



# OBITER DICTUM



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January — March 2009

## Judge dances to help hungry

The goal of Muskegon's version of "Dancing With the Stars" wasn't fame or fortune, only helping local food pantries feed the hungry. A family court judge and local third-year law student helped the effort.



Hon. Gregory C. Pittman

"Charity — that's the goal. It was for a good cause and raised a lot of money," said Gregory C. Pittman, 14<sup>th</sup> Circuit Family Court judge. "And I leaned how hard (dancers) work. It was a lot of fun."

Sponsored by the Women's Division of the

Muskegon Area Chamber of Commerce, the event spanned two evenings and generated over \$11,000 in donations to area food pantries.

Judge Pittman's dance partner was Brenda Sprader, a third-year student at Thomas M. Cooley Law School and a law clerk at Tolle & Walsh, PLC, Muskegon. A professional dancer, Ms. Sprader mentored the judge in the intricacies of dance.

"Brenda is the best dancer," Judge Pittman said. "I learned some good tips, if I ever wanted to be a dancer."

The judge, who plays saxophone but who never before appeared onstage as an actor or dancer, admits to

pre-show jitters. "I had butterflies that felt like vultures."

Despite the judge's nerves, Ms. Sprader said he learned the steps quickly. "He's amazingly good. I was impressed. I've taught dance for years. He picked it up right away."



Brenda Sprader

Ms. Sprader said she was equally impressed with the audience. "They emptied their pockets. We met our \$10,000 goal and the checks are still coming."

*Con't Page 4*

## Pastor, school board leader sees long march of freedom, hope

Reflecting on his own eight decades of life, Rev. Charles Poole sees education as the key to assuring a bright future for area children and their families and the rule of law as the means of assuring rights.

President of the Muskegon Public Schools Board of Education, Rev. Poole spoke to the MCBA



Rev. Charles Poole

February monthly meeting.

Called to Muskegon's Bethesda Baptist Church in 1963, he joined the school board in 1970. He brought certain connections with him—a friendship with Martin Luther King Jr. and a family relationship with Elijah Mohammed, his uncle, who founded the Nation of Islam.

Rev. Poole noted that it's been 146 years since Lincoln's Emancipation Proclamation and a few weeks since the nation elected its first African American president.

"We are all born of one blood and I recognize the struggle we've been through," he said. And even after electing Barack Obama, "challenges still remain." Racism may be down, but it is not out. Still, the future is positive.

*Con't Page 2*

## Longtime district judge is dead

A believer in "tough love" and the power of law to change lives, retired 60<sup>th</sup>



Hon. Fredric A. Grimm Jr.

District Judge Fredric A. Grimm Jr. died 26 January 2009 at home. He had served local citizens through the court for 34 years until his retirement from the bench in 2006. He was 70.

For more than three decades of service, Judge Grimm served as a stern parent and compassionate friend to lawbreakers who came before him. From time to time, former defendants returned to the courthouse

to thank the man who turned around their lives by his insistence they live up to his expectations.

"The thing about Fred is that he was very committed to try and change people's behavior," Judge Harold C. Closz III told The Chronicle. "I think a lot of people didn't see that side of him. He was a tough sentencer, but there was a purpose to it."

Judge Grimm also can be credited with helping to move the court from a paper-driven system into the computer age. In the 1990s he quipped the court's then-technology was nothing more than a sharpened pencil.

The law was part of Judge Grimm's upbringing and legacy.

*Con't Page 2*

# School board president sees bright future for all

## *Con't from Page 1*

Noting this year's Law Day theme – A Legacy of Liberty – the speaker said lawyers are necessary to assure personal freedoms. He urged us to “work for justice (and) work to better educate our children.”

The current economic climate, reminiscent of the Great Depression into which the former Liberty Bell winner was born, presents burdens and benefits.

Challenges include the struggle to finance education, to provide resources not only for students but for their parents facing unemployment, and methods of improving delivery of education to everyone in our community.

An advantage, he said, might include closer families, brought together by dwindling financial resources. During the 1930s, “I never realized I was poor because of the attitude our family presented.” The attitude included parental insistence to discuss and determine what was the morally correct paths to take.

While racism persists, progress has been so dramatic that “someday it will be,” he said. It falls to lawyers to continue the fight for justice, Rev. Poole said.

## Sobriety Court expanding to include certain felons

By Belinda Barbier

With the success of 60<sup>th</sup> District Court's misdemeanor sobriety court, its architect, **Chief Judge Andrew Wierengo III**, is now fashioning a similar effort for persons facing up to their addiction to alcohol as well as a felony drunk driving conviction.

In recent years, persons facing misdemeanor first- or second-degree Operating While Intoxicated charges could opt for treatment under the sobriety court program. After an intensive and successful period of probation, the charge might win reduction.

Now Judge Wierengo is spearheading the program's expansion to include certain defendants facing a charge of OWI-3 [MCL 257.625], a felony carrying a maximum possible penalty of up to five years' imprisonment. Funding was approved in December and three defendants already are involved.

Judge Wierengo will serve as the circuit judge for the program and continue with the misdemeanor sobriety court together with **Hon. Harold Closz III**.

To be qualified for the felony program, a defendant must be a Muskegon County resident with no conviction involving a violent offense. The driver also must not be on probation or parole in any jurisdiction.

Like its misdemeanor counterpart, the felony sobriety court program is meant to be rigorous. Neither program is meant for individuals simply trying to avoid jail. The misdemeanor sobriety court track record shows it helps to rehabilitate those with alcohol problems rather than rely solely on incarceration.



**Hon. Andrew Wierengo III**

## *Retired District Judge Grimm is dead at 70*

### *Con't from Page 1*

His father served as a Muskegon circuit judge. His son, **Eric C. Grimm**, is an attorney at the Muskegon firm of Williams Hughes & Cook PLLC.

The Muskegon County Board of Commissioners honored Judge Grimm after his retirement on 2 August 2006 as he left the bench during his sixth term in office. Gov. Jennifer Granholm appointed Maria Ladas Hoopes to succeed him in November 2006.

## *Probate Law Section in planning stage*

Several attorneys with probate law clients are working with Muskegon **Chief Judge Neil G. Mullally** to form a Probate Law Section of the Muskegon County MCBA.

The group plans to meet on an informal basis periodically to review law and procedure

changes. Interested? Contact **Linda Kaare** at 231-722-1621 or **Mike Walsh**, 726-1400. Judge Mullally offers the following sites for law updates:

<http://courts.co.calhoun.mi.us> and

<http://courts.co.calhoun.mi.us/review00.htm>.

## **Christmas Angels identified**

Christmas was a little brighter for children at Muskegon's Child Haven, thanks to the following MCBA members:

**Robert Engel, Legal News, Hon. James Graves, DJ Hilson, Ladas & Hoopes, Dave Koertering, George Van Epps, Jordan Mundt, Gerald Nehra, Tom Johnson, Williams, Hughes and Cook, Paula Baker, Robert Eklund, Hon. Maria Ladas-Hoopes, Hon. Mike Nolan, Ron Pannucci, Alisha Riedl, Jenny McNeill, Allan Vanderploeg, Linda Kaare, and Jennifer Hylland.**

# LAW DAY 2009 to feature Justice Robert Young

Michigan Supreme Court **Justice Robert P. Young Jr.** will be the keynote speaker at this year's Muskegon County Bar Association's Law Day celebration on 1 May 2009.

The annual celebration of liberty through law will be held at the Muskegon Harbor Holiday Inn at noon. Reservations are mandatory. And student speech, essay, and art contestant entries are DUE 1 April.

This year's theme: A Legacy of Liberty: Celebrating Lincoln's Bicentennial. **Hon. Maria Ladas-Hoopes, 60<sup>th</sup>** District judge, invited the justice to this year's MCBA gala.

Justice Young was appointed to the Michigan Supreme Court in 1999 and elected in 2002. His current term expires on 1 January 2011. Prior to his appointment to the state's highest court, the Harvard Law School graduate served on the Michigan Court of Appeals.

The MCBA's Law Day Committee, this year chaired by **Belinda Barbier**, has planned a full agenda for community involvement. Your help is needed as the countdown to the association's most public event is under way.

The committee needs your nominations for three major community awards.

- The **Liberty Bell Award** recognizes that individual who has contributed to our community and enhanced its legacy of law. Contact **Belinda Barbier** at 231-457-3685 or belindabarbier@yahoo.com.



**Justice Robert P. Young Jr.**

- The **Frank P. Scott Award**, which recognizes contributions made by parole and probation officers in our community. Contact **David Kortering** at 231-728-6411 or dbkortering@aol.com.
- The **Golden Apple Award**, which recognizes efforts by area educators to teach children basic concepts of law and government. The award carries a \$500 classroom stipend to the honored teacher. Contact Ms. Barbier.

If you are the parent of a child in grades K-12, please inform school staff of the MCBA's contests for all age levels. Help also is needed to judge these events:

## LAW DAY 2009

The MCBA—local lawyers—annually provides thousands of dollars in scholarships and stipends to area students and teachers as well as recognition to individuals bettering our community.

1. **Speech Contest** – 12<sup>th</sup> graders; contact **Jenny McNeill**, Ladas & Hoopes, jennymcneill@comcast.com or 231-744-6218. Winners receive col-

lege scholarships of \$2,000 (first place); \$1,000 (second); \$500 (third); and \$250 (fourth) with \$50 to each contestant. Due date for notification of contestants is April 1, 2009.

2. **Essay Contest** - middle school students; contact **Heidi Hagan** at 231-799-4814 or hagenlaw@mac.com. Winners receive savings bonds - \$300 (first place); \$200 (second); \$150 (third); and \$100 (fourth). Sponsoring teachers receive \$50. Essay deadline is April 1.

3. **Art Contest** - elementary school students; contact **David Waterstradt** at dwaterstradt@wnj.com or 231-727-2698. Winners receive savings bonds of \$150 (first place); \$100 (second); \$75 (third); and \$50 (fourth). Sponsoring teachers will receive \$50.00.

# Judge, law clerk 'tap' audience to feed the hungry



Muskegon's "Dancing With the Stars" might better be called "Dancing With The Law," as 14th Circuit Judge Gregory C. Pittman and Brenda Sprader, a third-year law school student, dance to help raise funds for area food pantries. Sponsored by the Women's Division of the Muskegon Area Chamber of Commerce, the event raised thousands of dollars to feed area people. Photos courtesy of Brenda Sprader.

## Contact your MCBA Officers

Officers for 2008-2009

Jenny L. McNeill, President.....231-744-6218 jennymcneill@comcast.net

John Schrier, Vice President.....231-722-5401  
jcs@parmenterlaw.com

David L. Bossenbroek, Treasurer....231-726-6603 britboslaw@aol.com

Joseph Bader, Secretary..... baderjo@co.muskegon.mi.us

## Two firms relocate offices

**James Stariha** has moved his offices to 17467 Hiawatha, Spring Lake, MI 49456. He may be reached at P.O. Box 365 Ferrysburg, MI 49409-0365, 231-670-0867, and jim-stariha@hotmail.com.

**EvansPortenga**, including principals **Thomas J. Evans** and **Roy J. Portenga**, has relocated to 450 Morris Ave., Ste. 300, Muskegon, MI 49440. Phones: 231-722-6000 (toll free: 800-225-5066); fax: 231-722-6464.

### COURTHOUSE- CONVENIENT OFFICE SPACE AVAILABLE

Second-floor professional office space ideal for attorneys—in a building occupied by lawyers and across from the Kobza Hall of Justice—is available for lease.

Single offices or the entire suite of 1,600 square feet. All services. Call **Rick Tolle** at 231-726-1400.

### CALENDAR OF EVENTS

**28 April:** ADR Section lunch meeting, Noon, 4th Fl, Commissioner's Room; RSVP Shon Cook, sacook@whcspc.com and 231-726-4857.

**1 May:** Law Day, Muskegon Harbor Holiday Inn. Reservations required.

**21 May:** Annual MCBA Meeting, Muskegon County Club. Reservations required.

**30 July:** Steak Fry, Muskegon Yacht Club. All members and all students taking the Michigan Bar Exam are welcome. Reservations required.

**29 August:** Barons v Barristers softball game and family picnic, Ross Park. Fund-raiser for Law Education Fund.

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