besides Classified Ads will be charged at the Advertising Rates in this policy.

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

Non-Member Rates	1 Issue	4 Issues	6 Issues
¼ Page ad	\$100	\$300	\$480
½ Page ad	\$200	\$680	\$900
Full Page ad	\$375	\$1100	\$1600
Classified ads	\$25.00	\$75	\$110

Member Rates	1 Issue	4 Issues	6 Issues
¼ Page ad	\$75.00	\$225.00	\$360.00
½ Page ad	\$150.00	\$510.00	\$675.00
Full Page ad	\$281.25	\$825.00	\$1200.00
Classified ads	\$18.75	\$56.25	\$82.50

**Distribution:** BRIEFS is distributed electronically (not in print format) to ICBA members, Michigan Supreme Court justices, Court of Appeals judges and local judges. Previous issues of BRIEFS are always [accessible online](#). 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.

**Advertisement Requirements:** Graphics must 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.

**Payment:** Advertising payments must be submitted with contract for the selected term. **Full payment is required in advance.**

**Cancellations:** Cancellations of any part of a contract voids all rate and position agreements. No changes or cancellations can be made if 1 (one) week has passed after published Submit Copy deadline.

**Terms and Agreements:** Advertiser is solely liable for all content and advertisements and is responsible, without limitation, for any and all claims made regarding any advertisement or the content 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 the editor reserve the right to revise, reject, or omit any advertisement at any time without notice. Any fee paid will be refunded.

**QUESTIONS?** Contact the Editor at [briefs@inghambar.org](mailto:briefs@inghambar.org) with ad placement questions.  
New policies adopted at the 2/16/222 Board Meeting

# BRIEFS Advertising Contract

## Size

- ¼ page (3.75" W x 4" H)  Full Page (7.875" W x 8.35" H)  
 ½ page Horizontal (7.87" W x 4" H)  Law Firm/Business Links  
 ½ page Vertical (3.875" W x 8.35" H)

## Placement:

- One issue (please select month)  Sept  Nov  Jan  Feb  April  June  
 Four Issues (please select months)  Sept  Nov  Jan  Feb  April  June  
 Six Issues (please select months)  Sept  Nov  Jan  Feb  April  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 is solely liable for all content and advertisements and is responsible, without limitation, for any and all claims made regarding any advertisement or the content 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 the editor reserve the right to revise, reject, or omit any advertisement at any time without notice. Any fee paid will be refunded.

**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



## Criminal Defense Law Section

The Criminal Defense Law Section is comprised of criminal defense 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. The Section is also committed 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, they you'll want to join this section. 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: March 19th from 12:00 - 1:00pm via Zoom

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](mailto:cwickman@nicholslaw.net).

## 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.

Section Co-Chair is John Maise. Contact John if you have ideas for topics and speakers.

Stay tuned for an updated schedule of events.

Upcoming Meetings: TBA

If you have questions about Section meetings, please email John at [jmaise@whiteschneider.com](mailto:jmaise@whiteschneider.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:

- TBA

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).

## Paralegal/Legal Assistant Section

The Paralegal/Legal Assistant Section offers free networking and educational events for legal staff in Ingham County. Meetings are held the third Wednesday of each month at the State Bar of Michigan Building, 306 Townsend St., in Lansing.

Section Co-Chairs are Elizabeth Cary, a Paralegal at Chartier & Nyamfukudza, PLC, and Heidi Pierce, a Paralegal at Fraser Trebilcock.

Upcoming Meetings:

- TBA

If you have questions or would like to learn more about the Section, contact Elizabeth at [lizzy@cndefenders.com](mailto:lizzy@cndefenders.com).



## Probate and Trust Section

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 Joann M. Schofield and April Alleman. If you plan to attend a meeting, please RSVP to April Alleman at [april@crenshawpeterson.com](mailto:april@crenshawpeterson.com).

Upcoming Meetings:

- TBA

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 Joann M. Schofield at 517-827-0045 or email [joann.schofield@tristartrust.com](mailto:joann.schofield@tristartrust.com).

## 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:

- TBA

Lunch is served at meetings. Upcoming 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).

## Bankruptcy Law Section

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:

- TBA

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](mailto:pscott@fosterswift.com).

## Local Legal Events

Social Deliberations – place of events is Hooked, 3142 E. Michigan Ave., Lansing, MI 48912

Thursday, June 23, Thursday, August 25th, and Thursday, October 27th, all from 5pm-7pm



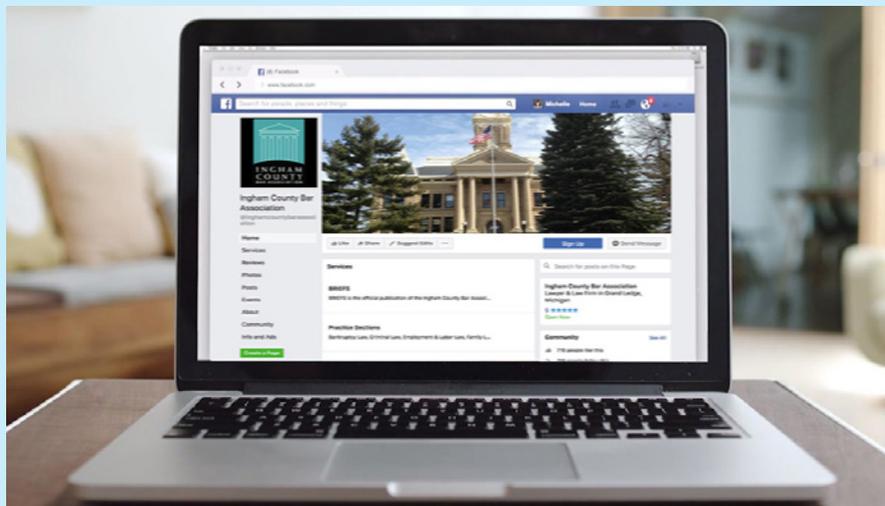
# ICBA Sponsorship Opportunities

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. The ICBA now offers a program that focuses on the increasing importance of social media marketing.

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 the links below.



[2022-2023 Firm/Corporate Sponsorship Opportunities](#)

[2022-2023 Vendor Sponsorship Opportunities](#)



## 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](#).

## 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 six times a year (September, November, January, February, April and July).

### Copy Deadline

Content submissions are due the 15th of the month for the following month's issue (e.g., deadline is March 15th for the April issue). 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 and Format

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

Submit articles in a Word .doc/.docx

### 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 the editor, at [briefs@inghambar.org](mailto:briefs@inghambar.org). Within 24 hours, you will receive an email confirmation that your article was received.

### Opinion Articles

Opinion articles selected for publication will be printed with a disclaimer noting that the viewpoints are that of the author and not of the Ingham County Bar Association. BRIEFS reserves the right to reject, edit or modify content submitted for publication.

### 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](#).

**BRIEFS Advertising Contract, Rates & Policies** 



Thanks for reading

# BRIEFS

## Here Comes Summer!

Feedback?

[briefs@inghambar.org](mailto:briefs@inghambar.org)

**Next issue:**

**July 2022 dedicated to the Opioid Crisis**



[@inghamcountybarassociation](https://www.facebook.com/inghamcountybarassociation)



[@ICBALawyers](https://twitter.com/ICBALawyers)