

Genesee County Bar Association

315 E. Court St., Flint, MI 48502-1611

(810)232-6012 • fax: (810)232-8310

e-mail: gcba@gcbalaw.org • web page: www.gcbalaw.org

February Notes N' News

2007

Notes N' News by Email

More than 100 members have signed up to receive Notes N' News by email. Sign up at www.gcbalaw.org to add your name to the list.

Listserv

The GCBA will begin a member-only Listserv beginning in mid-March. More details will be forthcoming.

New Members

Welcome new members **Sean P. O'Bryan** and **Daniel Klemptner**.

Case Evaluation Late Fee Donors

Thanks to **Henry Hanflik**, **Richard Behm**, **Amy DeNise**, **Otis Stout** and **Jeff Himelhoch** for donating their Circuit Court Case Evaluation late fees.

Thanks

... to **Brian Barkey** for donating the film for the 2006 Holiday Dinner.

... to **Battiste Family** for a donation toward the 2007 Holiday Dinner.

... to **Hicks, Schmidlin & Salim, P.C.** for making a donation to the GCBF in memory of **Jean P. Carl**.

... to **Kim Day** and **Jodi Wood** for making a donation to the GCBF in memory of Clayton Menear.

Attorney Update

Philip D. Swann has relocated to 4000 S. Oak St., Ste. 200, P.O. Box 70, Metamora, MI. Telephone: (810) 678-3649 or (800) 401-1043. Fax: (810) 678-3510.

Frederick L. Schmoll has relocated to First Community Bank Building, One Hundred Spring Street, PO Box 5, Harbor Springs, MI 49740. Telephone: (231) 526-6214. Fax: (231) 526-9343. His firm name has also changed to: Ramer, Moore, Schmoll & Martin, PLLC.

Hours of Operation Intake and Juvenile Records

Local Administrative Order 2007-2J

Effective Tuesday, February 13, 2007, Intake and Juvenile Records will close at 4:00 P.M. each day. Emergency matters will be serviced and telephones answered until 5:00 P.M. There will be signage at the Court to assist the public. *Signed: Robert E. Weiss, Chief Judge Genesee County Probate Court and Archie L. Hayman, Chief Judge 7th Judicial Circuit Court*

Lunch With Larry – Attending Supporters

Thanks for the following members and friends for attending *Lunch With Larry*: Judge Thomas Yeotis; Lynnmarie Johnson; Michael Johnson; Paul Vance; Tony Vance; Tom Pabst; Mark Newman; Don Kuebler; Tammy Horton; Amy Magee; K.C. Baran; Shari Baran; John Siler; Carl Bekofske; Chris Christenson; Steve Connolly; Tom Connolly; Ann Lossing Ruwart; Timothy Ruwart; Sue Gregory; Lynne Taft; Jim Draper; Steve Moulton; Richard Cooley; Alan Smith; David Shook; Brian Barkey; Dori Barkey; Shelie Robinson; Trina Stroope; Jonathan Hartman; John Streby; Randolph Piper; Clifford Hart; Jeff Chimovitz; Timothy Winship; Sean Siebigteroth; Joan Pierson; Edward Henneke; Richard Szymczak; Linda Pohly; Alan Penskar; Paul Goyette; Mike Winterfield; Glenn Simmington; Ron Haldy; Richard Barron; George Brueck; Ramona Sain; Bill Khouri; Tina Burroughs and Star Estep.

Calendar of Events

February

- 9 Membership and Marketing Committee Meeting; 12 noon; Whitehorse.
- 12 Courts closed for Lincoln's Birthday.
- 13 Professional Practice Committee Meeting; 12 noon; GCBA.
- 14 Law Day Committee Meeting; 4 pm; GCBA.
- 14 ADR Committee Meeting; 5 pm; at Brian Barkey's Office.
- 15 Family Law Committee Meeting; 12 noon; Masonic Temple.
- 19 Courts closed for President's Day.
- 26 Monthly Membership Meeting featuring Todd Tennis of Capitol Services Inc. on the New Michigan Legislature and their legislative agenda.
- 27 GCBA 5K Road Race Committee Meeting; 12:15 p.m.; Milliken Mediation Room.

Mark Your Calendar

GCBA Annual Golf Outing has been scheduled for Monday, June 4, 2007, at Flushing Valley Golf & Country Club.

CRIMINAL LAW LUNCHEON SERIES*

Circuit Court Jury Room

Noon -1:30 p.m.



MARK YOUR CALENDAR

Monday, March 26, 2007

Administration of Public Defenders
and Appointment Process

Monday, April 9, 2007

Sentencing Alternatives

Monday, April 23, 2007

Pretrial and Preliminary Examinations

Monday May 7, 2007

Pleas

* Tentative schedule. More information to follow.



February Membership Meeting

featuring

Todd Tennis

of

Capitol Services Inc.

on

“The New Michigan Legislature”

How legislatures may approach issues such as Automobile No Fault Limits, Medical Malpractice Affidavits of Merit and Immunity in the future

Monday, February 26, 2007 ♦ Masonic Temple - 12 noon

March Membership Meeting

featuring

Kim Cahill

President, State Bar of Michigan

Monday, March 19, 2007 ♦ Masonic Temple - 12 noon

An early R.S.V.P. would be appreciated. Luncheon free to Sustaining Members; \$10 members; \$15 non-members; \$15 walk-ins. Unpaid no-shows will be billed \$15.

RESERVATIONS FOR:

February 26, 2007

March 19, 2007

Name(s) _____

Amount Enclosed _____

Check # _____

I will Pay at the Door

CREDIT CARDS ARE NOW BEING ACCEPTED

Debit Card

Visa

MasterCard

Charge my credit card for \$ _____

Credit Card Account #: _____

Exp. date: _____

Name as appears on card: _____

Last 3#'s on back of card: _____

Billing address of credit card: _____

Phone #: _____

Email Address: _____ @ _____

Signature: _____

Return to the GCBA at 315 E. Court St., Flint, MI 48502; or fax to (810) 232-8310; or email the GCBA at rls@gcbalaw.org; or register on line at www.gcbalaw.org. No refunds after the Friday before each luncheon. **No-shows not paid in advance will be billed \$15. TELEPHONE RESERVATIONS ARE NO LONGER ACCEPTED!**



Civil and Criminal Federal Issues

GCBA FEDERAL LAW PRACTICE COMMITTEE

Tuesday, March 13, 2007

TUESDAY, MARCH 13, 2007

Registration: 8:30 - 9:00 am

Seminar: 9:00-1:00 pm

FEE INCLUDES HANDOUTS AND REFRESHMENTS

REGISTRATION FORM

(form may be photocopied)

- GCBA members \$20
- Non-members \$40
- Walk-in registrants add \$5

Total amount enclosed: \$ _____

MAIL registration form with check to the GCBA, 315 E. Court St., Flint, MI 48502. **FAX** registration with credit card information to the GCBA at (810) 232-8310. Cancellations made within three days of the seminar will be assessed a \$10.00 handling fee. No refunds thereafter. No-show reservations (not paid in advance) will be assessed an additional \$10.00 handling fee.

LOCATION

United States District Court, 600 Church St., Flint. Paid parking at Beach Street parking lot or free parking along the perimeter of the building.

PROGRAM

9:00am **Welcome**

Nancy A. Abraham, Assistant United States Attorney
Hon. Paul V. Gadola, Senior United States District Court Judge
Hon. Steven D. Pepe, United States Magistrate-Judge

9:10am **Hon. Paul V. Gadola**

Top 10 Do's and Don'ts in Federal Court

9:40am **Hon. Paul V. Gadola**

Federal admission ceremony

CONCURRENT SESSIONS: CHOICE OF ONE

(Both sessions begin at 10:00 am and end at 1:00 pm)

FEDERAL CIVIL

Speakers: **H. William Reising**, Federal practitioner
Ridley S. Nimmo, Federal practitioner
Gregory T. Gibbs, Federal practitioner

Topics: **Electronic Discovery Rules**
Local Rules and Motion Practice
ADR/Case Evaluation/Facilitation

OR

FEDERAL CRIMINAL

Speakers: **Nancy A. Abraham**, Assistant United States Attorney
Kenneth R. Sasse, Federal Defender
Joan Pigott, Senior United States Probation Officer

Topics: **Guilty Plea Procedure**
Pre-sentence Interview and Report
Sentencing Guidelines

CONCURRENT SESSIONS (please check): Federal Civil Federal Criminal Undecided

DO YOU WISH TO BE ADMITTED TO FEDERAL COURT? Yes (contact GCBA for cost) No

CUSTOMER INFORMATION (Name exactly as appears on credit card, if using one to process payment)

Name _____ Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

METHOD OF PAYMENT

◆ Check payable to the GCBA: # _____

◆ Credit Card: VISA MasterCard Debit Card

Last 3 digits of on back of card: _____

Credit Card # _____

Exp. date: _____

Billing address _____

GENESEE COUNTY BAR ASSOCIATION

BOARD OF DIRECTOR'S NOMINATING FORM 2007-2008

Name of Nominee: _____

Address: _____

Telephone Number: _____

For the position of: (more than one can be chosen)

- | | | | |
|---|---------------|------------------------------------|---------------------------|
| <input type="checkbox"/> Vice President | (1 year term) | <input type="checkbox"/> Secretary | (1 year term) |
| <input type="checkbox"/> Treasurer | (1 year term) | <input type="checkbox"/> Director | (3 year term) 4 positions |

Please list the nominees' **current** GCBA, State Bar, ABA and specialty bar activities. Include all committee assignments, Law Day participation, financial contributions, Holiday Dinner activities, Foundation support, Board membership, and other related activities, including Specialty Bars. _____

Please list the nominees' **prior** activities as requested above. _____

Please list nominees' **community** activities, including other boards. _____

Note: If you have not confirmed this nomination, do not submit nominees' name until approval is obtained.

- Yes. I have talked with this nominee who is agreeable to the submission of their name.
- Yes. This is a self-nomination.

Nominated by: _____

Telephone number: _____ Date: _____

All nominees will be considered by the Genesee County Bar Association Nominating Committee who will recommend a final slate to be elected at the Association's Annual Meeting.

Send forms to the GCBA at 315 E. Court St., Flint, MI 48502; or fax to the GCBA at (810) 232-8310. THE DEADLINE TO RESPOND IS FRIDAY, MARCH 16, 2007, 5:00 P.M.

2007 HERB MILLIKEN CIVILITY AWARD NOMINATING FORM

Standard

The nominee is a long-time, practicing member of the Genesee County Bar Association who is recognized for the habit of offering professional guidance and advice to their fellow attorneys and being widely recognized as a professional role model who demonstrates the highest standards of professional courtesy and civility combined with a zealous and thorough advocacy on behalf of their clients.

Past Recipients

1995 John T. Warren

1996 Ernest Joseph

1997 Robert L. Segar

1999 Dale E. Andrews

2000 Edwin Jakeway

2001 Jerome F. O'Rourke

2002 Earl J. Cline

2003 Richard M. Goldstein

2004 Kendall B. Williams

2005 Pamela Wistrand

2006 Leonard B. Shulman

Name of Nominee: _____

Please explain why this nominee should be awarded the 2007 Herb Milliken Civility Award:

Nominated by: _____

Telephone number: _____ Date: _____

All nominees will be considered by the Genesee County Bar Association Professional Practice Committee who will make a recommendation to the Board of Directors. The award recipient will be recognized at the Bar Association's Annual Meeting and Election of Officers.

The deadline to respond is Friday, March 16, 2007, by 5:00 p.m. Please send this form in C/O Committee Chair Orene Bryant, 315 E. Court St., Flint, MI 48502 or fax to (810)232-8310.

**ATTORNEY GUIDE
Participation Agreement**

Yes! In celebration of Law Day, I will participate in this very special newspaper supplement to publish in The Flint Journal on Sunday, April 29, 2007. This attorney guide will be distributed to 109,000 homes and printed on glossy paper with all ads in full color. Ad design, production and photographs is included in the below rates.

We will purchase:

_____ Full Page, Full color	5.5"x 9.75"	\$989
_____ Half Page, Full color	5.5" x 4.5"	\$549
_____ 2" Listing		\$199
_____ FREE Specialty Listing (Select from list on back)		
_____ Each Additional Listing		\$ 25

**SPACE
RESERVATION DUE:
MARCH 30, 2007**

*Attorney Name as it will appear in the guide: _____

Firm Name: _____

*Office Address: _____

*City and State: _____ Zip: _____

*Phone: _____ Fax: _____

Billing Address if different from above: _____

Approved by: _____ Contact Person: _____

Email Contact Person: _____

Email Proof Contact: _____

Web Address: _____

*Information included in **FREE** Specialty Listing

For incremental advertising other than the **FREE** Specialty Listing, Jane Schneider will follow up with you to discuss your ad content and design.

Return or fax completed form to:

The Flint Journal, Jane Schneider, 200 E. First St., Flint, MI 48502

Phone: 810.766.6216 Fax: 810.767.8922

The Bulletin News, Grand Blanc News, Swartz Creek News, Flint Township News, Flushing Observer

Attorney Name: _____

Please indicate your area of interest. First listing is FREE, additional listings, \$25 each.
Space Reservation Due: March 30, 2007

Sample Listing:
(actual size)

Randall Templeton
578 S. Main Street
Flint, MI 48502
(810) 555-1234

- | | |
|--|---|
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> Mediation |
| <input type="checkbox"/> Business Law | <input type="checkbox"/> Professional Malpractice |
| <input type="checkbox"/> Civil Rights/Constitutional Law | <input type="checkbox"/> Patent, Trademark, Copyright |
| <input type="checkbox"/> Criminal Law | <input type="checkbox"/> Personal Injury |
| <input type="checkbox"/> Employment Law | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Family Law | <input type="checkbox"/> Social Security |
| <input type="checkbox"/> General Practice | <input type="checkbox"/> Tax Law |
| <input type="checkbox"/> Insurance | <input type="checkbox"/> Wills and Estate Planning |
| <input type="checkbox"/> Litigation Defense | <input type="checkbox"/> Worker's Compensation |
| | <input type="checkbox"/> <i>Other Members (name only to appear)</i>
<i>i.e., private client, non profit, retired, honorary</i> |

Return or fax completed form to:
The Flint Journal, Jane Schneider, 200 E. First St., Flint, MI 48502
Phone: 810.766.6216 Fax: 810.767.8922

IF YOU ARE INTERESTED IN "ASK THE ATTORNEY" COLUMN WHICH WILL



**BEGIN WEDNESDAY, MARCH 7, 2007, CONTACT JANE SCHNEIDER AT
810.766.6216 OR GO TO GCBALAW.ORG FOR MORE INFORMATION.**



Jerome F. O'Rourke Advocacy Award Protocol

The Jerome F. O'Rourke Advocacy Award will be considered annually for recognition of a member of the Genesee County Bar Association who demonstrates the highest level of professional excellence in advocacy, and who exemplifies the other principles of the American Inns of Court: Professionalism, Ethics and Civility. The recipient will be selected by the Executive Committee of the Centennial Chapter of the American Inns of Court using the following protocol.

Nomination

The Executive Committee will solicit nominations from the membership of the Genesee County Bar Association at GCBA membership meetings, when appropriate, and using an insert in the GCBA flier. The Inns will provide the flier insert.

Selection

The Executive Committee will consider nominations every year, but the Committee might not select an award recipient every year. The factors considered by the Committee will include:

The use of novel and effective legal arguments or techniques;

The willingness to represent unpopular clients or causes;

The willingness to recognize and promote the interests of the client, including the promotion of settlement or alternative dispute resolution where appropriate;

The promotion of respect for the legal profession and the judicial system by cooperation with all participants in the legal system, including court personnel, opposing counsel, opposing clients, witnesses, and the public; and

Recognition of his/her stewardship in the judicial system by avoidance of conduct that disparages the Courts and its officials and other counsel.

Award

A recipient of the award will be recognized by the President of the Inns at the GCBA annual meeting. The Inns will provide a suitable plaque at its expense.



**2007
JEROME F. O'ROURKE ADVOCACY AWARD
NOMINATING FORM**



Standard

The nominee is a member of the Genesee County Bar Association who demonstrates the highest level of professional excellence in advocacy and who exemplifies the other principles of the American Inns of Court: Professionalism, Ethics and Civility.

The Centennial Chapter of the American Inns of Court established this award in honor of its first president, Jerome F. O'Rourke. The award protocol is described on the opposite page. The Executive Committee of the Centennial Chapter respectfully requests that Genesee County Bar Association members consider nominations for lawyers in any area of practice, including criminal law, family law, and general civil litigation.

Name of Nominee: _____

Please explain why this nominee should be awarded the 2007 Jerome F. O'Rourke Advocacy Award:

Nominated by: _____

Telephone number: _____ Date: _____

The Executive Committee of the Centennial Chapter will consider all nominees. The award recipient will be recognized at the Genesee County Bar Association Annual Meeting on May 21, 2007.

THE DEADLINE TO RESPOND IS FRIDAY, MARCH 16, 2007 (??) BY 5:00 p.m. Please send this form c/o Centennial Chapter Administrator, Linda A. Pohly, 5091 Miller Road, Flint, Michigan 48507, or fax to 810-733-6120.

***DOWNTOWN
OFFICE SPACE
FOR RENT
302 E. COURT STREET, FLINT, MI***

2 Blocks from Circuit Court (4 minutes from your desk to the metal detector!!!)

3 Blocks from Central - 67th and 68th District Court

Upper Level Units start at: \$500.00/month

Amenities Include:

(2) Conference rooms

(5) Bathrooms

(2) Kitchen areas

Parking

Dumpster

Hi-Speed Internet access for the building

T-1 Phone line

Support staff work areas

New carpet upper level

Professional Lobby with receptionist

Additional Amenities Available:

Phone System Access (voicemail, etc.)

Credit Card Processing (independent account with processing company)

Access to High Speed Copier/Scanner

For more information or to schedule an appointment for a walk-through, please call Chris Christenson or Craig Fiederlein at (810) 232-1112.

the Black Sheep



UPCOMING LIVE PERFORMANCES (2007)

SAT. FEB 10 : JOE & LEWIE'S PENALTY BOX

(all acoustic show 8p-11p) 2400 Owen Rd. Fenton, MI (810) 629-6200

SAT. FEB 17: SAGEBRUSH CANTINA

(9:30p-1:30p) 14284 Fenton Rd Fenton, MI (810)629-3955

SAT. MAR 24: SAGEBRUSH CANTINA

(9:30p-1:30p) 14284 Fenton Rd Fenton, MI (810)629-3955

For more info, contact/booking:

(810) 735-6500 Tim

(810) 516-5729 Mitch

(248)634-6375 Matt

(810) 686-2902 Tom

email: BlackSheepGroup@aol.com

LAW DAY 2007

VOLUNTEER OPPORTUNITIES

Name _____ Phone# _____
Please Print

Law Day Lunch Donations

Donations are needed to sponsor student meals for the Law Day Luncheon. A modest gift of \$20.00 or more would very much be appreciated and will cover the cost of one student. This year we expect 200 students for the Law Day Luncheon. \$ _____ Amount Enclosed.

Law Day Luncheon

Assist with decorations, registration and publicity. _____

Senior Outreach

Speak to senior citizens throughout the county about estate planning, durable power of attorney and many other important issues. _____

Mock Trial Attorney Advisor

Assist high school students with mock trial preparations _____

Teens & The Law

Speak to students, community educators and parents about legal topics. Please select your preferences. _____

Consumer Issues

- Bounced Checks
- Buying a Car
- Consumer Protection
- Credit Cards/CARE Program
- Small Claims Court

Criminal Law

- Alcohol
- Drugs
- Forfeiture
- Gang Activity
- Graffiti
- Shoplifting
- Vandalism

Employment Law

- Employment of Minors
- Minimum Wage
- Working Hours

Family Law

- Abuse and Neglect
- Child Support
- Custody
- Emancipation
- Grandparents Rights/Raising a Grandchild
- Guardianship
- Teen Fathers/Mothers

Landlord Tenant/Renting a House

- Understanding the Lease
- Rights and Responsibilities

Miscellaneous

- Babysitting Responsibilities
- Curfews
- Tolerance
- Settlements for minors

Constitutional Law

- Freedom of Speech/or Religion
- Racial Profiling
- Privacy Law
- Election Law
- Search and Seizure

Traffic Law

- Driving Impaired
- Fake Identification
- Operating Under the Influence
- Vehicle Searches
- Violations: lights; tinted windows; loud music
- Zero Tolerance

Fax this form to the GCBA at (810) 232-8310 or mail to 315 E. Court St., Flint, MI 48502. Deadline to respond is Friday, March 30, 2007.



The St. Patrick's Day Committee Presents

***The 26th Annual
St. Patrick's Day Mass***

Family Walk, Road Race and Party

Saturday, 17 March 2007

A Program Of Irish Festivities

9:30am - Lil Blarney Trot 10:30am - Road Race starts at U of M-Flint (Kearsley St. off 475)

(Road Race entries/details from Complete Runner 810.233.8851)

*11:00am - Award Ceremony - St. Michael Church 609 E. Fifth Ave, Flint 12:02pm - St. Patrick's Day Mass -
St. Michael Church 609 E. Fifth Ave, Flint*

1:30pm - St. Patrick's/A.O.H Family Walk following Mass to Masonic Temple, 755 S. Saginaw St, Flint

2:00pm - Tea, Coffee, Scones, Juice provided free by the Parade Committee and the AOH

2:30-11:00pm - Music, Step Dancers, Contests, Prizes, Temple Dining's

Famous Food, Music, Full Bar and Fun at Family Friendly Prices

Entertainment provided by Equinox

After 3:00, entry will require purchase of \$5 in tickets that can be spent on food or at the bar.

2007GrandMarshal:Kenneth W. MacDonald

2007IrishFatheroftheYear:James Butler

2007IrishMotheroftheYear:Barb Butler

FlintStPatricksDay.com



FLYER MAILING RATES FOR GCBA MEMBERS ACTIVITIES

(Committees, Specialty Bars, Foundation, etc.)

- ▶ \$65 600 copies - 2 sided for GCBA to copy.
Black & white print on color paper.
- ▶ \$50 600 copies - 1sided for GCBA to copy.
Black & white print on color paper. The GCBA reserves the right to use the reverse side of any 1-sided flyer. Note: If you provide your own paper the GCBA will subtract \$15 from the total cost.
- ▶ \$0 For copies provided and delivered to the GCBA.
GCBA reserves the right to use the reverse side of any 1-sided flyer.

FLYER MAILING RATES FOR NON-GCBA RELATED ACTIVITIES

- ▶ GCBA will sell space only as available within the mail limits.
- ▶ GCBA may refuse to sell space for any reason.
- ▶ GCBA will have editorial control over the advertising.
- ▶ Advertising should not be in conflict with the goals or services of the Association.
- ▶ \$50 for a ½ page, with the GCBA maintaining the right to fill the remaining ½ space with text.
- ▶ \$75 for a full page, with the GCBA maintaining the right to use the reverse side of any 1-sided flyer.
- ▶ 600 copies must be provided and delivered to the GCBA. If the GCBA is requested to copy the flyer, additional charges detailed in rates for GCBA Activities will be added.

NOTE: Ad copy must be delivered to the GCBA office by the 5th of each month or the Monday proceeding that date.

For more information please contact the Genesee County Bar Association at (810) 232-6012.

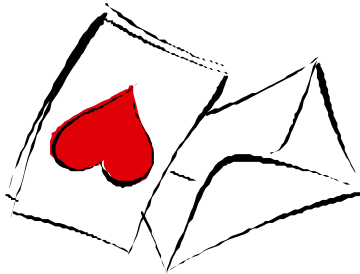
Thank you.



PROFESSIONALISM SINCE 1897

Genesee County Bar Association
315 E. Court St.
Flint, MI 48502-1611

PRESORTED
STANDARD
U.S. POSTAGE PAID
FLINT, MICH



Notes N' News
A Little of What's Inside This Issue!

- ◆ *January/February Membership Meeting*
- ◆ *Lunch with Larry*
- ◆ *Federal Practice Seminar*