

President W. Anthony Jenkins called the meeting to order at 9:50 a.m. on Friday, November 19, 2010 at the State Bar of Michigan Building, Lansing, MI.

Commissioners present:

Danielle Mason Anderson
Dennis M. Barnes
David R. Brake
Robert J. Buchanan
Lori A. Buiteweg
Margaret A. Costello
Richard L. Cunningham
Brian D. Einhorn, Secretary
James N. Erhart
Julie I. Fershtman, President Elect
Stephen J. Gobbo
W. Anthony Jenkins, President
Edward L. Haroutunian
David A. Kallman

Donald E. McGinnis, Jr.
Maureen M. McGinnis
Lambro Niforos
Lawrence P. Nolan
David A. Perkins
Victoria A. Radke
Michael J. Riordan
Donald G. Rockwell
Thomas C. Rombach, Treasurer
Richard J. Siriani
Angelique Strong Marks
Julie A. Sullivan
Laurin' C Roberts Thomas
Dana M. Warnez

Commissioners absent and excused:

Commissioners Courtade, Escobedo, Olsman and Robinson were absent and excused.

State Bar Staff present:

Janet Welch, Executive Director
Marge Bossenbery, Executive Coordinator
Nancy Brown, Director, Member Services and Communications
Gregory Conyers, Director, Justice Initiatives
Candace Crowley, Director, External Development
Dawn Evans, Director, Professional Standards
Cliff Flood, General Counsel
Danon Goodrum-Garland, Professional Standards Investigative Counsel
James Horsch, Director, Finance and Administration
Nkrumah Johnson-Wynn, Professional Standards Service Counsel
Naseem Stecker, Manager, Media and Communications Division
Anne Vrooman, Director, Research and Development

A motion was offered, supported and adopted to adopt the consent agenda.

Commissioner Committee Reports

Finance, Thomas C. Rombach, Chairperson

Mr. Einhorn provided the Board with a financial and investment update.

Audit Committee, Thomas C. Rombach, Chairperson

Mr. Einhorn provided the Board with an update on the activities of the Audit Committee.

Professional Standards, Brian D. Einhorn, Chairperson

Character and Fitness Committee Recommendations

Mr. Einhorn offered a motion to approve the District Character and Fitness Committee Appointments for Districts A – I as distributed. Motion supported and carried.

Ms. Costello informed the Board that the Professional Standards Committee will consider the proposed changes to Rule 8.126 at a future meeting. She indicated that if anyone on the Board has comments or suggestions regarding the proposals before the Supreme Court that they send them to Mr. Einhorn so that the committee members can review them as part of their discussion. Mr. Einhorn asked Ms. Evans to provide the Board with all of the proposals now being considered.

Programs and Services, Bruce A. Courtade, Chairperson

There was not a report.

Public Policy, Image and Identity, Julie I. Fershtman, Chairperson

The Board was provided with a written report from Governmental Consultant Services, Inc.

The Board was provided with a written report from the Justice Initiatives co-chairs.

Domestic Violence Committee Recommendations

The Domestic Violence Committee is requesting consideration of proposals to the State Court Administrative Office (SCAO) to adopt various new forms. The Public Policy Committee recommends that these items be deferred to the Domestic Violence Committee to advocate for the adoption of new forms.

Michigan Court Rules

2008-12 - Proposed amendment to MCR 2.002 - Allow a Court to Deny Indigent Status for Vexatious Lawsuits
Motion offered and supported to oppose this rule change as drafted. Motion adopted

Motion offered to include in the letter an explanation of the objection and ways in which the Supreme Court might improve the rule. (Interested commissioners will assist in this effort; the time line for accomplishing this is January 1, 2011. Motion supported and adopted.

Legislation

HB 5036

No action was taken

HB 6530

Motion was offered and supported to oppose this legislation. Motion adopted.

Leadership Reports

President's Report, W. Anthony Jenkins, President

Mr. Jenkins discussed his Bar-related activities since he took office in September.

Executive Director's Report, Janet K. Welch, Executive Director

Judicial Crossroads Task Force

Ms. Welch provided an update on the Judicial Crossroad Task Force Recommendations and asked that the Board accept receipt of the report. Motion offered, supported and adopted.

Economic of Law Survey

Ms. Vrooman reported to the Board that the Bar had received over 3,800 responses to the survey which is triple the number that was received when the last survey was taken. A more detailed report will be forthcoming.

Representative Assembly Report, Victoria Radke, Chairperson

Ms. Radke reported that the Representative Assembly (RA) officers are working on the agenda for the April 2011 meeting, and that the deadline for submission of agenda items is February 25, 2011.

Ms. Radke stated that there are currently seventeen vacancies on the RA and that the officers are working to fill those positions.

Ms. Radke indicated that nominations for the Michael Franck and the Unsung Hero Award are being sought and that the deadline for submission is March 1.

American Bar Association (ABA) Report, Reginald Turner, State Delegate

There was not a formal report provided, however, Mr. Jenkins reported that the mid-year meeting is taking place in Atlanta, GA in February, 2011 and he will see to it that the Board members are kept informed of issues that will be discussed.

Young Lawyers Section Report, Maureen M. McGinnis, Chairperson

Ms. McGinnis provided the Board with a report on the Young Lawyers Section activities. The current vacancy on the YLS Executive Board will be filled by Ms. Dionnie Winter.

Ms. Strong Marks reported on an event, "YLS Platinum in the Profession", that took place in October. The event focused on African American Leadership in the Law and there were over 150 attendees. Ms. Strong Marks distributed the event brochures to all Board members.

Comments or questions from Commissioners

Ms. Gobbo asked Ms. Welch about the process of reviewing the Judicial Crossroads Committee recommendations and if they will just come before the Board or if there were plans for them to come before the RA. Ms. Welch responded that the recommendations advancing proposals not already approved by the State Bar will return for a formal position according to the normal public policy process.

Comments or questions from the public

There were none.

Adjournment

The meeting was adjourned at 11:30 a.m.