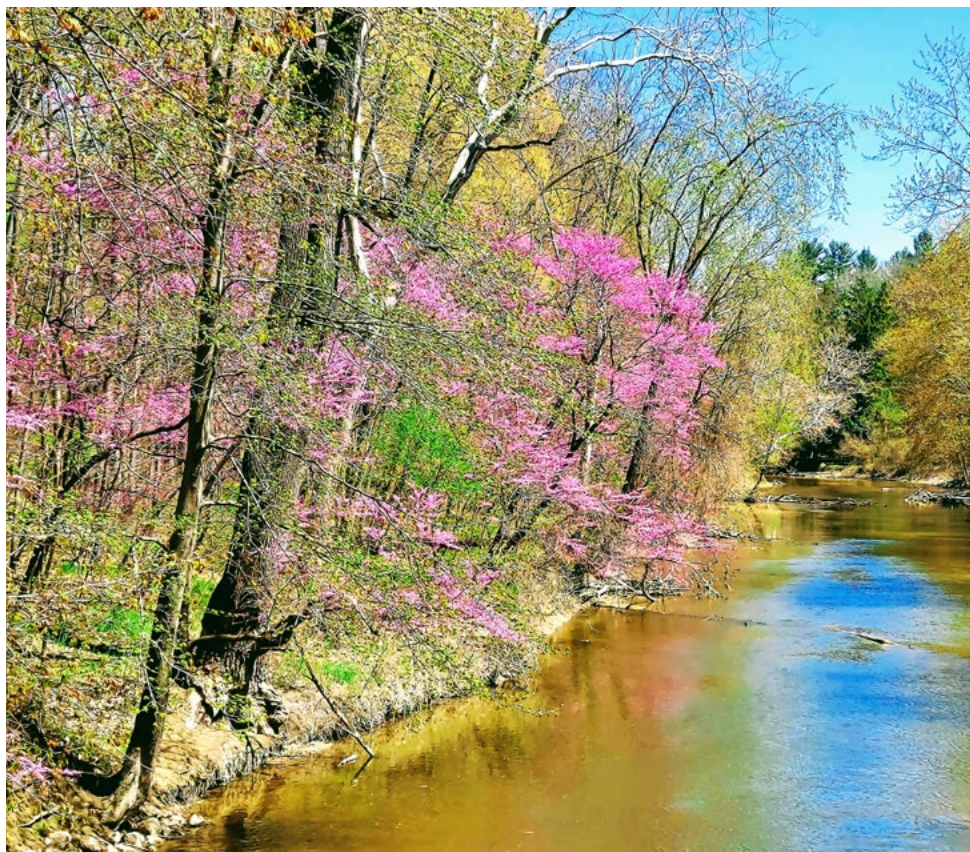


June 2023

# BARBEAT

Genesee County Bar Association



The Flint River, photo by Shelley R Spivack

Thank You for an Amazing Year!

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Judge Conover

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Revisiting The Persistence of  
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# Thank You for an Amazing Year!

By Nancy K. Chinonis, President

It's hard to believe I am drafting my last article as President of the Genesee County Bar Association. The year has flown by! Serving as your President has truly been a privilege and an honor. I hope that I have helped to inspire, educate, lead, and motivate our legal community.

After a few years of shutdowns and inability to interact in-person due to the pandemic, this year's in-person events have held special meaning. While the Executive Board and Board of Directors continued to meet virtually, it was amazing to interact with members during our monthly General Membership Meetings in the Ramsdell Room at the Flint Farmers' Market. It was also exciting to attend, participate in, and observe various committee meetings, and to celebrate our 125<sup>th</sup> Anniversary at a wonderful *Night of Honor* planned by Past-President Sherri Belknap.

This year could not have been such a success without a team effort. A special thanks to GCBA Executive Director, Tina Burroughs. As always, Tina has been a North Star, keeping us on track as we navigated the year. Tina, along with the staff of the GCBA, helps to keep us all on our toes, and informed regarding pertinent information and events.

The Executive Committee and Board of Directors have stepped up and dedicated their time and talents attending early morning meetings, drafting policies, reviewing leases, and engaging in thoughtful debate regarding a myriad of issues. Thank you for your hard work!



Nancy K. Chinonis

Our 2020 Composite was finally completed and now hangs proudly in the offices of many of our members. We not only met, but exceeded our collection efforts

for the Holiday Dinner and served a warm meal to many people at multiple shelters in the Flint area. Moreover, we have been able to plan and hold additional in-person events including our Annual Golf Scramble at Flint Golf Club, a Tiger's game, and a combined Awards Ceremony with the Centennial Chapter of the American Inns of Court. These fantastic events could not and would not have taken place without the dedication and participation of our membership. In my first article as President of this outstanding organization, I encouraged you to participate. You heard the call, and did not let me down. Thank you!

Finally, I must thank Shelley Spivack, Sean Siebigteroth and Cory Christie for their time and dedication to the Bar Beat. Without them, we would not have this wonderful publication. Thank you for all you do!

While my term as President has come to an end, I plan to remain an active member of the Genesee County Bar Association. I look forward to mentoring the incoming Executive Committee, members of the Board of Directors, and our general membership. Thank you again, for such a wonderful year!

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## From The Editors

By Sean M. Siebigteroth and Shelley R. Spivack

Spring is a season of transition. Green overtakes winter's grays and browns; winter coats give way to shirtsleeves and sun hats; and our high school and college seniors become alumni. This quarter's issue of *Bar Beat* similarly focuses on themes of change and transformation.

Nancy Chinonis leads off with her final column as GCBA President and reflects on a busy year of bar leadership. Marc Morse discusses the Michigan legislature's repeal of Michigan's "right to work" law. Cara Willing updates us on emerging family law issues from her new vantage as a member of the SBM Family Law Council. Willing also provides insight on how social media has created new issues with attorney ethical obligations. Some transitions are somber; we say goodbye to longtime District Court Judge John L. Conover with a remembrance by Hon. Dawn Weier.



Sean M. Siebigteroth



Shelley R. Spivack

We welcome guest author Jennifer Raymond, the Executive Director of the Flint Watershed Coalition, with a discussion of the Coalition's responses to the 2022 Flint River chemical spill. *Bar Beat* hopes to continue bringing you occasional discussion of matters of public interest to lawyers and others in Genesee County.

Finally, we bring you the first part of Peter Doerr's article on the dogged persistence of Andrew Jackson Transue and its most celebrated result: the United States Supreme Court's 1952 *Morrisette* decision.

## Judge Conover

By The Hon. Dawn Weier

Judge John L. Conover graduated from Michigan State University with a Bachelor's Degree in Economics and graduated first in his class from Detroit College of Law. He had a successful family law practice in Genesee County, and in 1993, he was appointed the 67<sup>th</sup> District Court Judge in Davison to replace Judge Charles Mosier. Judge served in that position until he retired in 2014.

I first met Judge as a young attorney when I appeared before him for a misdemeanor case. I was chatting with my fellow colleagues about cases we had coming up. I told them I had a case with Judge Conover and the response was "Ooh, Judge Conover is tough." I immediately went into panic mode. I filed a motion to suppress in the case. The day of the hearing I felt pretty good. I thought I might win this. Well, I was wrong. I lost the motion and my client ended up taking a plea.

Judge set the sentencing date downtown. Well, you know what that meant. The infamous "Black Thursday." Your client was going to jail.

The day of sentencing came, and I was waiting our turn. Next thing you know, a defendant started arguing with Judge. The case after that, the defendant did not show up and the lawyer asked for an adjournment. Anyone who practiced in

front of Judge Conover knew the word "adjournment" was analogous to a curse word. Judge responded to the lawyer, "I did not send your client a wedding invitation. I sent a Notice to Appear. This was NOT an RSVP situation." I'm thinking, ugh. He called my case. I gave my allocution and surprisingly, he did not give my client any jail time. I think that, initially, Judge was going to sentence him to some jail time. However, he *listened* to my allocution. He *gave my client the benefit of the doubt*. These were just some of his great qualities as a judge. He listened. He was fair. He knew that sometimes good people make bad decisions. After that, I was no longer panic-stricken in his court. I continued to practice in front of him until he retired. I enjoyed practicing in his courtroom. He was timely. He made decisions. He treated everyone fairly. He would also add some humor at times.

Later in my career, I decided to run for judge. He was the first judge to agree to support me. It meant a lot to me. As a result of that, I didn't just gain a supporter, I gained a friend. From that point on, he and I talked frequently. This

*Continued on next page*



Judges Conover & Weier

is when I got to know Judge as a person. He gave me advice and support. He also had a sense of humor. At the end of our phone calls, he would always say “[O]k, kid, take two aspirin and call me in the morning.”

After the election, he invited me over to his house so he could help me plan my Investiture. When we sat down, he had his legal pad of notes ready to go. The first page was advice for a new judge. “Take the bench on time, rule from the bench, don’t freely give adjournments and treat everyone who appears in front of you fairly.”

The next few pages were about the Investiture and things that needed to be done. I believe he was almost as excited as I was. He met me at the high school in December to finalize the details. He wanted everything to be perfect for me. That is the type of man he was.

Judge also volunteered his time frequently. He volunteered for numerous organizations and was very involved with Davison Schools. Everyone in the Davison area knew Judge.

He loved life, loved being a judge, but most of all, he loved his family. He especially loved his wife, Karen, who he was married to for 59 years. He spoke frequently of her, his children, Bree and Chad, and his grandchildren. He was an involved husband, father and grandfather.

I will remember him as he was the last time I saw him: strong, feisty and full of life. I will remember his voice and laugh the last time we talked. He was an incredible man who impacted the lives of many. There is no doubt that his legacy will live on in our community. As my good friend and his successor, Judge Jennifer Manley, said, “[H]e was just larger than life.”

Godspeed, Judge. You will be missed.

## *Repeal of Right to Work*

By Marc D. Morse – The Williams Firm, P.C.

On December 11, 2012, then-Governor Snyder signed Public Act No. 348 into law. Act 348 amended the Michigan Labor Relations and Mediation Act to prohibit requiring private sector employees to join a union or to pay union dues (or other fees) as a condition of obtaining or maintaining employment. The Act was paired with Public Act No. 349, which amended the Public Employment Relations Act (PERA) to apply the same prohibitions to public sector employment. On March 28, 2013, the two Public Acts went into effect and Michigan officially became the 24th “right-to-work” state.

On March 24, 2023, almost precisely a decade later, Governor Whitmer signed legislation repealing the 2012 amendments and restoring Michigan’s status as a non-right-to-work state. In doing so, Michigan is the first state in over a half-century to repeal state-wide right-to-work legislation. The repeal legislation also prohibits local governments from passing their own versions of right-to-work ordinances or policies. While the repeal has been signed by Governor Whitmer, it will not take effect until March 30, 2024, ninety-one days after the current legislative session ends.

Practitioners should remember that in 2018 the United States Supreme Court considered whether it was permissible for unions to collect agency fees from non-union members working in the public sector. In *Janus v. AFSCME, Council 31*, 138 S Ct 2448 (2018), a closely divided court decided that requiring public-sector employees to pay agency fees as a condition of employment was a violation of their free speech

rights under the First Amendment. Since *Janus* bars public-sector employers and unions from mandating union fees on an independent, constitutional basis, the repeal of the public-sector right to work amendment to PERA will have no effect on the prohibition in *Janus*.

Before the enactment of the right-to-work laws, many Michigan labor agreements contained “union security” clauses, which required employees working in bargaining unit positions to pay union dues or other fees. Following the enactment of Acts 348 and 349, as contracts expired, these union security clauses became unenforceable, and many were removed from contracts. However, some unions negotiated language into their labor contracts requiring employers to reopen negotiations concerning union security if Acts 348 and 349 were ever repealed.

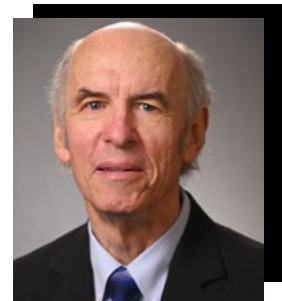
Following the effective date of the repeal legislation, union security clauses will once again become legal and enforceable in private-sector labor agreements. Employers should immediately review their existing labor agreements to determine if they have any obligation to reopen bargaining upon the repeal of right to work. Employers must also be aware that union security clauses are a mandatory subject of bargaining and should be prepared to negotiate over union security after the official repeal of the right-to-work laws.



Marc D. Morse

# Revisiting The Persistence of Andrew Jackson Transue (Part 1)

By Peter Doerr



Peter Doerr

Nothing in this world can take the place of persistence. Talent will not; nothing is more common than unsuccessful people with talent. Genius will not; unrewarded genius is almost a proverb. Education will not; the world is full of educated derelicts. Persistence and determination alone are omnipotent. The slogan "press on" has solved and always will solve the problems of the human race.

-- Calvin Coolidge<sup>1</sup>

On June 27, 2022, the United States Supreme Court rendered its unanimous opinion in *Ruan v United States*,<sup>2</sup> relying on the holding of the landmark case of *Morissette v United States*,<sup>3</sup> a case that made it to the Supreme Court solely because of the persistence of Andrew Jackson Transue (1903-1995), the first Genesee County lawyer to win a case in the Supreme Court.

Calvin Coolidge was President when Mr. Transue became a lawyer in 1926, so it may not be a coincidence that he embodied the persistence President Coolidge described. Indeed, Transue, who practiced law for sixty-nine years, lived by the motto *Never give up; never, ever, ever give up*.

In his early years, Transue served as the Genesee County Prosecuting Attorney in 1933 and 1937, and was elected as a New Deal Democrat for one term in the US House of Representatives. But it was his efforts in *Morissette* that best displayed his persistence. The first sentence of *Morissette* alluded to that persistence:

This would have remained a profoundly insignificant case to all except its immediate parties had it not been so tried and submitted to the jury as to raise

questions both fundamental and far-reaching in federal criminal law, for which reason we granted certiorari.<sup>4</sup>

Joseph Morissette was charged with unlawfully, willfully, and knowingly stealing government property.<sup>5</sup> The Court described Morissette as a fruit stand operator in the summer and a trucker and scrap iron collector in the winter, who while deer hunting discovered abandoned practice bombs dumped in heaps, exposed to the weather, and rusting away on government property. Thinking they were cast-off and abandoned, Morissette loaded 3 tons of them on his truck, had them crushed at a nearby farm, and trucked them to Flint, all in broad daylight, in full view of passers-by without any effort at concealment.

According to his nephew Keith Panek, Morissette first came to the attention of the Michigan State Police when he stopped for lunch in Standish. There he spoke with an officer, openly disclosing where he had gotten the practice bombs. Morissette took the practice bombs to Flint where he sold them for \$86. Later that year, when Morissette was in Cheboygan getting a Christmas tree, that same Michigan State Police officer stopped him and asked him what he had done with the practice bombs. He told the officer that he had sold them for \$28 a ton. When contacted later by the FBI, Morissette voluntarily, promptly, and candidly told of finding the bombs, saying he had no intention of stealing, but thought the practice bombs were abandoned, unwanted, and considered of no value to the government.

According to Genesee County attorney John Nickola (1940-2019), Morissette was a tenant of a mobile home park in Mt. Morris Township operated by John Nickola's parents, David and Mary Nickola (also the grandparents of Genesee County attorney David Nickola and 67th District Judge Vikki Bayeh Haley). After his arrest, Mary told him to call their attorney, Mr. Transue. According to Panek, Transue took on the defense of Morissette as a *pro bono* case, as Morissette could only give Transue a promise to pay.

The case went to trial and Morissette was convicted and sentenced to two months' imprisonment or a \$200 fine. At trial, Transue contended that the government had to prove that the taking must have been with felonious intent. But the

*Continued on next page*

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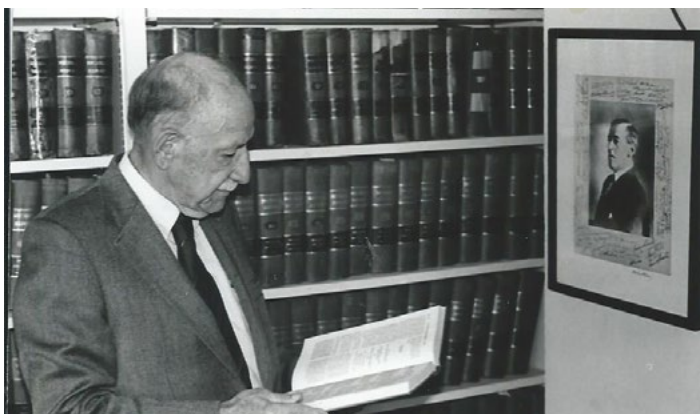
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## Revisiting The Persistence of Andrew Jackson Transue

Continued from page 7



Andrew Transue

trial judge refused to allow Transue to show the jury that Morisette thought the practice bombs were abandoned and that Morisette acted with innocent intentions. The trial judge ruled that felonious intent was presumed by Morisette's actions. The trial judge then instructed the jury that if Morisette, without any permission, took the practice bombs that were on government property, then he was guilty of the offense, indicating that the question of intent was whether or not he intended to take the practice bombs.

Transue appealed, after agreeing with a dubious Morisette to pay for half the costs of the appeal. The 6th Circuit Court of Appeals affirmed.<sup>6</sup> When Transue announced to Morisette that he wanted to appeal to the U.S. Supreme Court, Morisette was reluctant; he hadn't meant to steal anything, but couldn't afford a further appeal.

TO BE CONTINUED.....

### Endnotes

- 1 *Yale Book of Quotations* 173 (Fred R. Shapiro, ed. 2006).
- 2 142 SCt 2370 (2022).
- 3 342 US 246 (1952).
- 4 342 US 246, 247 (citation omitted.)
- 5 18 USC 641.
- 6 *Morisette v United States*, 187 F2d 427 (1951).

### About the Author

**Peter M. Doerr** has practiced law in Genesee County, Michigan, for 45 years, the first 3 years of which were with Andrew Jackson Transue.



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In an age where college athletes can make millions on their social platforms advertising products and seemingly normal teenagers find their claim to fame with TikTok videos, lawyers can now aspire to be influencers on social media. In Michigan, there are attorneys and families of attorneys who dominate billboards and hockey arenas in the metro Detroit area (I'm looking at you, Joumana). Now TikToks, Facebook Live, and Instagram allow attorneys to dispense legal knowledge to thousands of followers.

Attorney influencers such as Carrie Jernigan in Arkansas and Instagram pages for top firms such as DLA Piper and Case & White provide posts for those looking for legal tips, how to be a lawyer, and how to apply for a job at their firm. There is even an Instagram account for "Top Attorneys," (the handle is @topattorneys) where one can submit a professional photo to be featured on their page with over 15,000 followers.

When scrolling through these accounts, there is a question of whether or not this information constitutes legal advice. What happens if someone relies on these tips, and it causes them more legal issues than with what they started with? Luckily, the State Bar of Michigan has addressed some of these questions.

According to an American Bar Association survey in 2020, the leading channels for marketing across all firm sizes are as follows: event sponsorship (48%), LinkedIn (42%), email (41%), Facebook (33%), and print (21%).<sup>1</sup> Marketing through video has been a slow growth market with only 24% of respondents using this medium. 81% of those surveyed stated that their firm has some social media presence.<sup>2</sup>

Why videos have such a slow growth rate could be for numerous reasons including the amount of time it takes to produce decent quality videos, the ethics about what can and cannot be posted, and protecting those videos from getting into the wrong hands. In a question-and-answer post by the State Bar of Michigan the question was raised whether a lawyer may answer legal questions posted on social media. The SBM responded that, "A lawyer may provide general answers to legal questions or comments on social media in the same way in which the lawyer would provide general legal advice to those attending a seminar. However, the lawyer must be careful not to create an attorney-client relationship or disclose confidential client information."<sup>3</sup>

What about reposting someone else's advice? How about an article about your successes? The SBM has an answer for that as well, and yes, you need your client's permission before reposting. Do not be like Attorney Anthony Cotton of Wisconsin who posted a "victory selfie" with his client

after his client was acquitted on homicide charges.<sup>4</sup> Mr. Cotton was called back into court to apologize. Better yet, do not be like attorney Robert L. McKenna III of California who posted a briefing on Instagram following a victory on a medical malpractice case where Mr. McKenna posted a description of his strategy as "a guy that was probably negligently killed, but we kind of made it look like other people did it." The post was taken down, but commenters found the video "sickening."<sup>5</sup>

There are many frequently asked questions which are answered on the State Bar's social media page, including: what to do if you are Facebook friends with a judge you practice in front of or should you accept friend requests from opposing parties. Many of the answers are common sense such as do not disclose confidential information, but other advice is useful in a world where everyone is connected and bias is argued by angry clients who feel wronged by the legal system. The most common bits of information provided by the State Bar are that a lawyer should not disclose confidences of clients, do not provide individual legal advice to random people online, and make sure people know that what you are putting out is not legal advice specific to their case, but is simply general legal information. Disclaimers are useful along with recommendations to seek out legal advice from a professional in your state. So, before you purchase that phone tripod with the Lumee light, make sure you have your ethical bases covered.



Cara Willing

## Endnotes

- 1 Shields Johs, A. C. (2020, November 9). *2020 Websites & Marketing*. Americanbar.org. Retrieved November 10, 2022, from [https://www.americanbar.org/groups/law\\_practice/publications/techreport/2020/webmarketing/](https://www.americanbar.org/groups/law_practice/publications/techreport/2020/webmarketing/)
- 2 *Id.*
- 3 *Social Media Faqs*. State Bar of Michigan. (2019, January). Retrieved November 10, 2022, from <https://www.michbar.org/opinions/ethics/socialmediaFAQs>
- 4 Browning, J. G. (2022, September 22). *#professionalism: How posting about your wins-or losses-on social media can lead to ethical trouble*. Texas Lawyer. Retrieved November 10, 2022, from <https://www.law.com/texaslawyer/2022/09/22/professionalism-how-posting-about-your-wins-or-losses-on-social-media-can-lead-to-ethical-trouble/?slreturn=20221010112512>
- 5 *Id.*

# Lockhart Chemical Spill - Where We've Been & Where We Hope to Go

By Guest Author Jennifer Raymond, Executive Director, Flint River Watershed Coalition (FRWC)



Jennifer Raymond

On June 27, 2022, anglers on the Flint River identified an oily sheen on the water. It was a bit of sheer luck - they had fished this stretch the day before, and the oily sheen was a new development. A chemical waste storage tank at a Flint manufacturing facility owned by Lockhart Chemical was ultimately proven to be the culprit, but not before it released thousands of gallons of waste into the river.

Assessing the nature of the contamination proved to be difficult. Unlike many other instances of industrial contamination (for instance, a single, known, and easily identifiable petroleum product release from a ruptured pipeline), it was hard to identify exactly what, and how much, of any particular contaminant was released into the Flint River. The spill was a mix of industrial chemical waste from a poorly maintained underground storage system that allowed waste to leach into the ground, where it then moved into a storm drain system, and ultimately into the river. The Genesee County Health Department issued a no-contact order with the river, and advised against consuming fish that could potentially access the impacted area.



Outfall 001- January 2023

Lockhart was a known quantity to regulatory agencies, with violations dating back to 2016. The Michigan Department of Environment, Great Lakes, and Energy (EGLE) issued Lockhart a violation notice in May 2019 after investigation indicated contaminants had been released into the Flint River. During an April 2021 follow-up review, EGLE expressed concern that Lockhart's practices remained noncompliant with the corrections issued in the previous order. Despite prompts from EGLE, corrective action never reached compliance, and EGLE issued a second violation notice in the fall of 2021. In the months that followed, Lockhart continued noncompliant operating conditions. The June 2022 spill was the dramatic result of many months of disregard for safety or regulation, and some speculate that Lockhart was a source of river contamination for much longer.

During a September 12, 2022, inspection, EGLE found that despite previous orders, Lockhart had resumed use of the leaking storage system. Additional contamination on the Flint River was visibly observable at Outfall 001, the site of the original leak. EGLE ultimately issued an additional violation notice, and Lockhart filed for bankruptcy in a Pennsylvania court the following month.

Chemical fingerprint analysis indicates some alarming contaminants: arsenic, barium, chromium, mercury, Vinyl Chloride, 1,4-Dioxane, PCB and PFAS. Identified contaminants can have significant impact on human health, including increasing risk for cancer, and potential adverse impact to the immune system, reproductive system, nervous system, and endocrine system.

EGLE sediment testing results conducted following the spill were made available by EGLE staff in March 2023. Analysis is ongoing, but indicates that the impact differs depending on the sampled areas. Updated testing is necessary to help us fully assess the state of the river today, and assess which areas may or may not pose an exposure risk.

Members of the Flint community, many of whom have already endured traumatic relationships with the river as a result of the Flint Water Crisis, remain understandably wary. Many have opted to continue avoiding stretches of the river impacted by Lockhart contamination. (Watershed Coalition staff went for a paddle past Outfall 001, the site of the original spill, on January 10th and were greeted by strong chemi-



Outfall 001 - January 2023

cal smells and a black, oily substance on the outfall side of the booms.)

The Watershed Coalition has called off plans for this summer to reinstate kayak livery operations on affected stretches of the river. Without current and complete testing data, there is no way to know if staff and participants would be exposed to contaminants, or to what degree those contaminants are present.

Consider, for instance, the volume of sediment that can be stirred up (and release any contaminants that may have settled) by a couple dozen people using the same launch. This is especially heartbreaking, given the Flint River's status as a National and State Water Trail.

Fortunately, paddlers are a resilient and creative bunch, and there are several incredible paddling opportunities in nearby lakes and streams. This season's operations will focus on Thread, Mott, Buell, Kearsley, and Flint Park lakes. River

trips will still occur in areas that do not place paddlers at risk due to the spill, including Holloway Dam to Stepping Stones/Mott Lake, and from Farmers Creek at Oakdale (at the Willows in Lapeer) to Columbiaville. Shifting focus to program operation in new locations brings opportunity to grow, and has encouraged innovative program development.

Hope remains that mitigation work has stopped continued contamination, and river currents have dispersed contaminants. It seems likely that updated sediment samples will be a reality this summer. Worst case results? Testing indicates that chemicals of concern remain at a concentration that poses a risk to human health, but informed efforts to protect human and environmental health can be stepped up. Best case results? Data indicates that the river is once again safe to paddle, fish, or have other contact with, and provides a concerned community with much needed peace of mind.

**If you see something wrong with the river (or any body of water), say something immediately by calling the Pollution Environmental Alert System (PEAS) at 1-800-292-4706. For more information on FRWC, its programs and updates on the river, check out our website [www.flintriver.org](http://www.flintriver.org) and Facebook page.**

## Legal Tidbits

By Francine Cullari-Sanchez

### For Lawyers Who Love Baseball

Baseball fans will enjoy reading "The Common Law Origins of the Infield Fly Rule" by William S. Stevens, University of Pennsylvania Law Review (1975), which has been cited in federal and state judicial opinions and more than 100 works of legal literature. Subsequent to its publication, five other law review articles addressed the rule, which had been adopted at the end of the 19<sup>th</sup> century.

In the common law, formality had developed into the writ system. Conduct was governed by general principles; but to enforce a rule of law, it was necessary to find a remedy in a specific writ. Similarly, the forces of competitiveness and professionalism required that the principle of fair play be codified, leading to a formal and legalistic code for baseball,

including the infield fly rule. In common law, a plaintiff had no remedy if the existing writs did not encompass the wrong.

Likewise, a baseball player who had been the victim of a "cute" play could not prevail until the umpire could be shown a rule of baseball squarely on point.

There were exceptions, however: equity in law and umpire limited discretion. The power of the chancellor was circumscribed to the greatest extent possible, and the discretionary power of the umpire has been limited by additions to the written rules which reduce the area within which the umpire has discretion to act.



Francine Cullari-Sanchez



# Update on Family Law Section Issues

By Cara Willing



Cara Willing

Editors' note: The GCBA would like to congratulate Cara Willing on her election to the State Bar of Michigan Family Law Council! We commend her for her leadership role and for representing Genesee County on the Council. Here are some updates from the Family Law Council:

- The biggest legislative issue is House Bill 53 in the Michigan Legislature that would amend section 7 of the Child Protection Law by expanding the statute to make confidential records, including written reports, documents, and photographs, available to members of the state legislature (at the time of the request) and the media. The section did not support this bill because there was not a logical reason why the legislature or media would need access to this information, and it would be going in the opposite direction of what the courts have been slowly doing which is to protect more confidential information. <http://legislature.mi.gov/doc.aspx?2023-SB-0053>
- Court rules- A Proposed Amendment of MCR 1.109 would allow parties and attorneys to identify their personal pronouns and would require courts to use those pronouns both verbally and in writing, unless doing so would result in an unclear record. The Family Law Section moved to support this amendment. At this point, it has not been amended with many people commenting from a religious perspective. <https://perma.cc/N7U8-PK R3>

- Dedicated Family Courts- A subcommittee met with SBM Executive Director Peter Cunningham at the State Bar to get a sense of the Bar's reaction if the Section were to weigh in and rate candidates for appointment and/or election to the Bench. The sense was that he discouraged the FLS from heading in that direction, but there was not an actual rule that would prohibit it.
- Outreach with the State Bar Family Law Section:
  - Family Law Summer Conference on Mackinac Island August 3-5<sup>th</sup> 2023. <https://na.eventscloud.com/ereg/index.php?eventid=743676&>
  - Joint Detroit Tigers Game June 2023 with the LG-BTQ+ Section June 13, 2023 at 6:30PM.

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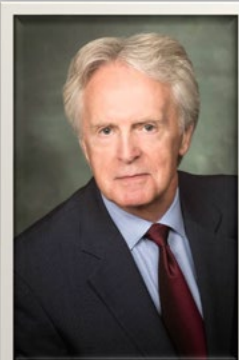


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# Why We Serve

Edited by LindaLee Massoud

*Editor's Note: In this series of articles, Bar Beat is highlighting GCBA members who are quietly serving Flint and Genesee County through their service to charitable and community organizations. The late Judge Conover submitted his "Why We Serve" response prior to his recent death and we are publishing it posthumously.*



LindaLee Massoud

## Hon. John Conover

Judge John L. Conover may be retired from the 67th District Court Bench, but since his mandatory retirement, he has continued to serve as a Visiting Judge in several counties and working several hours each week as a volunteer at the **McLaren Wellness Center** at St. John's Catholic Church in Davison. <https://stjohndavison.org/wellness-center/>

Judge Conover has also been serving for three years on **the Genesee Intermediate School District Board of Directors** where he enthusiastically impacts the lives of young students. The Judge says: *My perspective from my twenty-five years creating second-chance programs and community service opportunities, including work-and-learn programs particularly used for young first-time offenders, helps me understand how all students need different opportunities in educational programs to help them find success.* <http://geneseeisd.org>

Judge Conover and his wife Karen also stay closely involved with their community through working elections, tutoring students, and taking active roles in political campaigns. Karen, a retired secondary teacher and college adjunct professor, is the current president of their local Davison School Board where she has served for the past thirty-four years.

The Conovers cite love of community and country as their motivation to continue to actively serve, particularly in

the area of education: *We have six wonderful grandchildren to whom we want to leave the American legacy that we have enjoyed, and we believe that everyone's children and grandchildren deserve no less. There's no such thing as "retirement." When we leave one area of community service, it's incumbent on all of us to find another.*

## Sally Joseph

Sally Joseph has been a pillar in our community for many years. She has served on numerous boards for organizations such as the YWCA, Michigan Women's Commission, Michigan Women's Foundation, and the Mott Community College Board of Trustees. She was also an elected official from the 1980's until just recently.

"The services that the Salvation Army provides in our communities are priceless. Their officers do all of their good works for next to nothing in payment. I cannot think of a more worthy organization. In addition to the services they provide to the neediest among us, they also assist the addicted as well as providing gifts for those in need at the holidays." <https://centralusa.salvationarmy.org/flintcitadel/>

"I serve the community because God has been good to me, and I feel like I must return the blessings whenever I can."

## Investiture Ceremony For Judge Ariana Heath - March 16, 2023 Flint Golf Club



Judge Heath with her mother  
Karolatta Heath



Judge Heath



Judge Heath with her children Lucas  
and Amelia





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