

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

President Quick called the meeting to order at 9:04 a.m. on Thursday, September 19, 2024, in the Dennison Room of the Detroit Marriott Troy.

Commissioners present:

David C. Anderson
Yolanda M. Bennett
Erika L. Bryant, Secretary
Aaron V. Burrell
Hon. B. Chris Christenson
Ponce D. Clay
Tanya N. Cripps-Serra
Sherrie L. Detzler
Robert A. Easterly
Nicole A. Evans
Hon. Kameshia D. Gant
Lisa. J. Hamameh, Vice President
Thomas H. Howlett, Treasurer
Suzanne C. Larsen
Joshua Lerner

James W. Low
Silvia A. Mansoor
Gerrow D. “Gerry” Mason
Joseph P. McGill, President-Elect
Thomas P. Murray Jr.
Valerie Newman
Hon. David A. Perkins
Colemon Potts
Daniel D. Quick, President
John W. Reiser III
Hon. Kristen D. Simmons
Delphia T. Simpson
Matthew B. VanDyk
Danielle Walton
Hon. Erane C. Washington

Commissioners absent:

Gerard V. Mantese
Takura N. Nyamfukudza
Nicholas M. Ohanesian

Guests (2024-2025 BOC Members)

Jacob Eccleston
Elizabeth Kitchen-Troop

Ashley Lowe
Douglas Shapiro

State Bar staff present:

Peter Cunningham, Executive Director
Scott Atkinson, Communications Specialist
Drew Baker, General Counsel
Margaret Bossenbery, Executive Coordinator
Sarah Brown, Brand Designer
Gregory Conyers, Program Director, Diversity Development Program
Darin Day, Program Director, Outreach
Robinjit Eagleson, Assistant Executive Director
Katherine Gardner, Assistant Executive Director
Tatiana Goodkin, Chief Financial Officer
Development Manager
Robert Mathis, Pro Bono Services & Justice Initiatives Counsel

Molly Ranns, Director, Lawyers & Judges Assistance Program
Kristin Sewell, Program Director, Research & Development
Carrie Sharlow, Administrative Assistant
Janna Sheppard, Administrative Assistant
Jeanette Socia, Director of Human Resources
Linda Rawls, Unauthorized Practice of Law Counsel
Marjory Raymer, Director of Communications
Kari Thrush, Program Director, Lawyer Services
Nathan Triplett, Director, Governmental Relations

Consent Agenda

The Board received the minutes from the July 26, 2024, Board meeting.
The Board received the minutes from the July 11, 2024, Executive Committee meeting.
The Board received the minutes from the July 18, 2024, 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 FY 2024 financial reports through July 2024.
The Board received Model Criminal Jury Instructions.

Mr. Quick asked if any items needed to be removed from the consent agenda. There were none. A motion was offered to approve the consent agenda. The motion was seconded and approved.

President and Executive Director's Report: Dan Quick, President and Peter Cunningham, Executive Director.

Staff Updates

Mr. Cunningham shared that two staff members left the State Bar in August. The first, Ms. Shaquita Williams, worked as an Operations Support Specialist. This position has been vital to license renewal season the past several years and a temporary employee has been hired to fill this position through license renewal season. The other staff member who left was Ms. Davina Ryan, a Records Specialist. A replacement has already been hired to fill this critical position, and Ms. Ryan has agreed to serve as a consultant through the end of October when her replacement is able to begin.

A new Designer was hired in the Communications Team, Dephanie Quah. This is a new full-time position that replaces two part-time positions that are no longer needed. This new position will help increase capacity for the Communications Team to support and promote SBM programs. Ms. Quah started in August and will be introduced at the next BOC meeting.

Ms. Raymer provided an update on advertising revenue since the launch of the revised eJournal and online *Michigan Bar Journal* advertising. Staff has already sold more than \$18,000 in online *Bar Journal* ads, which is over three times the revenue budgeted for all of FY 2025 and is new non-dues revenue for the Bar. Additionally, staff has already sold more than \$17,000 of the \$20,000 budgeted for eJournal ads for the entire fiscal year.

President's Report

Mr. Quick shared that he spent several days in August in Chicago at the National Conference of Bar Presidents and at the ABA annual meeting, followed by a trip to the Upper Peninsula of Michigan. Mr. Quick reported that most states are experiencing the same issues we are, such as legal deserts and access to justice. He was happy to share that Michigan is a leader in many topics that were discussed.

Mr. Quick reported that the members of the Bar he spoke with in the Houghton and Marquette areas were happy to have the focus of SBM again. They shared their stories regarding the challenges and ongoing impacts of legal deserts.

Mr. Quick also shared with the BOC that Mr. Cunningham is heading into the third and final year of his current contract. Before renewing his contract, Mr. Cunningham expressed interest in gathering

feedback on his performance. Mr. Quick stated that members of the Executive Committee were surveyed. Mr. McGill and Mr. Cunningham have discussed the feedback received and will continue to do so between now and the end of the contract term.

Mr. Quick shared that the Executive Committee nominated Mr. Howlett to serve as the State Bar of Michigan appointee to the Justice for All Commission. Mr. Quick made a motion that the BOC accept the nomination and appoint Mr. Howlett to a three-year term, beginning on January 1, 2025. The motion was seconded and approved unanimously.

Licensing Fee Status

Mr. Cunningham reported that as of September 18, 2024, about thirteen percent of all attorneys had completed the license renewal process, which is slightly ahead of where we were at this point last year. This year's launch has been extremely smooth so far, and several updates were made to the license renewal portal including updates to the Rule 21 portion of the renewal process and improvements to the consolidated billing function for law firms.

Justice for All (JFA) Commission Update

Mr. Cunningham reported that the JFA Commission met earlier this month and approved a report with recommendations on modernizing and improving the process for updating court forms.

Mr. Cunningham also provided an update on the regulatory and practice reform recommendations that the JFA supported last year. The Court has formed the recommended Implementation Steering Committee which will make recommendations to the Supreme Court on implementation plans for creating both the licensed paralegal pilot program and the allied professionals pilot program. The Implementation Steering Committee's work is expected to take 12-18 months and is charged with designing the pilot programs so that they expand access to justice in areas where the need is the greatest.

DEI Commission Update

Mr. Cunningham reported that the full Commission has not met since the July BOC meeting, however, the four sub-committees have continued to meet.

Commission on Well-Being in the Law (WBIL)

Ms. Ranns shared that the full Commission has not met since the July BOC meeting. The work groups have been meeting consistently. The Commission will meet again in November at the State Bar building in Lansing.

Open Discussion: Challenges & Opportunities for the Profession and Justice System

Recent Federal Court Opinions on Keller

Mr. Quick summarized the historical background of Keller and its role in bar associations in Michigan and around the country. He shared three recent cases from around the country where an individual has challenged various activities of their state bar, claiming the bars have engaged in non-germane topics. Mr. Cunningham added that all mandatory bars around the country are dealing with similar issues, which is why SBM must remain diligent and vigilant on these issues.

Strategic Planning Committee Report

Mr. Clement reported that the committee identified four goals this past year. The committee was divided into four sub-committees, with each sub-committee focusing on one of the four goals. All committee members served on at least one sub-committee, and many served on two.

The first sub-committee focused on improving the lawyer referral service program. The sub-committee provided several recommendations for the program to implement, and the SBM Communications Team has launched a marketing campaign to recruit more attorneys to the panel.

The second sub-committee focused on increasing the use of the key performance indicator (KPI) and the net promoter scores. These tools will help to analyze the effectiveness of SBM programs and identify areas of improvement.

A third sub-committee reviewed ways that the Bar provides ethical guidance to Michigan's attorneys. Mr. Clement reported that the work of the SBM Ethics Team is extremely strong, and the subcommittee was generally very impressed with the Ethics Helpline and other ethics resources that the Bar provides for attorneys. The sub-committee presented several suggestions to the department, which may be implemented in the future.

The final sub-committee has been studying for two years the feasibility and need for the State Bar to create a leadership academy. The purpose of a leadership academy would be to develop and foster leaders within the State Bar of Michigan who could take over roles in the Representative Assembly and the Board of Commissioners. However, after reviewing the data, the sub-committee does not feel this would be a worthy use of resources. The sub-committee believes there are already great pathways for leadership at SBM, which begins with the Young Lawyers Section.

On behalf of the Strategic Planning Committee, Mr. Clement made the following motion, "The 2023-2024 Strategic Planning Committee recommends that the State Bar of Michigan Board of Commissioners adopt the conclusion that the existing pathways to leadership for the State Bar of Michigan, Representative Assembly, and Board of Commissioners do not necessitate the establishment of a separate leadership section program or academy at this time. The 2023-2024 Strategic Planning Committee further recommends that the State Bar of Michigan's Board of Commissioners adopt the conclusion the State Bar of Michigan would be better served and most cost effective with a focus on intentionality and education when it comes to leadership at this time. Specific efforts for consideration include educating members on the process for running for office, continuing to improve the already existing marketing and communication efforts focused on emerging leaders, leadership sessions at State Bar of Michigan conferences, such as the Great Lakes Legal conference, and mentorship."

The motion was seconded and approved unanimously.

Representative Assembly (RA) Report: Yolanda M. Bennett, Chairperson

Ms. Bennett shared her appreciation for the Assembly, the officers, and SBM staff as the meeting following today's BOC meeting will be her last. About 50 members will attend virtually and 60 will attend in-person. There is a contested race for clerk between Ms. Alena Clark and Mr. Mark Jane. The Assembly will also hear a presentation from Judge Melissa Pope about the Tribal Courts in Michigan. Ms. Danielle Hirsch, managing director of the Court Consulting Division at the National

Center for State Courts (NCSC) will be giving a presentation on how other states are solving legal deserts. Justice Brian Zahra, who is the chair of the Justice for All Commission, will give the Representative Assembly an overview of what steps the JFA Commission has already taken that may help alleviate or reduce legal deserts in Michigan. Judge Pope will also be swearing in Mr. John Reiser as he becomes the Chair of the Representative Assembly for the 2024-2025 Bar year.

Young Lawyers Section (YLS) Report: Tanya N. Cripps-Serra, Chairperson

Ms. Cripps-Serra reviewed the many activities of the last year. The YLS intends to present a bylaw amendment to the Board of Commissioners in November which would extend the definition of a young lawyer from five years of practice to ten years of practice. This amendment would align with the YLS policies of the ABA, as well as other states around the country. The section will vote in late September before being brought to the Board of Commissioners at the November meeting. Ms. Cripps-Serra is happy to be passing the torch to Ms. Sylvia Mansoor.

COMMISSIONER COMMITTEES

Finance: Thomas H. Howlett, Chairperson

Financial Report

Mr. Howlett shared that the Committee met earlier this week and received a favorable financial results summary, which was in the meeting materials. Over the past year there has been a major change in the accounting software used by the Finance department. Although the software transition was an enormous amount of work, the adjustment by SBM staff to the new program seemed to be flawless.

The net position of the Bar has improved by \$2,000,000, as of the end of July 2024. Both revenues and expenses were favorable to budget.

Audit: Thomas H. Howlett, Chairperson

Audit Committee

Mr. Howlett reported that the Committee approved the incentive compensation plan for SBM staff in the amount of \$50,000 amongst 40 eligible SBM staff members.

Public Policy: Joseph P. McGill, Chairperson

Mr. McGill provided the report for the Public Policy committee.

Court Rules

1. ADM File No. 2023-26: Proposed Amendments of MCJC 4 and 6

The proposed amendments of Canon 4E and Canon 6 of the Michigan Code of Judicial Conduct would expand the requirements of annual financial disclosure statements by judicial officers.

A motion was offered and seconded to not take a position but to allow committees to advocate their positions if they have a position and wish to do so. The motion was approved.

2. Michigan State Bar Foundation Proposed Amendment of MCR 2.606

A motion was offered and seconded to support Michigan State Bar Foundation Proposed Amendment of MCR 2.606 as drafted. The motion was approved.

Legislation

1. Courtroom Animal Advocate Program (CAAP) Legislative Proposal From Animal Law Section

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

A motion was offered and supported to take no position on the legislation but to support SBM involvement should the legislation move forward. The motion passed.

Professional Standards: Erika L. Bryant, Chairperson

Ms. Bryant stated that there is no report. She thanked all members of the Committee and SBM staff.

Communications and Member Services (CAMS): Lisa J. Hamameh, Chairperson

Ms. Hamameh had no report. She also thanked the Committee members and SBM staff.

Outgoing Commissioners

John W. Reiser, III read a resolution honoring Yolanda M. Bennett on her retirement from the Board of Commissioners and presented her with a gift of appreciation for her service.

Hon. Kristen D. Simmons read a resolution honoring Hon. Kameisha D. Gant on her retirement from the Board of Commissioners and presented her with a gift of appreciation for her service.

Tanya Cripps-Serra read a resolution honoring Coleman L. Potts on his retirement from the Board of Commissioners and presented him with a gift of appreciation for his service.

Robert A. Easterly read a resolution written by Takura N. Nyamfukudza honoring Valerie R. Newman on her retirement from the Board of Commissioners and presented her with a gift of appreciation for her service.

John W. Reiser, III read a resolution honoring Delphia T. Simpson on her retirement from the Board of Commissioners and presented her with a gift of appreciation for her service.

Erika L. Bryant read a resolution honoring Hon. Erane C. Washington on her retirement from the Board of Commissioners and presented her with a gift of appreciation for her service.

Recognition of President Dan Quick

Mr. McGill provided remarks for the 89th President of the State Bar of Michigan, Daniel D. Quick.

Mr. Quick was presented with a plaque, memory book, and throw pillow, as well as a coffee mug.

FOR THE GOOD OF THE PUBLIC AND THE PROFESSION

Comments or questions from Commissioners

None.

Comments or questions from the public

None.

Adjournment

The meeting was adjourned at 10:55 a.m.