

BRIEFS



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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.



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President's Message



Pam Amato, ICBA President
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What is the Janitor's name?

His name was Andy. He had four young children he loved talking about and a wife he loved dearly. Working at the college was his part-time job in the evenings a few nights per week. I can't remember his last name or where he worked during the day and so many of the other interesting details he shared with me when we chatted for a few minutes three times per week for about a year. It was about 35 years ago when I met Andy.

How does this short story about Andy tie into the title of my President's Message. The question, *What is the Janitor's name?* was a 25-point bonus question on my final examination for my Masters in Business Administration. What kind of

question is that on a business exam and a 25-point bonus question at that! With that one question on the examination, the Professor taught everyone in the class a life lesson and one I have carried with me for 35 years.

What is really genius about this question is that the life lesson can be different for each person and can evolve over time with each person. For some unfortunate students they may have missed the entire point of the question and wished that had just even overheard Andy's name to garner the coveted 25 points. For other students, seeing the question on the exam might have provided them some measure of awareness of others they had not perceived until they thought about why the Professor was asking this

question and what point he wanted to make. For other students, the question presented valuable life lessons and whether they could answer the question or not, they still learned something very important with that one bonus question on a final exam.

The Professor did not tell us why he asked that question or what he wanted us to learn from it. I am grateful that he left it up to each of the students to decide what we wanted to learn from the question, "What is the Janitor's name?" I hope this message provides you with an opportunity to think and reflect on the question and what if any life lesson you would find valuable in the question.

Happy Spring everyone.

Mandated Succession Planning

Rule 21: Practice Succession Planning

By April Alleman, Succession Planning Program Counsel, State Bar of Michigan

New requirements for Michigan private practice attorneys effective September 1, 2023. Read the Supreme Court Order [here](#). Required information will be collected during license renewal beginning the 2023-2024 Bar Year. Although not required until September, starting this summer, attorneys can nominate their designated interim attorney through the State Bar of Michigan's online Member Area.



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Effective September 1, 2023, Rule 21 requires all active private practice attorneys in Michigan as part of their 2023-2024 license renewal to:

1. Name a person with knowledge of their practice
2. Designate an interim administrator
— OR —
Enroll in the State Bar of Michigan Interim Administrator Program

All private practice attorneys are encouraged to immediately begin making arrangements with another attorney or law firm to be their designated interim administrator.

A private practice attorney is an attorney who has one or more clients for whom they provide legal services that require a Michigan law license. For more information on what a private practice attorney is visit <https://www.michbar.org/rule21FAQs>

Contact Info:

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WLAM: Mid-Michigan's Commitment To Lifting Up Women

In 1919, the Women Lawyers Association of Michigan (WLAM) was founded by five women attorneys to advance the interest of women members of the legal profession and to promote a fraternal spirit among lawyers.¹ Notably, WLAM was founded before women even had the right to vote as the focus was on “strengthening professional ties between women lawyers, sharing knowledge, information, and experience, and mentoring younger inexperienced women attorneys.”² Over the course of time, the organization grew to include educational, historical, political, societal, and social events that impacted women in the legal profession. With the expansion of opportunities and growth of membership, WLAM now boasts of eight regions throughout Michigan, all anchored to the state and parent organization that originated with the first five women.

While WLAM grew in initiatives and membership, the core mission remained. That mission is to support, lift up, and honor women in the legal profession. For the Mid-Michigan region, the mission has manifested in many ways over the course of time.

One such way is through the Carolyn Stell Award and Scholarship. Judge Carolyn Stell was the first female trial court judge in Ingham County and she left an indelible mark on the local and greater communities. After her passing, her legacy continues through the annual



2021 Komen Mid-Michigan MORE THAN PINK Walk

award given to a lawyer or judge in recognition of their contributions to the legal community and to the advancement of women in the legal profession. The most recent 2022 recipient of the Carolyn Stell Award, was bestowed to the Honorable Judge Shauna Dunnings of the 30th Circuit Probate Court. Judge Dunnings also presides over the Phoenix Treatment Court, which is a specialty court that serves youth who have a history of being sexually abused, exploited, or trafficked.

The Carolyn Stell Memorial Scholarship is also in a similar vein and awards a local third year female law student, who plans to sit for the Michigan Bar Examination, a full bar prep scholarship.

Similar to the award conferred upon a judge or lawyer, the Stell Scholarship is awarded to an individual who also advances the rights of women and the rights of all people in society. The 2022 Carolyn Stell Memorial Scholarship was awarded to Taylor Mills, who at the time was a third-year law student at Michigan State University. Ms. Mills explained to the Scholarship Committee upon receipt of the award, she intended to “pay it forward toward making Michigan a better place for women and other underserved communities through the empowerment that legal services offer. As the saying goes, empowered women empower women. The many women before me have empowered me; I seek

now to empower other women through legal advocacy.”

While award recognition is memorable in its own right, the spirit of sisterhood is further embodied in the commitment to mentorship and sponsorship. Launched in summer 2022, the WLAM Mid-Michigan mentorship program is designed to pair law students and new lawyers with more established women in the profession. The program was aptly named “Women Connect.”

Many mentoring programs may be established, but the lifeline of this program is to ensure authentic relationships between women in the profession. In addition to mentoring, Women Connect allows for sponsorship opportunities - covering costs or reducing costs for mentees at various WLAM programs. It also allows for multiple touchpoints and interactions between mentees and mentors alike, encouraging those relationships to flourish.

Additionally, the values of WLAM Mid-Michigan manifest in the greater community. The region is committed to various pro bono and outreach efforts. To name a few, various fundraisers and volunteer efforts for the Capital Area Response Effort (C.A.R.E.) have been spearheaded by the organization. C.A.R.E. is a “Regional Domestic Violence Post Arrest Response Team and the only post-arrest response team for victims/survivors of domestic violence in Lansing, Lansing Township, Meridian Township, East Lansing and on the campus of Michigan State University.”³ Through the efforts of WLAM, supplies, time, and resources have been provided to CARE over the course of a number of years.

Additionally, efforts and support have been provided to the Small Talk: Children’s Advocacy Center. This non-profit organization provides coordinated services during child sexual abuse investigations in Mid-Michigan for children. In addition to no-cost counseling for children, including children with dangerous or difficult sexual behavior, Small Talk also provides services for adults.

Furthermore, WLAM Mid-Michigan supports “It’s a Breast Thing,” a charity that raises funds to support local women undergoing breast cancer treatment. Helping to raise money and support efforts such as these locally, helps the region in prioritizing important needs in the community.

The current WLAM Mid-Michigan Executive Board, including President Melanie Smith, Vice President Aylsh Gallagher, Secretary Jacquelyn Dupler, Treasurer Teddy Eisenhut, Membership

Communication Director Lauren Kissel, and Regional Presentative Kristina Bilowus, works to ensure the mission of WLAM remains strong and prevalent in the local legal community. With each event planned and promoted, special consideration is given as to how women in the profession, and everywhere, can be elevated. Whether the theme is social or educational, based on outreach in the community or for the general population, Mid-Michigan is a committed community partner. Together, the current Board and its members seek to elevate women in the profession and expand equity, keeping true to the mission of WLAM established over 104 years ago.

Endnotes

1. *WLAM History*, <https://womenlawyers.org/about-wlam/history/> (last accessed February 23, 2023).
2. *Id.*
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ChatGPT: Your New Artificially Intelligent Associate?

By Alexander S. Rusek¹



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Giving cryptocurrency and blockchain a run for their money, ChatGPT and artificial intelligence are some of the biggest tech buzzwords today. While you may have heard in the last few months about the internet site that allows your child to cheat in school by instantly writing essays for them, do you really know what ChatGPT is? Do you know how you can use it (it's free, for now!)? How does it perform in "real world" testing? Will your job be made obsolete by the technology? While only intended as a primer, this article will attempt to answer these questions and more.²

What is ChatGPT?

ChatGPT³ (short for Chat Generative Pre-trained Transformer) is an artificial intelligence internet chatbot created and maintained by OpenAI⁴ (founded by the likes of Tesla's Elon Musk, venture capitalist Peter Thiel, and others) that launched on November 30, 2022. It has been described at times as "the best artificial intelligence chatbot ever released to the general public,"⁵ to

"impressively detailed" and "human-like,"⁶ to "not particularly innovative,"⁷ to a "flashy demo,"⁸ to "phenomenal bullshitter,"⁹ and to "the end of the beginning of the AI revolution."¹⁰ The underlying technology "is capable of generating human-like text and has a wide range of applications, including language translation, language modelling, and generating text for applications such as chatbots. It is one of the largest and most powerful language processing AI models to date, with 175 billion parameters."¹¹

In practice, using ChatGPT feels and looks very similar to using a traditional messaging application, such as Slack, Facebook Messenger, iMessage, WhatsApp, or one of the countless others available. Simply, a user types in a command or question into the website's prompt in natural language and the program provides a written answer. Users can then enter follow-up questions or commands and ChatGPT will use the additional inputs to refine its output. OpenAI explains that "[t]he dialogue format makes it possible for ChatGPT to answer follow-up questions, admit its mistakes, challenge incorrect premises, and reject inappropriate requests."¹²

What Can ChatGPT Do?

New and exciting uses for artificial intelligence technology like ChatGPT are being discovered seemingly every day. With varying results, ChatGPT

can help you cheat on grade school tests;¹³ write and debug programming code;¹⁴ create workout routines,¹⁵ create or reference recipes;¹⁶ write music and film/television scripts;¹⁷ write a resume and cover letter;¹⁸ write jokes;¹⁹ solve math problems;²⁰ pass a Wharton business school exam (with a B or B-);²¹ attempt to diagnose health problems;²² explain scientific, mathematical, and other concepts at different levels of sophistication;²³ and much more. It can even provide suggestions for your next anniversary dinner.

In the legal field, artificial intelligence can assist with legal research and cite checking, drafting and reviewing pleadings and other papers (such as complaints and motions to compel discovery), drafting transactional documents (such as buy and sell agreements or an operating agreement for a limited liability company), and discovery analysis and review, amongst other use cases. But artificial intelligence is still in its infancy and has many limitations.

As one uses ChatGPT for increasingly complicated tasks, its limitations quickly become apparent. OpenAI itself acknowledges that ChatGPT may occasionally generate incorrect information, occasionally produce harmful instructions or biased content, and has limited knowledge of the world and events after 2021.²⁴ Artificial intelligence systems are also limited and

Figure 1



contoured by the underlying data used to build and train the system, which can result in artificial intelligence seemingly becoming racist, sexist, or otherwise biased because of the data it used to “learn.”²⁵

Putting ChatGPT to the Test: “Real World” Examples

ChatGPT can be used in a number of ways in the legal field. For example, Figure 1 shows the ChatGPT result when asked the *relatively* straightforward question: “Under Michigan law, how long does a defendant that took a plea have to file an application for leave to appeal to the Michigan Court of Appeals?”

At first glance, ChatGPT fares admirably in not only answering the question (with a citation to a court rule no less), but also provides additional information and context related to the request. *Id.* However, MCR 6.105(B), the court rule cited by ChatGPT, has no bearing

on the answer, but rather addresses the voluntary appearance of a criminal defendant for their arraignment. So, even though ChatGPT was able to derive the right answer (see MCR 7.105(A), *et seq.*), the output in its entirety is not reliable.

What if you ask ChatGPT to draft a document for you? ChatGPT’s output may surprise you. In this example, the following was input into ChatGPT:

Draft a complaint alleging breach of contract and account stated in Michigan. The Plaintiff is ABC Industries, Inc. and is represented by attorney Alexander S. Rusek of Foster, Swift, Collins & Smith, P.C. The Defendant is XYZ Buyer, Inc. ABC Industries, Inc. is owed \$1,500,000.00 from XYZ Buyer, Inc. XYZ Buyer, Inc. failed to pay ABC Industries, Inc. the money as required under the contract between the parties on January 3, 2023.²⁶

ChatGPT “drafted” the below “complaint”:

Figure 2

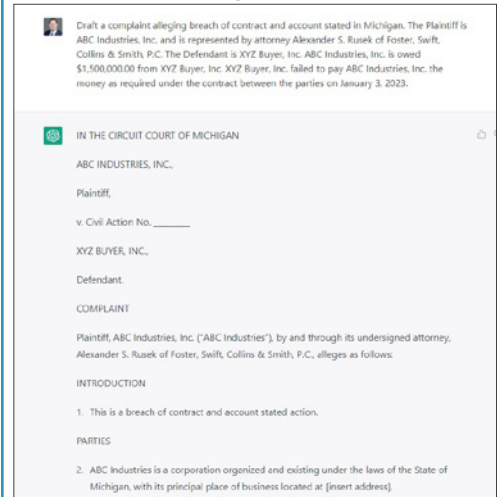


Figure 3

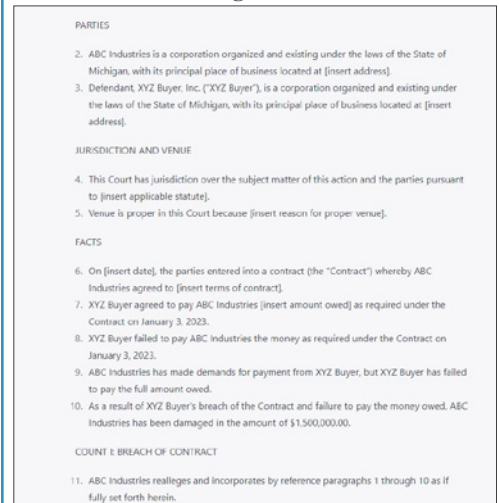
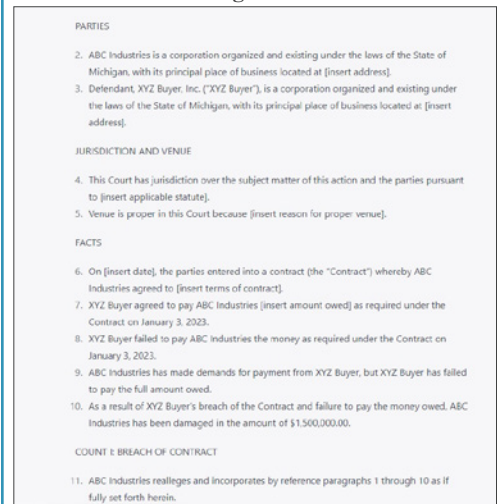


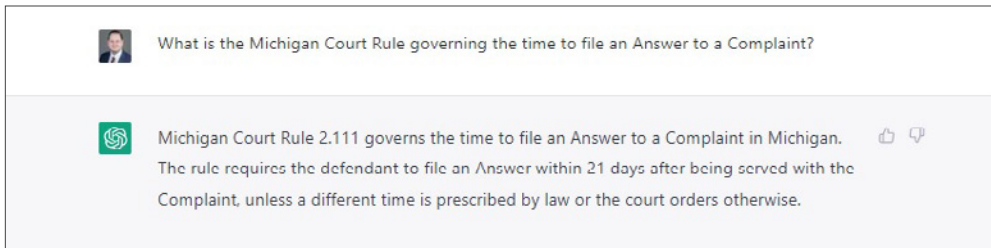
Figure 4



The result is neither an amazing nor groundbreaking example of legal prose, but the output does provide a useable framework for an attorney to build upon. Will ChatGPT replace ICLE or your firm's form bank? No, not just yet, but artificial intelligence is getting closer every day.

How about another relatively simple question, such as "What is the Michigan Court Rule governing the time to file an Answer to a Complaint?" ChatGPT responded:

Figure 5



Again, ChatGPT arrived at a *somewhat* relevant response (an Answer must be filed within 21 days after service, unless a different time is prescribed by law or court order), but it should have answered MCR 2.108(A)(1) (Time for Service and Filing of Pleadings), not MCR 2.111 (General Rules of Pleading) as the governing court rule.

A more complex example of how ChatGPT can be used in the legal field is below. Here, ChatGPT was given the issues that were addressed in *Peeler* by the Michigan Supreme Court:²⁷

Answer the following questions under Michigan law: (1) whether MCL 767.3 and MCL 767.4 violate Michigan's constitutional requirement of separation of powers, Mich Const 1963, art 3, § 2; (2) whether those statutes confer charging authority on a member

of the judiciary; (3) whether a defendant charged after a proceeding conducted pursuant to MCL 767.3 and MCL 767.4 is entitled to a preliminary examination; and (4) whether the proceedings conducted pursuant to MCL 767.3 and MCL 767.4 violated due process, Mich Const 1963, art 1, § 17.²⁸

Figure 6 shows ChatGPT's answer:

While ChatGPT did provide some convincing and *somewhat* accurate

answers, the justices of the Michigan Supreme Court can sleep soundly tonight as ChatGPT is not placing their jobs in jeopardy any time soon. Positively, ChatGPT included a warning in this response that "It is always advisable to consult with a licensed attorney for a more specific and accurate analysis of a legal matter."²⁹ For those who would like to compare ChatGPT's results with the ultimate decision reached by the Michigan Supreme Court, the Court's Opinion is available at *People v Peeler*, 509 Mich 381; 984 NW2d 80 (2022).³⁰

How Can You Use ChatGPT?

ChatGPT is easy to use but can be difficult to *effectively* utilize without recognizing and accounting for its limitations. Always keep in mind that ChatGPT can, and routinely will, provide inaccurate or incomplete

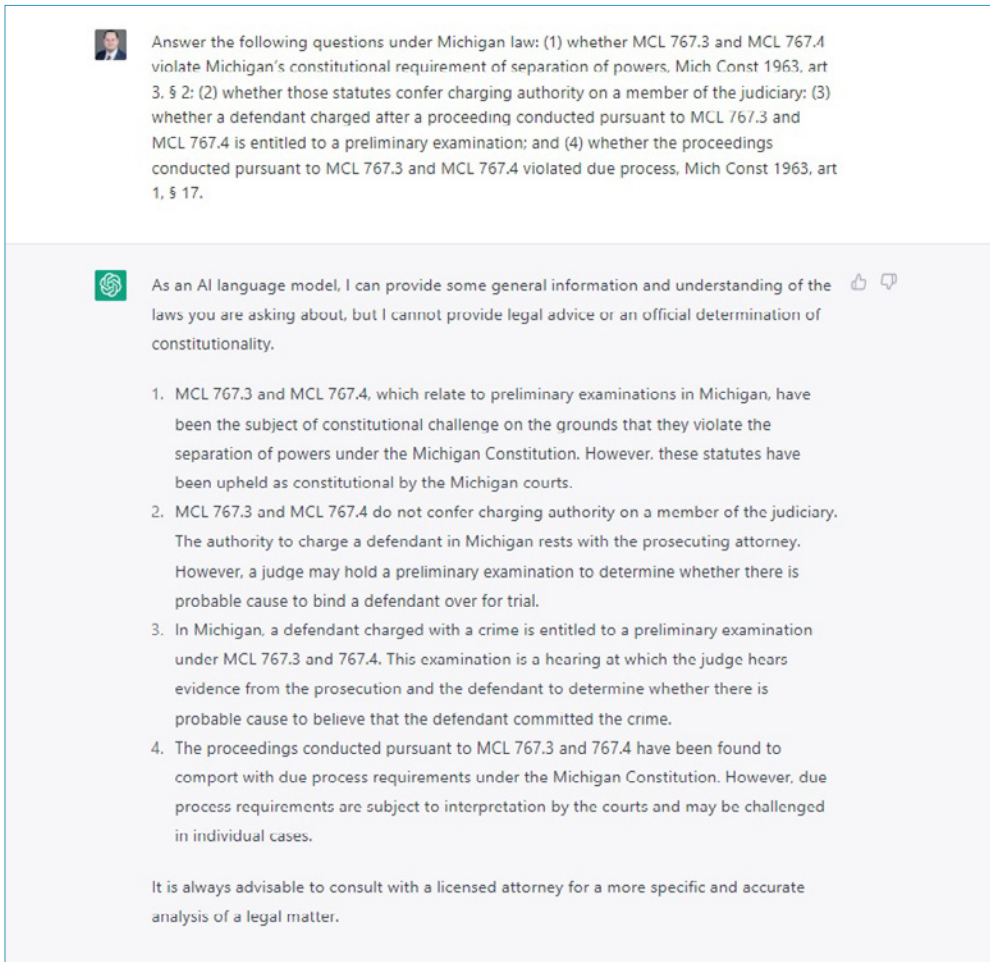
information and is not a substitute for the legal advice of a licensed and qualified attorney. In general, ChatGPT's output is most useful and accurate when the user provides the program with specific information and parameters for the desired output.

To try out ChatGPT for the first time, navigate to www.chat.openai.com. After creating a free account, you will be taken to the main ChatGPT webpage where you will be greeted by a simple search bar, somewhat reminiscent of Google's homepage. Input your question or command and ChatGPT almost instantaneously begins "typing" its response on your screen. After ChatGPT has provided its initial response, users are able to ask additional questions and give additional commands. ChatGPT then provides a response that, hopefully, has taken the previous input and output into account and builds upon its previous answer. Users are also able to rate the accuracy of the response, which can be used in the future to further train the system to provide more accurate and human-like responses.

Final Thoughts and Takeaways

While there is a significant amount of room for improvement, ChatGPT (and the next hot technology that replaces it) can be effectively used by attorneys who understand its power, but that are also aware of, and respect, its limitations. As with most tools, it is how ChatGPT is implemented, not necessarily its inherent characteristics, that should be the measure of its usefulness. Attorneys who are aware of the limitations of artificial intelligence and how to implement artificial intelligence within those parameters will be positioned to leverage that technology for their

Figure 6



The screenshot shows a chat window with a user question and an AI response. The user question asks about Michigan law regarding MCL 767.3 and MCL 767.4, specifically concerning constitutional requirements of separation of powers, charging authority, preliminary examinations, and due process. The AI response, from OpenAI, provides a general overview and lists four points: 1. MCL 767.3 and MCL 767.4 have been upheld as constitutional. 2. MCL 767.3 and MCL 767.4 do not confer charging authority. 3. A defendant is entitled to a preliminary examination. 4. Proceedings comply with due process requirements. A disclaimer at the bottom states it is always advisable to consult with a licensed attorney.

clients' benefit in the future. However, artificial intelligence is not likely to start replacing attorneys any time soon.

Finally, attorneys must always keep in mind their ethical obligations under the Michigan Rules of Professional Conduct when incorporating new technology into their practice. At a minimum, attorneys should keep in mind their obligations to become and remain competent under MRPC 1.1 and to keep client information confidential under MRPC 1.6 (ChatGPT does *not* guarantee that your inputs will be kept confidential). While a full discussion of the ethical concerns surrounding ChatGPT and

artificial intelligence is beyond the scope of this article, a number of resources have been published to help guide attorneys through the artificial intelligence ethical minefield.³¹

Endnotes

1. [Alexander S. Rusek is a Senior Attorney with Foster, Swift, Collins & Smith, P.C. in Lansing, Michigan](#). Mr. Rusek's practice focuses on complex mass action and class action civil litigation, business law & litigation, criminal law, government relations, and appellate law. Mr. Rusek has represented established businesses, new businesses, non-profits, professionals, and individuals involved in multi-party, mass action, and class action litigation, notably representing over 100 survivors of sexual

assault in the *Michigan State University/ Larry Nassar and University of Michigan/ Robert Anderson* litigations and a defendant in the Flint Water Crisis related civil and criminal litigations.

Mr. Rusek is a graduate of Oakland University and Michigan State University College of Law, *cum laude*. Mr. Rusek is currently a Director of The Army of Survivors, Inc., board member and Treasurer of the Ingham County Bar Association, Past-President of the Ingham County Bar Association Young Lawyers Section, Past-Chairperson of the Ingham County Board of Commissioners Equal Opportunity Committee, former Democratic Precinct Delegate for Lansing's Ward 1, Precinct 6, and a member of multiple local and national bar associations. Mr. Rusek is a 2018 recipient of the Lansing Regional Chamber of Commerce 10 Over the Next 10 Award, a 2018 recipient of Oakland University's Young Alumni 10 Within 10 Award, and a 2016 recipient of the Ingham County Bar Association Top 5 Under 35 Award. He has authored multiple articles that have appeared in American Bar Association publications, State Bar of Michigan publications, and the Ingham County Bar Association's BRIEFS. Mr. Rusek was Mental Health First Aid USA certified in 2019 and seeks to incorporate trauma-informed principles into his practice every day.

2. For more in-depth and technical information about ChatGPT, numerous technical publications are available for free from OpenAI. See <https://openai.com/publications/>.
3. See <https://chat.openai.com/>.
4. See <https://openai.com/>.
5. Roose, Kevin, "The Brilliance and Weirdness of ChatGPT," New York Times (December 5, 2022), <https://www.nytimes.com/2022/12/05/technology/chatgpt-ai-twitter.html> (last accessed February 16, 2023).
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 22. Roose, Kevin, “The Brilliance and Weirdness of ChatGPT,” New York Times (December 5, 2022), <https://www.nytimes.com/2022/12/05/technology/chatgpt-ai-twitter.html> (last accessed February 16, 2023).
 23. *Id.*
 24. See <https://chat.openai.com/chat>.
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 26. See Figures 2, 3, and 4.
 27. See *People v Peeler, Michigan Supreme Court Case No.: 163667*; docket available at <https://www.courts.michigan.gov/courts/coa/case/357754>.
 28. *People v Peeler*, Michigan Supreme Court Case No.: 163667; see also Figure 6.
 29. See Figure 6.
 30. https://www.courts.michigan.gov/4b0329/siteassets/case-documents/uploads/opinions/final/sct/164191_46_01.pdf.
 31. See Allyn, Bobby, “A robot was scheduled to argue in court, then came the jail threats,” National Public Radio (January 26, 2023), <https://www.npr.org/2023/01/25/1151435033/a-robot-was-scheduled-to-argue-in-court-then-came-the-jail-threats> (last accessed February 16, 2023); Liz Dye, “World’s First Robot Lawyer Shorts Out,” Above the Law, (January 26, 2023), <https://abovethelaw.com/legal-innovation-center/2023/01/26/worlds-first-robot-lawyer-shorts-out/> (last accessed February 16, 2023); Furness, Aimee and Mallick, Sam, “Evaluating The Legal Ethics Of A ChatGPT-Authored Motion,” Law360, (January 23, 2023), <https://www.law360.com/articles/1567985/evaluating-the-legal-ethics-of-a-chatgpt-authored-motion> (last accessed February 16, 2023); Sayers, Foster, “*ChatGPT and Ethics: Can Generative AI Break Privilege and Waive Confidentiality?*,” Legaltech News (January 26, 2023), <https://www.law.com/legaltechnews/2023/01/26/chatgpt-and-ethics-can-generative-ai-break-privilege-and-waive-confidentiality/> (last accessed February 16, 2023); Eliot, Lance, “Generative AI ChatGPT Can Disturbingly Gobble Up Your Private And Confidential Data, Forewarns AI Ethics And AI Law,” Forbes, (January 27, 2023), <https://www.forbes.com/sites/lanceeliot/2023/01/27/generative-ai-chatgpt-can-disturbingly-gobble-up-your-private-and-confidential-data-forewarns-ai-ethics-and-ai-law/> (last accessed February 16, 2023). The author of this article does not endorse or guarantee that any of the information or viewpoints expressed in these resources is current or accurate.

The Honorable Morgan E. Cole, 30th Judicial Circuit Court

By Christine Caswell, Caswell Law PLLC



Christine Caswell
christine@caswellpllc.com

Not only did the Honorable Morgan E. Cole have a new job as judge in 2023, but she also had a newly created position.

“It was Judge Canady’s seat which was an appellate, criminal, and civil docket, but it was changed to the family division,” said Judge Cole.

According to Judge Cole, the chief judges worked with the State Court Administrative Office to analyze which area of the law had the greatest need. It turned out to be family law. Judge Canady’s dockets were assigned to other divisions.

“There was a need for a seat dedicated to juvenile, domestic, neglect actions, adoptions, name changes, and truancy,” said Judge Cole. “Truancy Court is near and dear to my heart. I really love that aspect of the job.”

After exhausting all other avenues, school districts file petitions for Truancy Court. When she was young, Judge Cole had a teacher explain no matter what

was taken away from her, no one could take away her education. Judge Cole now passes that onto the young people in Truancy Court. “I tell them education is their greatest security investment.”

To demonstrate her point, Judge Cole is quite open about her own childhood. After moving around as a military family, her parents divorced when she was 10 years old because of her mother’s substance abuse. Her mother “got clean” for a while, but after surgery, became addicted to pain pills. “When you have a parent who is sick, the child becomes the adult,” she said. “I always had to be five steps ahead of my mother because she was an addict.” Judge Cole worked three jobs to support her mother and herself, always fearful her mother would be caught driving without a license and with stolen license tabs. Judge Cole even discovered her mother had stolen her identity. “I felt so much shame,” she said.

But the real problems started when Judge Cole announced she was going to college. “My mother became very angry because I wasn’t going to be there.” At 19 years old, Judge Cole had to completely cut ties. “My mother just dwindled down until she died in 2008. I hadn’t spoken to my mother before she died.”

Now, instead of feeling shame, Judge Cole shares her own experiences in court to show that family hurdles can



Judge Cole with her family at the investiture.

be overcome. “It’s why I wanted to go into law,” she said. “People are going through some of the most difficult times in their lives when I see them, and anything involving children, I want to help provide the best outcome for their future. I tell them my story so they realize they have more control and power than they realize. I’m not judging them based on where they come from. No one should feel shame for where they come from.”

Judge Cole met her husband while she was in law school. They married three months after she took the bar. They then moved to Washington, D.C., where they practiced for three years. But the

recession hit, and, in D.C., Judge Cole said the last lawyer in is the first lawyer out. As a previous intern for Ingham County Circuit Court Judge Rosemarie Aquilina, Judge Aquilina said that she had an open position. Judge Cole was concerned because she was pregnant, but she said the other judges have always been supportive of her and her family. Judge Cole was pregnant again when she became the Ingham County Probate Court Administrator and Register. She was already reorganizing that office when the pandemic hit, forcing her to

quickly find novel solutions so the court could reopen. While in that position, she ran for judge, losing the first time, but succeeding in the 2022 election.

Because of her personal experience, while still the administrator and register, Judge Cole joined a community group seeking mental health reform. “We were looking at how do we make it better, how do we do better community outreach,” she said. “We lobbied to get four positions for Community Mental Health (CMH) as court liaisons. CMH

now sees private pay patients, which it didn’t before. It’s still a broken system, but we are working together and supporting each other to make it better.”

As for her judicial position in Ingham County, Judge Cole said, “This is my biggest dream to serve our community and help others. After moving around so much as a kid, I love being in Ingham County. The community is invested in us, and we are invested with them. The other judges are so supportive. This is the best job I could ever hope for.”



Judge Cole pictured with members of the judiciary, elected and appointed officials and members of the community.

Words to Consider

Bringing Your Soul to Work: Part 4 – The Power of Acceptance

By William Frank Diedric



William Frank Diedric
theroadhome@comcast.net

Living and working from your soul requires that you know yourself. Knowing yourself means being aware of your emotional states. Emotion is the energy that animates thought, memories, and our visions for the future. All thoughts are rooted in emotion, and all emotions may be classified as either positive or negative. Positive emotion enhances and strengthens life. Negative emotion weakens life. Emotion is energy in motion.

Think of an emotional state you have felt or are feeling right now. What you are feeling is energy in motion. It's moving through parts of your body. If it's positive, your body feels enlivened, or completely relaxed. If it's negative, you feel tense, uncomfortable, or tired. For me, positive energy feels like my heart is open, energized and enlivened. Negative energy, in the form of anxiety, feels tense in my solar plexus area. This tension radiates outward sending this

unpleasant feeling into my whole body. If the tension leads to depression, I feel tired. Just feel it without judging or fixing it. Breathe and feel. This takes a little practice because as humans we tend to immerse ourselves in the drama around what we feel or to resist our feelings altogether. The idea here is to be aware of what you feel. What sensations do you feel in your body right now? Is there tension? Do you feel an unpleasant sensation? Or, are you feeling positive as in feelings you would call love, joy, peace, or contentment?

There are many emotions, approximately 87 according to Dr. Brene' Brown in her book, *The Atlas of the Heart*. Think about what anger feels like? How does rage feel? What does sadness feel like? Or, how about depression? Despair? You will find that each of these emotions feels distinctly different. Anger may energize you and feel powerful at first, but prolonged anger wears you down. Depression may feel powerless, hopeless, like there's a great weight pulling you downward, and there is nothing you can do about it. Grief may manifest as deep hurt in your heart center that produces tears, sobbing, and anguish. Or, waves of hurt, like the waves of the ocean, are crashing into you from the inside, and you have no control over what the waves do to your body.

Joy may feel exhilarating, energizing in the heart area with a tendency to smile or laugh easily. Calm may feel relaxed, restful, especially in the solar plexus area with a sense that all is well. All these words are representations of what you feel. The words are only for the purpose of identifying what is going on in you. You don't actually feel the word *joy*. You feel sensations in your heart and perhaps throughout your body that you find uplifting. Words like joy or sadness describe a feeling, but they are not the feeling. So, to feel your feelings, focus on what is actually going on in your body. Your body is an instrument, and feelings are communication.

When you observe an emotional state without feeding it with thought, but focusing only on how it feels in your body, you will find it eventually decreasing in intensity if it is negative. If you feed a negative emotion with thoughts, or if you resist it through judging or blaming yourself or others, you will intensify it until something else grabs your attention.

It appears that the negative feelings within us are caused by outside influences. They are not. Outside influences—behaviors of others, events—serve to trigger the negative feelings already present within us. How did they get there? The answer is experiences such as trauma where

emotions were too painful to feel so we rejected them. As children we had no tools to help us process emotions as they emerged. Most adults have few or no tools to manage emotional trauma. So, we reject, project, or try to escape the feelings. Rejected emotions, however, don't leave us. They stay inside the body.

The negative energy created by these emotions is then stored yet still seeks an outlet. Certain thoughts, other people's behaviors, events, mistakes we make, problems—these serve as triggers to what we have been holding within. Holding negativity within over time leads to physical disease and unexpected negative behavioral expressions. We hold within what we don't want to feel. Rejected, these feelings hide in the body. Eventually they manifest as physical discomfort or disease. Both suppression and overt expression of negative energy can also weaken our immune systems and our mental abilities.

If repressing hurts us, and overtly expressing negativity also hurts us, what can we do? We can allow ourselves to feel. Emotions felt and then released are valuable. Each feeling tells us something we need to know. Each feeling, positive or negative, is an important message. Consider this: All feelings are intuition. This makes all feelings, positive or negative, valuable.

Given that emotions come from within us, and that they are valuable, the next step is to take responsibility for them. Your emotions are not someone else's fault. You are not angry because of something the Democrats or the Republicans did. You are angry because you carry anger within you. You may dislike what a person or a party did or

said, and that is not a problem. Your reaction becomes the problem.

So, what can you do? First, be aware of your reaction. How do you feel? The second step is to accept how you feel. That is, accept your emotional state as it is without judging it. It isn't bad or good. It just is. The other option is to resist (reject or project or avoid) your feelings. Resistance comes from fear, and fear interrupts your ability to think clearly, and to access your intuition. You accept by allowing yourself to feel your emotions, to let them run their course. All negative emotions have an expiration date.

For example, if anger is your go-to negative emotion, by allowing yourself to feel it, without projecting it on others or without rejecting or avoiding it, it will continue to come up until it doesn't. You can speed this process along by embracing your anger. That is, responding to it with love rather than fear. Accepting and embracing does not mean immersing yourself in anger nor does it mean feeding your anger with stories about how others have mistreated you or misbehaved. Instead, focus on what the anger feels like in your body. Take a walk or a run. Meditate. Pray. Knit. Do woodworking. Play an instrument. Do whatever helps you to move through the anger (or any other negative emotions). You move through it by being the observer of what is going on in your body and just experiencing it.

As you practice being aware, observing, accepting, and embracing anger (or other negative emotional state) you will find yourself, over time, gaining greater control, greater ability to access wisdom from your intuition, experience, and knowledge. This will empower you

to make high quality decisions. This is emotional intelligence. You develop it through practice—the practice of becoming aware of feelings, observing them, accepting them, and embracing them.

Knowing yourself means understanding who you are, being in this moment. How do you feel right now? Once you have become aware and accepted yourself as you are right now, you can ask this question about your situation: What do I want to come of this?

As you work your way through the negative emotions you will eventually come to a place of calm, of self-control, and clarity. You will know what to do next.

You may ask: What if I have to act quickly, but I'm feeling enraged, or hurt, or scared? Breathe and observe your emotional state. Accept it. Accept the emotional states of the people around you. When you are feeling deep emotion yet also, you're observing yourself feeling that emotion, who are you then? Are you the one feeling it or the one observing it? You're both, of course, but you can focus on being the observer and make a decision from that place.

I have found myself in conflict at times with another person. I feel my anger and I also can observe it. I remind myself that this other person did not create my anger. I identify or remind myself of my goal—what I want to come of the situation. I set aside all negative and unproven assumptions about the other person. My anger is mine, and now it becomes a tool. I use it to fuel my next action which could be:

1. Leaving the scene to take a break and get self-control.

2. Clearly stating a boundary with the other person(s).
3. Clearly stating mission, purpose, or goal in a situation.
4. Asking the other person for reasons, data, conclusions behind their behavior.

Anger is not a problem. It's what we do with it that matters. The same is true of any other negative emotion.

Self-acceptance makes you powerful. True self-acceptance helps you to accept the emotions of others in a way that makes you responsive rather than resistant. Self-acceptance is self-knowledge. It allows you to access your intuition—and whatever you believe the source of your intuition is. Through self-acceptance you bring your soul to work, and you give permission to others to do the same.

William Frank Diedrich is a speaker, executive coach, and the author of ten books. He works with individuals and teams to achieve greater effectiveness. He offers workshops on emotional intelligence, being an adult at work, effective meetings, spiritual intelligence, assessment and goal setting. Bill lives in East Lansing, Michigan. His work may be seen at his website: <https://link.edgepilot.com/s/533e4ff4/2FMDGLo4wk2bmXHSHPH6gA?u=http://humanadulthood.com/>



Honorable, Cynthia Ward
and Greg Ward will serve as the Emcee.

130th ICBA Annual Dinner
Wednesday, November 8, 2023

University Club of MSU
3435 Forest Road,
Lansing, MI 48909-5111

Reception – 6:00 p.m.
Dinner – 6:30 p.m.
Program – 7:00 p.m.

Congratulations to the new Chief Assistant Prosecuting Attorney for the Ingham County Prosecutor's Office



Nicole Matusko
nmatusko@ingham.org

Meet Nicole Matusko. She is the newly appointed Chief Assistant Prosecuting Attorney at the Ingham County Prosecutor's Office (ICPO). Nicole obtained a Bachelor of Arts degree in 2005 from Grand Valley State University and then obtained her *Juris Doctorate* in 2008 from the University of Notre Dame Law School. Within a year of receiving her law degree, Nicole moved to Lansing, Michigan and began her career as an assistant prosecuting attorney (APA) at the Ingham County Prosecutor's Office.

Nicole has had many different assignments throughout her career at ICPO. She worked within the Tri-County Metro Narcotics Unit, Appellate Unit, and ran circuit court dockets. In February of 2016, she became unit chief of the Crimes against Children unit. Later, she went on to oversee the newly created Domestic Violence unit. Nicole served as both District Court and Circuit Court unit chief prior to being selected for

her new role. Additionally, Nicole is actively involved in the community and has a broad range of professional affiliations, including the State Bar of Michigan Character & Fitness – District E Committee, ICLE Criminal Law Attorney Advisory Board, Mid-Michigan Treatment Court Foundation, and Families against Narcotics – Okemos Chapter.

On February 4, 2023, Nicole was appointed by John J. Dewane, Ingham County Prosecuting Attorney, as ICPO's Chief Assistant Prosecutor. Even though her new role at ICPO is keeping her extremely busy, Nicole was kind enough to answer the following questions for us to have the opportunity to get to know her a little better.

Q & A:

Why did you originally want to become an APA?

I became an APA in 2009 because I wanted to change the world and make my family proud. As a first-generation attorney, I had absolutely no idea what I was doing. I had no idea what it really meant to be a prosecutor, but I was convinced that this is exactly where I was being called to make a difference. So, I moved to Lansing and never looked back.

What do you find the most rewarding about your job?

The days when I have the ability to stand beside someone and help them find their voice and feel heard. All too often, people feel victimized and silenced by our broken system. But it is those cases that keep me coming back day after day. The cases where at the end I feel I have truly helped someone, and they feel that we were able to find “justice” within the system. I remind myself daily that as a prosecutor we can make a difference in our community. I strive to make certain that difference is for the better.

What is a fun fact that not many people in our legal community know about you?

My first job was an activities coordinator for Yogi Bear's Jellystone Park – a campground near my hometown. I was an activities coordinator which included hayrides, character meet & greets, crafts, movies, and other activities for the campers. To this day, I can still perform most of the camp songs to include all hand gestures and dance moves.

If you were not an attorney, what would you do?

If I was not an attorney, I would want to own my own small town coffee shop and deli. My love of coffee and sandwiches would likely eat into our profits, but it would be worth it.



ICBA Shrimp Dinner

NEW LOCATION

VFW Post 701
123 N Rosemary St.
Lansing MI 48917



Volunteers Wanted!

The ICBA Annual Shrimp Dinner is right around the corner on May 17, 2023. We are looking for volunteers for the event to help cook the shrimp, prepare the top-secret cocktail sauce recipe, and help serve the fantastic food.

If you want to spend the day laughing and have a fun time, please email tara@inghambar.org to sign up to volunteer.



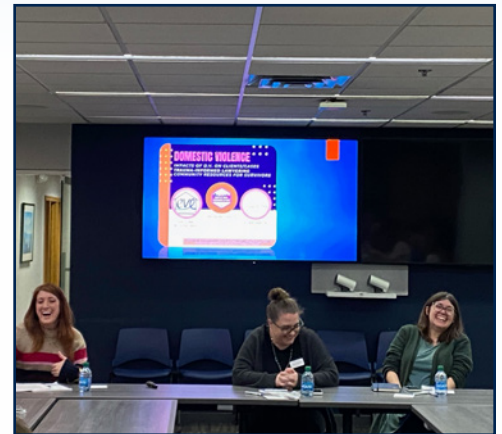


Impact of Domestic Violence Event

On February 16, 2023, ICBA-YLS hosted an educational event regarding the impacts of domestic violence on clients and their cases. The panelists were Kaitlynn Dwyer-Brownell, Executive Director of End Violent Encounters, and Lauren Henfling, SART Coordinator at the Michigan State University Center for Survivors. The event was moderated by YLS Past-

President Aylsh Gallagher. Kaitlynn and Lauren presented on the wonderful programs and resources offered to survivors of domestic and sexual abuse by EVE, MSU Center for Survivors, and Capital Area Response Effort. They also discussed how attorneys can benefit from learning about the impacts of domestic violence and trauma and how they can better advise and serve clients

who have experienced such abuse. It was an informative and engaging event that was beneficial to all types of practice areas. YLS would like to thank Kaitlynn and Lauren for their wonderful presentation and Foster Swift for donating the space and food for the event!



Theodore Seitz

Appointed to the Ingham County Jury Board



Ted Seitz
theroadhome@comcast.net

Ted Seitz is a partner at Dykema, focusing his practice on litigation, primarily in the area of consumer finance, tax and licensing matters. He also has experience defending class action cases, wrongful death/personal injury actions and white-collar criminal defense matters. Ted has authored articles for several publications, including the Michigan Bar Journal, along with co-authoring chapters in

a book on consumer finance law: *Consumer Financial Services Answer Book* (2011-2014 editions), Practising Law Institute.

A graduate of Michigan State University, Ted received a degree in biology from Lyman Briggs College, and a degree in political theory from James Madison College. Ted subsequently graduated from the Washington University School of Law in 1999.



ICBA 14th Annual Barristers Night

Event held at the
University Club
March 9, 2023

To see more of the event,

[CLICK HERE](#)



SAVE THE DATE!

The Ingham County Bar Foundation's

2023 EVENTS

JUNE 28TH

**Judges'
Retirement Dinner
at Eagle Eye**

**Golf Outing
at Hawk Hollow**

AUG. 3RD

NOV. 8TH

**Fellows Reception
at University Club**

**WE HOPE
TO SEE
YOU THERE!**

The Ingham County Bar Foundation

Grant Recipients



The ICBF would like to share the 2022-2023 grant recipients! These four organizations contribute greatly to our community and we are honored to help further their missions.



WAI-IAM, Inc

Seeks to empower those struggling with addiction to lead meaningful and fulfilling lives.



FIRECRACKER FOUNDATION

Firecracker Foundation

To address gender-based violence in public schools through its Title IX community advocacy program.



Mid-Michigan Treatment Courts Foundation

To promote, through financial support and citizen awareness, the benefits of a successful, corrective, interdisciplinary treatment program.

ICVTC

Friends of Ingham County
Veterans' Treatment Court

Ingham County Veterans Treatment Court

To assist veterans from all branches of the military who have found themselves involved in the criminal justice system.

Click [here](#) for more information on being a Fellow!

A person can become a Foundation member for \$25 per year. To become a member, or to make a donation to the Foundation, click [here](#)!



WALK FOR WELLNESS

Saturday, May 20, 2023



The Mid-Michigan Treatment Courts Foundation is a charitable organization, 501(c)(3), that assists local treatment courts and participants to alleviate everyday financial obstacles that may hinder progress towards recovery. For example, the Foundation may assist with substance abuse counseling fees, dental work, bus passes, drug screening, utility bills and other needs that threaten a participant's ability to complete the intensive court-ordered programming and succeed in recovery.

Please join us to raise funds and awareness by “Walking for Wellness”

Date: Saturday, May 20, 2023
Location: Granger Meadows Park
1275 Granger Meadows Lane, Lansing 48906
Time: 9:00 am – 11:30am
* This is not a timed event. 1-mile paved walking path.
Parking & Restrooms available.

Registration: Online at: [MMTCF Walk for Wellness \(runsignup.com\)](https://runsignup.com)

Walker (ages 18+): \$20

Walker (ages 11-17): \$10

Walker (under 10 years): Free

Add a T-Shirt: \$20 per Walker

Day of Walk registration also available

For more information about [Mid-Michigan Treatment Courts Foundation](https://www.mmtcf.org) visit www.mmtcf.org.

2023 ICBA Sponsors

Abood Law Firm
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Dickinson Wright PLLC
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Nederveld Forensic Engineering & Fiire
Resolution Services Center
Sinas Dramis Law Firm
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U.S. Legal Support
White Law PLLC
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Loomis, Ewert, Parsley, Davis & Gotting P.C. would like to extend the warmest welcome to their newest attorneys: Michael Kluck, Brandon Waddell, Andrew Martin, McKenna Rivers, and Austin DeLano.



Mr. Kluck joins as Of Counsel with over 30 years in Employment Law serving municipalities and private employers in a wide variety of labor and employment issues.



Mr. Waddell joins as a Senior Attorney specializing in general civil litigation, family law litigation, and real estate law.



Mr. Martin, who recently became a registered Patent Attorney with the USPTO, specializes in intellectual property, corporate, and real estate law.

Ms. Rivers specializes in energy, environmental, employment, and corporate law.



Mr. DeLano specializes in labor, employment, and corporate law. He is also a reservist in the Michigan Army National Guard JAG Corps.

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Social Deliberations

Hooked, 3142 E. Michigan Ave, Lansing
Coffee/Wine/Books & Networking

Join us!

5:30 p.m. - 6:30 p.m.

Registration is **not** required - just show up!
Open to Judges, attorneys, law students, and court staff!

Save the Dates:

April 27, 2023

June 22, 2023

ICBA Annual Shrimp Dinner

NEW LOCATION

VFW Post 701
123 N Rosemary St.
Lansing MI 48917

Join us!

May 17, 2023
5:00-9:00 p.m

Registration

<https://annualshrimp2023.eventbrite.com>

Chartier & Nyamfukudza, P.L.C.
is excited to announce that the
Honorable Amy Ronayne Krause
will join the law firm in
December 2022



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ICBA MEMBER DIRECTORY

Are you listed in the
[online member directory?](#)





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. If you have suggestions for future topics, please

contact Section Co-Chairs Marisa Vinsky, Takura Nyamfukudza or Christopher Wickman.

Upcoming Meetings: March 19th from 12:00 - 1:00pm via Zoom 1st Friday of the month but will vary at times followed by The meetings/presentations will start at 9:15 and location – 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.

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.

Family Law Section

The Family Law Section meets on the fourth Tuesday of the month from noon to 1 p.m. Location TBD. Lunch is provided.

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

Upcoming Meetings:

2nd Wednesday of the month (no meetings June, July, August) at Noon, Location – Zoom

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

Section Co-Chairs are Elizabeth Cary, a Paralegal at Chartier & Nyamfukudza, PLC, and Megan Cochrane, a Paralegal at Loomis Law.

Upcoming Meetings:

3rd Wednesday of the month at Noon, Location – Zoom

If you have questions or would like to learn more about the Section, contact Elizabeth at lizzy@cndefenders.com.



Probate and Trust Section

Ernsie Augustin and Joann M. Schofield are the Co-Chairs for the Probate and Trust Section. The Section holds its in person meetings the second Wednesday of each month at 9:00 a.m. at Chalgian & Tripp Law Offices, PLLC, 1019 Trowbridge Road, East Lansing, MI 48823 (ZOOM option is available for those who are unable to attend in person). If you plan to attend the meeting in person, please RSVP to Ernsie at augustin@augustinlawoffices.com.

Upcoming Meetings:

- April 12, 2023: In Person.
- May 10, 2023: In Person.
- June 14, 2022: In Person.

Please join the Section's Facebook Group by searching "ICBA Probate & Trust Law Section" and connect with us on social media. As a way to streamline RSVPs and minimize emails, you can RSVP for the Section meetings via Facebook. Are you feeling generous?

Please consider sponsoring breakfast for our in person meetings.

If you are interested in sponsoring, please contact Joann at 517-377-0894 or email jschofield@fraserlawfirm.com.

Real Estate Section

The Real Estate Section holds its meetings at noon on the fourth Thursday of each month. Location TBD. Section Co-Chairs are Bill Tomblin and Christopher Patterson.

Upcoming Meetings:

- March 24, 2023: ZOOM
- April 28, 2023: ZOOM
- May 2023: ZOOM
- June 2023: ZOOM

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.

Bankruptcy Law Section

The Bankruptcy Law Section meets at noon on the fourth Thursday of each month (Quarterly – September, December, May) at Noon, Location: Zoom.

Upcoming Meetings:

- TBA

Please feel free to join the Bankruptcy Section for its monthly meetings. Contact Section Chair Norm Witte for details.

To RSVP for meetings, contact Norm Witte at ncwitte@wittelaw.com.



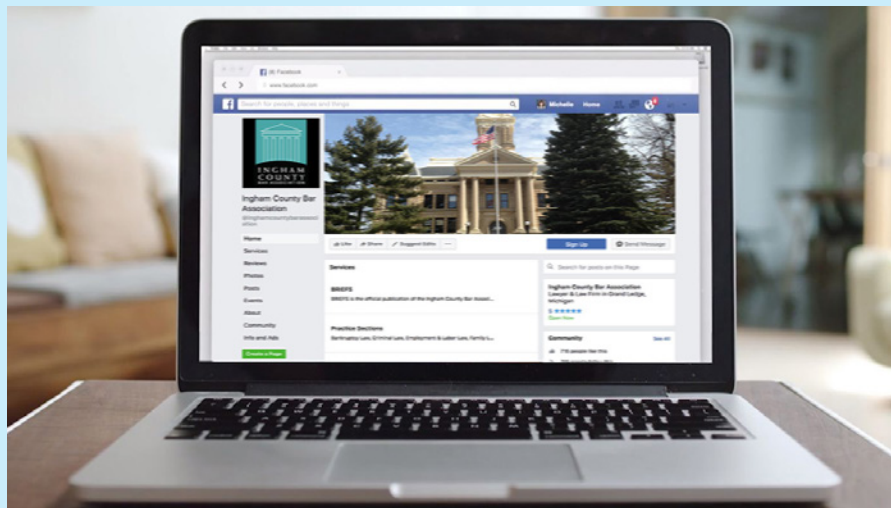
ICBA Sponsorship Opportunities

For more than 120 years, the Ingham County Bar Association has continued its tradition of service to the legal profession and the greater Lansing community. As part of its longstanding commitment to the profession, the ICBA hosts events throughout the year that are educational and entertaining, in addition to networking opportunities for members. These events are made possible by the generous support of ICBA members.

One way for members to support the ICBA is through its annual sponsorship packages. 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

ICBA may offer scholarships to prospective members who may be experiencing a hardship and cannot pay the standard rates to be an active member of the Bar.

Recipients will remain anonymous. It is up to the discretion of the ICBA President to grant scholarships, but it can only be approved on an annual basis (i.e. this is not a benefit that automatically renews 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](#)



Thanks for reading

BRIEFS



Welcome Spring!

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