

**STATE BAR OF MICHIGAN
BOARD OF COMMISSIONERS MEETING MINUTES**

President Buchanan called the meeting to order at 9:30 a.m. on Friday, April 23, 2021 via videoconference.

Commissioners present:

Danielle Mason Anderson
David C. Anderson
Kristina A. Bilowus
Robert J. Buchanan, President
Erika L. Butler
Hon. Clinton Canady III
Hon. B. Chris Christenson
Thomas P. Clement
Josephine A. DeLorenzo
Robert A. Easterly
Lisa J. Hamameh
James W. Heath, Vice President
Thomas H. Howlett
Sarah E. Kuchon
Suzanne C. Larsen
James W. Low

Gerrow D. “Gerry” Mason
E. Thomas McCarthy Jr.
Joseph P. McGill, Treasurer
Valerie R. Newman
Takura N. Nyamfukudza
Nicholas M. Ohanesian
Samantha J. Orvis
Hon. David A. Perkins
Barry R. Powers
Daniel D. Quick, Secretary
Chelsea M. Rebeck
Thomas G. Sinas
Dana M. Warnez, President-Elect
Hon. Erane C. Washington
Mark A. Wisniewski
Ryan Zemke

State Bar staff present:

Janet Welch, Executive Director
Margaret Bossenbery, Executive Coordinator
Elizabeth Couch, Communications Director
Peter Cunningham, Assistant Executive Director and Director, Governmental Relations
Michelle Erskine, Research Assistant & Event Specialist
Katherine Gardner, UPL Counsel
Tatiana Goodkin, Chief Financial Officer
Kathryn Hennessey, General Counsel
Kylie Thompson, Communication Specialist
Sarah Lawrence, Brand Designer
Robert Mathis, Pro Bono Services & Justice Initiatives Counsel
Carrie Sharlow, Administrative Assistant
Janna Sheppard, Administrative Assistant
Kari Thrush, Program Director, Lawyer Services

Consent Agenda:

The Board received the minutes from the January 22, 2021 Board meeting.
The Board received the minutes from the February 23, 2021 Executive Committee meeting.
The Board received the recent activities of the president.
The Board received the recent activities of the executive director.
The Board received the draft FY 2021 financial reports through February 2021.
The Board received the 2020 Report of the State Bar of Michigan Retirement Plan.
The Board received the 2020 Report of the State Bar of Michigan Retiree Healthcare Trust.
The Board received the Client Protection Fund Claims.
The Board received the Unauthorized Practice of Law Claims.
The Board received bylaw amendments from the Animal Law and Family Law sections.

Mr. Buchanan asked the Board if any items needed to be removed from the consent agenda. There were none.

A motion was offered and supported to approve the consent agenda. The motion was approved.

LEADERSHIP REPORTS

President and Executive Director's Report: Robert J. Buchanan, President and Janet K. Welch, Executive Director

Mr. Buchanan and Ms. Welch reported:

- that the MI Supreme Court adopted the State Bar's request to extend all officers' terms to allow for completing the commissioners' term as president, provided that the commissioner is elected by the BOC to serve in each successive office.
- on the logistics of the Board and officer elections.
- that there are two new SBM staff members: Ms. Kylie Thompson, communication specialist, and Ms. Sarah Lawrence, brand designer.
- on planning for hybrid June Board meeting and retreat.

Mr. Howlett provided the Board with an update on the work of the Strategic Planning Committee, including enhancing communication of the information contained in the Strategic Plan Activity Report and developing metrics to measure SBM's effectiveness at achieving Strategic Plan activity goals.

Ms. Warnez provided the Board with an update on the work of the Executive Director Search Work Group, stating that the work group is contemplating hiring a consulting firm. Ms. Warnez stressed the importance of input from the Board.

Representative Assembly (RA) Report: Chelsea Rebeck, Chairperson

Ms. Rebeck reported:

- tomorrow is the RA meeting when the members will be asked to vote on the proposed fee increase.
- volunteers worked hard on outreach to RA members on the proposed fee increase and she expressed her appreciation.

Young Lawyers Section (YLS) Report: Samantha Orvis, Chairperson

Ms. Orvis reported:

- there are three vacancies on the YLS Executive Council and asked the Board members to encourage any young lawyer they know to get involved by filing a petition by the end of the month.
- there is a call out for nominations for the Outstanding Young Lawyer Award in honor of Regeana Myrick, which will be awarded at the YLS Annual Summit in September.
- the YLS Annual Summit is partnering with ICLE this year and Justice Elizabeth Welch is the keynote speaker.

Ms. Orvis provided the Board with an update on past and upcoming programs and activities of the YLS.

COMMISSIONER COMMITTEES

Finance: Joseph P. McGill, Chairperson

Mr. McGill reviewed the FY 2020 financial results through February 28, 2021.

Audit: Joseph P. McGill, Chairperson

Mr. McGill reported that the subsequent events audit is completed and that no future action is required.

Mr. McGill reported that the Audit Committee reviewed a fee proposal received from Andrews Hooper Pavlic (AHP) PLC. The committee is satisfied with the fee proposal and affirms its recommendation to the Board who voted to appoint AHP as the State Bar of Michigan auditors for FY 2021 at its January meeting.

Professional Standards: Daniel D. Quick, Chairperson

Mr. Quick reported on the items requiring Board action.

ABA House of Delegates

A motion was offered to reappoint Ms. Julie Fershtman as a representative to the ABA House of Delegates. The motion was seconded and approved.

Tiered Recognition of Firm & Corporation Pro Bono Services

Mr. Quick referred to Mr. Mathis for a review on the Justice Initiatives Committee's recommendation to expand firm/corporation pro bono service recognition to include recognition of total pro bono service hours provided in a calendar year at one of four tiers. The Professional Standards Committee supported the proposal as outlined in the memo provided to the Board. The proposed additional recognition list

would supplement the current “A Lawyer Helps Pro Bono Honor Roll” and provide an opportunity for more firms and corporations to be recognized for their pro bono service.

Mr. Quick offered a motion to approve the new policy as outlined in the memo. The motion was seconded and approved.

Judicial Qualifications Confidentiality

Mr. Quick provided the Board with an overview of the memo they were provided on confidential documents that the Judicial Qualifications Committee receives. Ms. Hennessey reviewed minor changes to the proposed policy recommended by the Public Policy Committee.

A motion was offered to adopt the policy set forth in the memo including the proposed amendments provided by Ms. Hennessey. The motion was seconded and approved.

Communications and Member Services (CAMS): James W. Heath, Chairperson

Mr. Heath reported there were not any action items for the Board to consider.

Mr. Heath reported on the ongoing issues bring addressed by the committee including the future of the UMLI and BLF, the Legal Milestone events, and the special committee on rapid response communications. Mr. Heath stated that Ms. Ranns provided the committee with a report on the SOLACE program and that recommendations of the Rule of Law workgroup be reviewed by CAMS.

Public Policy: Dana M. Warnez, Chairperson

HB 4174 (Lightner) Criminal procedure: records; criminal justice system data collection; provide for. Creates new act.

A motion was offered that this legislation is Keller permissible. The motion was seconded and approved.

A motion was offered to support this legislation. The motion was seconded and approved.

HB 4181 (Anthony) Civil procedure: evictions; residential evictions during the COVID-19 state of emergency; prohibit. Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding sec. 5740.

A motion was offered that this legislation is not Keller permissible. The motion was seconded and approved.

SB 0159 (MacDonald) Courts: juries; provision related to allowance of a one man grand jury; eliminate. Amends 1927 PA 175 by repealing secs. 3, 4, 5, 6, 6a & 6b, ch. VII (MCL 767.3 et seq.).

A motion was offered that this legislation is Keller permissible. The motion was seconded and approved.

A motion was offered to table taking a position on this legislation to establish a special committee to look into the one-man grand jury. The motion was seconded and approved.

Executive Budget for the Michigan Indigent Defense Commission for the 2021-2022 Fiscal Year

A motion was offered that the MIDC budget is Keller permissible. The motion was seconded and approved.

A motion was offered to support the FY 2021-22 Executive Budget for the MIDC. The motion was seconded and approved. Mr. Heath abstained.

Executive Budget for the Department of the Judiciary for the 2021-2022 Fiscal Year

A motion was offered that the Judiciary budget is Keller permissible. The motion was seconded and approved.

A motion was offered to support the FY 2021-22 Executive Budget for the Judiciary branch, with additions to fund problem-solving courts and swift-and-sure programs, and the Justice For All Proposal. The motion was seconded and approved. Hon. Clinton Canady, Chris Christenson, David Perkins, and Erane Washington abstained.

FOR THE GOOD OF THE PUBLIC AND THE PROFESSION

Comments or questions from Commissioners

Mr. Mason apologized for joining the meeting late.

Comments or questions from the public

There were none.

A motion was offered to go into a closed session to discuss litigation, the executive director search, and supplemental UPL claims. The motion was seconded and approved.

The Board went into closed session at 11:18 a.m. Ms. Welch, Mr. Cunningham, Ms. Hennessey, and Ms. Gardner from the SBM staff were also asked to join the closed session.

The Board went into open session at 12:22 p.m.

Adjournment

The meeting was adjourned at 12:23 p.m.