

March 2023

BARBEAT

Genesee County Bar Association



Hon. Stewart Newblatt (1927-2022)

Marketing

From The Editors

The Real Wisdom of Stew Newblatt

New Judges' Profiles

New Year, (Almost) New Family Court

Top Tips for Child Support Hearings

Night of Honor

GCBA/GCBF Holiday Giving Project

2022 Amy Harris Criminal Law Seminar
sponsored by the Genesee County Bar
Association and Bar Foundation

Why We Serve

Protecting your health. We're here to help.



Don't take chances with your health insurance. You and your staff deserve a quality Blue Cross® Blue Shield® of Michigan health plan.

- **Group plans:** New group plans can be started at any time during the year.
- **Individual plans:** Individual open enrollment has ended unless you have a qualifying event.
- **Recognized worldwide.**
- **Solutions tailored to your needs.**

To learn more about the affordable BCBSM plans, contact Member Insurance Solutions. Call **800.878.6765** or visit **memberinsurancesolutions.com**.

Protecting tomorrows. Today.



Member Insurance Solutions is a marketing name of MDA Insurance & Financial Group.



A nonprofit corporation and independent licensee of the Blue Cross and Blue Shield Association



PREFERRED PARTNER

2022-2023 Board of Directors

PRESIDENT – Nancy K. Chinonis
VICE PRESIDENT – Craig R. Fiederlein
TREASURER – Angela Wheeler
SECRETARY – Elias J. Fanous
IMMEDIATE PAST PRESIDENT – William J. Brickley

Specialty Bar Board Members

Young Lawyers Delegate – Craig Datz
Women Lawyers Delegate – Samantha J. Orvis
Mallory Van Dyne Scott Bar – I'Lanta Robbins
Flint Trial Lawyers Representative – TBD

Board Members

Anthony K. Chubb '23	Jessica Mainprize-Hajek, '23
Eric J. Mead '23	Hon. Geoffrey L. Neithercut '23
Vinson F. Carter '24	Robert Goldstein '24
Leo J. Foley, Jr. '24	Paul J. White '24
Heather V. Burnash '25	Rachel Hawrylo '25
Mary Hood '25	Brooke E. Tucker '25

Staff

Tatilia Y. Burroughs, Executive Director
 Starlynn J. Estep, LRIS Specialist

Bar Beat Editors

Shelley R. Spivack
 Sean M. Siebigteroth
 Coryelle Christie, Assistant Editor
 BarBeat@gcbalaw.org

Genesee County Bar Association

315 E. Court St., Flint, Michigan 48502-1611
 (810) 232-6012

For editorial information, call (810) 232-6000.

Published quarterly by the State Bar of Michigan,
 306 Townsend St., Lansing, MI 48933, for the
 Genesee County Bar Association. For advertising,
 call (517) 346-6315.

No material in *Bar Beat* reflects the opinion or endorsement of the
 Genesee County Bar Association, unless otherwise stated.

4 Marketing

by Nancy K. Chinonis

5 From the Editors

by Sean M. Siebigteroth and
 Shelley R. Spivack

7 The Real Wisdom of Stew Newblatt

by Hon. David Newblatt

8 New Judges' Profiles

10 New Year, (Almost) New Family Court

by Tony McDowell

11 Top Tips for Child Support Hearings

by Referee Coryelle Christie

12 Night of Honor

by Sherri L. Belknap

14 GCBA/GCBF Holiday Giving Project

by Brian M. Barkey

**17 2022 Amy Harris Criminal Law Seminar
 sponsored by the Genesee County
 Bar Association and Bar Foundation**

by Jessica Mainprize-Hajek

edited by LindaLee Massoud

18 Why We Serve

Advertisers

Member Insurance Solutions/BCBS
 inside cover

Computer Junkies 3

Tom R. Pabst, PC 4

Mannor Law Group 6

Jakeway Injury Law 9

The Tyler Law Firm PLLC 11

Yeo & Yeo
 CPAs & Business Consultants 16

McNally Mason Agency 17

Hamo Law Firm 19

LawPay
 back cover

ELECTRONIC DISCOVERY HELP FOR ATTORNEYS SALES, SERVICE, and UPGRADES

- Technology and I.T. Experience to Manage Ediscovery
- Data Identification & Extraction – Phones, Cameras, Computers
- Efficient Data Preservation, Retrieval and Presentation
- Assistance in Formulating and Answering E-discovery
- Assistance with Different File Formats
- Onsite I.T. Support, Sales, Service and Upgrades



COMPUTER JUNKIES

BRENDAN GARLAND

Owner / Sys Admin / IT Manager

1371 E. Bristol Rd., Burton, MI 48529

810-471-4266

Marketing

By Nancy K. Chinonis, President



Nancy K. Chinonis

In my last article, I briefly referenced the importance of marketing. In today's age, no matter what our personal opinions are regarding attorney advertising, statistics are clear: in addition to word of mouth, consumers also turn to the internet, social media, and rely on advertisements when selecting legal counsel. There are reasons why certain attorneys and law firms spend big bucks on television, radio, and billboard advertising— it works!

In an order to assist our local Bar effectively market their services, the GCBA, in conjunction with the Genesee County Bar Foundation, has taken action to more aggressively promote the legal services offered by our membership. We have collaborated with a local marketing firm and developed a program that will not only deliver client leads, but also emphasizes the benefits of working with Genesee County Bar Association Members.

GeneseeLegal.com launched in November 2022. GeneseeLegal.com is an online directory of legal services that will be promoted consistently in the Genesee County market. Bar Association members can subscribe and have their legal services featured by category with full profile information and direct contact links. This searchable directory will consistently be promoted throughout the market using mass and social media vehicles.

Some of the highlights of the program include:

- Ability to search for attorney by practice area;

- Customizable Profile Pages with placement upgrades available;
- Leads that are sent directly to the member;
- Consistent promotion through TV, Outdoor, and Social Media ads;
- Sustainable, long-term campaign;
- Dashboard with analytics including page-views and web-site clicks; and
- Very affordable marketing tool.

In its first two months of existence, GeneseeLegal.com welcomed nearly 5,000 page views, 824 clickthroughs to subscriber websites and many requests for consultations made directly to subscribers. As consumers become more familiar with this website, we expect these numbers to grow.

Your participation will make your services more available to the public by helping to deliver new client leads. It will also enhance your own website rankings and support the Genesee County Bar Association in the promotion of legal services. I encourage all members in need of marketing to participate in this wonderful program. Those interested can call our program partner, Crossroads Marketing at (810) 654-0202 or email Preston Hards at Preston@crcmnc.com. This marketing opportunity is only available to members of the Genesee County Bar Association.

Tom R. Pabst, P.C.

2503 S. Linden Rd., Flint, Michigan



(810) 732-6792

tomrpabstpc.com



Local Attorneys Obtaining Justice for Genesee County Citizens for Over 40 years

Focusing especially in claims for –

- Personal Injury/Wrongful Death/Medical Malpractice
- Commercial litigation including fire loss, breach of contract and minority shareholder oppression
- Wrongful Discharge
- Whistleblower Protection Act
- Constitutional law, including 1st Amendment and 4th Amendment excessive force cases
- Civil Rights/Discrimination
- Family Medical Leave Act



Referrals –

- We make it the highest priority to analyze referrals from Genesee County attorneys
- Paid millions in referral fees

From The Editors

By Shelley R. Spivack and Sean M. Siebigteroth

When this issue of *BarBeat* hits your mailbox, hopefully the sun will be shining, springtime will be in the air, and January's gloom will be a distant memory. January for me (Shelley) was not easy - after three years of testing negative, Covid finally found me. Thanks to Paxlovid, my recovery was made a bit easier, but it still caused a delay in getting this issue of *BarBeat* to the press, and for that I apologize.

In Genesee County legal circles, January brought major changes to our court system. After a successful election bid, Judge Dawn Weier took the bench, replacing our beloved Judge Beagle. She will not be alone as a new judge, as Governor Whitmer appointed two Genesee County employees, APA Khary Hanible and Referee Ariana Heath, to fill the positions vacated by Judges Farah and Behm. You can read more about each of our new Circuit Court judges in the Judge's Profile section of this issue. Also take a moment to read Friend of the Court Tony McDowell's article highlighting the changes on the Family Court bench and in the Referee offices.

In more news from Friend of the Court, Referee (and assistant *BarBeat* editor) Coryelle Christie shares with readers her insightful tips on litigating child support cases. Although she has only been at FOC for two years, Cory's knowledge and expertise in child support is recognized throughout the state.

This month's "Why We Serve Column," edited by former *BarBeat* editor LindaLee Massoud, features two attorneys, David Lawson and Denise Fish. Their dedicated volunteer efforts help Genesee County residents enjoy the serene beauty of For-Mar Nature Center and the Ruth Mott estate at Applewood.



Shelley R. Spivack



Sean M. Siebigteroth

Celebrating its 125th year, the Bar Association has been busy over the last several months. "A Night of Honor" celebrated not only the careers of retired Judges Beagle, Theile and Perry, but also the GCBA's 125th Anniversary. Check out the photos and article on the event. The Criminal Law Section was also busy presenting a two-day seminar featuring both local attorneys as well as a Georgetown Law School professor giving a timely presentation on "Litigating Race and the 4th Amendment." And, the holiday season would not be the same without Brian Barkey and the Holiday Giving Project. While we are no longer doing the dinners at the Masonic, the tireless efforts of Brian and his crew enabled six shelters to serve almost 500 dinners and give gifts to hundreds of children who otherwise might have gone without. The GCBA has also been busy assisting members grow their practices. Read about the marketing opportunities in this month's President's column.

Last but in no way least, in December of 2022 Genesee County lost a legal icon: U.S. District Court Judge Stewart Newblatt. While many people could write glowing articles about Judge Newblatt's judicial wisdom, we are honored to present the heartfelt words of his son, Judge David Newblatt, in "The Real Wisdom of Stew Newblatt." Thank you Judge Newblatt for sharing these memories of your dad with our readers.



Are you trying to handle a Medicaid Case?

**A Cardiologist
shouldn't do
eye surgery.**



**A Plumber
shouldn't
fix your car.**



**Refer the case or co-counsel with us and earn a referral fee/co-counsel fee.
Long Term Care Medicaid planning is not "easy money"
and DHHS doesn't just rollover.**

At Mannor Law Group, We Value Your Referrals

- Protect yourself from liability
- We'll regularly inform you of the application status
- We'll send you your referral fee/participation fee quickly
- We have two lawyers rated by Super Lawyers Magazine
- We have a 100% Success Rate with our Medicaid Applications
- Attorneys are Frequent ICLE Contributors on Medicaid Issues

Bob Mannor is Board Certified as an Elder Law Attorney by the National Elder Law Foundation - the only Certification recognized by the American Bar Association.



MANNORLAWGROUP^{PLLC}

Excellence in Estate Planning and Elder Care

**To Establish a Referral Relationship with Mannor Law Group,
Contact Executive Director - Savannah Meksto**

Email: info@mannonlaw.com or Call: (810) 694-9000

8226 S. Saginaw St, Suite A Grand Blanc, MI 48439 | 805 Oakwood Dr. Suite 109, Rochester, MI 48307

The Real Wisdom of Stew Newblatt

By Hon. David Newblatt



Hon. David Newblatt

I believe that what we become depends on what our fathers teach us at odd moments, when they aren't trying to teach us. We are formed by little scraps of wisdom.

—Umberto Eco, *Foucault's Pendulum*

Since Dad's passing, there's been an outpouring of appreciation and well wishes from members of the bar and community, which is much appreciated by me and my family. Many have rightly praised him for his judicial wisdom. And if I had a nickel for every lawyer who told me about his Rule Eleven lecture, I'd have enough money to pay off Sidney Powell's sanctions. Yes, Dad was a wise jurist. But as a father, he had another kind of wisdom that he imparted to me and my brothers. It wasn't something he could write into a judicial opinion. Rather, it's what he lived in word and deed as a loving father. This is the *real* wisdom of Stew Newblatt and I'd like to share some of it with you.



- Dad pretended to be magic for me and my brothers and would materialize candy from behind our ears. I was so excited that I organized a magic show for the neighborhood kids, posting signs and arranging chairs in the backyard. When he got home from work and saw the kids waiting for him, he begged off, only explaining that he "didn't feel magic." Although this is when I realized he wasn't really magic, I continued to play along because I wanted the candy.
- When my parents took us to the Bozo Show, *both* of my brothers got chosen by the spotlight to be Bozo's helpers, but not me. When I complained to Dad about it not being fair, he said, "Son, I hate to break it to you, but the world isn't fair." I was more upset about this than by not helping Bozo.
- Dad was honored with the Key to the City at a banquet when he resigned his circuit judgeship. Of course, I understood this literally, believing that it allowed entry into every home and business in the city. Oh, how I was mesmerized by that shiny golden key! He let me hold it, but only for a moment. He said, "Son, this key is mine. If you want one, you'll have to earn it for yourself."
- Any time I had a dispute that was hard to resolve, Dad always had the same advice: just be honest. It turns out that this is only wise in theory—it never worked as a kid and it got me in serious trouble when I started practicing law.

- Another thing I remember Dad saying to me was, nobody likes a smart ass. It turns out that he was just flat out wrong about this one—I got plenty of attention for being a smart ass.

- When I was bullied at school, Dad told me that although I shouldn't look to fight, I shouldn't back down either. Even if I lost, he said, the bully would then leave me alone knowing I would fight back. He taught me how to fight in the old school "put up your dukes" manner, wished me luck and sent me out the door. I got the worst ass beating of my life that day.

- My two buddies were over and we were playing in the attic. When I got called to dinner, my friends had a sword fight with metal poles and poked dozens of holes in the walls. But Dad, who I knew was furious, merely told them he was disappointed in them; he never said a word to their parents. My friends have since told me as adults that this is what they feel most ashamed of in their lives.
- Dad thought it would be a good idea to buy an old broken down VW bus and drive us all to see Carlsbad Caverns in New Mexico; this despite having no knowledge about cars whatsoever. So when the van broke down multiple times in Missouri and Oklahoma, Dad and I would have to hitchhike to the nearest service station while my mom stayed back with my brothers. The reason I had to go with him was because the drivers wouldn't pick up a man who looked like a disheveled maniac unless he had a kid with him who they felt sorry for.

I chuckle as I think back on these "odd moments." I realize that although some of what Dad told me may have been wrong as practical advice in the short term (sometimes disastrously so), as to how to live a happy and meaningful life, he was the wisest person I'll ever know. He taught me that the world is a magical place, but don't expect it to be fair. Find your own way to make it better. Face up to challenges and be honest when doing so. Be gentle with other people. Be smart, but don't be afraid to make mistakes—sometimes it's those mistakes that can lead to life's most memorable moments. Like hitchhiking in Oklahoma with your grateful son.

New Judges' Profiles



Hon. Khary L. Hanible

Hon. Khary L. Hanible
Undergraduate degree and school:

BA Political Science / Eastern Michigan University

Law school and year:

Case Western Reserve University School of Law / JD 2002

Original reason you wanted to be a lawyer/judge:

I believe the system of laws by which we govern ourselves and what we do and don't accept as a society is one of the greatest privileges we have and I wanted to be a part of it.

Influential individuals in your life/career:

My mother

Mentors:

Hon. Dean Mandros, Richard Kerger

Advice to young lawyers:

Seek out a mentor. Law school teaches you the law, not how to be a lawyer.

Hobbies/interests:

Outdoor activities of all kinds.

Extra-judicial activities, community organizations:

Various Bar Associations, The Moses Fleetwood Walker Society (works with the Boys and Girls Clubs to provide sports equipment and activities for disadvantaged children).



Hon. Ariana Heath

Hon. Ariana Heath
Undergraduate degree and school:

BA in political science from the University of Florida in June 2003

Law School and year:

JD from the University of Michigan December 2005

Original reason you wanted to be a lawyer/judge:

I've always been interested in government and politics. Law

school seemed a natural progression after a degree in political science and I've always been interested in public service.

Influential individuals in your life/career:

Influential people include my mother and grandma. They taught me not just about hard work and service but about an obligation to do for others. My mom is the best person I know and her devotion has allowed me to become whoever I wanted to be. I would not be who I am without her and my grandmother.

Mentors:

The two greatest mentors I've had in my life are Mark Reese and Judge Behm. Mark was the first boss I had as a prosecutor and he taught me so much about being a lawyer and a person. Judge Behm is such a wonderful example as a judge and I've learned so much from her about being timely, prepared, and always following the law.

Advice to young lawyers:

Make the judicial assistants and clerks your friends, they run the show and know more than anyone! Stay up to date on case law and new legislation.

Hobbies/interests:

I spend most of my free time with my kids, reading, or walking the dog. I also enjoy hiking and time on the water.

Extra-judicial activities/community organizations:

I am a committee member of the Women and Girls Fund of the Community Foundation of Greater Flint. I also volunteer at animal control and my kids' schools when there is time!

Family:

I have the two best kids in the entire world and an extended family that is the best ever.



Hon. Dawn Weier

Hon. Dawn M. Weier
Undergraduate degree and school:

University of Michigan-Flint, Bachelor's Degree in Political Science with Honors, 1997

Law School and Year:

University of Detroit Mercy, Juris Doctorate, 2001

Original reason for wanting to become a judge:

I was born and raised in Genesee County. Genesee County is my home and where I have chosen to raise my family. I care about this community and I have served our community as an attorney for over 21 years representing thousands of clients including those who could not afford an attorney. I wanted to continue to serve our community as a judge where I can impact our families and children in a positive way.

Influential individuals in your life career:

The three most influential people in my life have been my mother, father and grandmother. My parents taught me to be strong, loyal and kind. My grandmother, who lived in Nazi occupied Czechoslovakia prior to moving to the United States after WWII, was the epitome of strength and courage. All three of them taught me responsibility, hard work and perseverance and for that I am thankful.

Mentor:

My mentor was Attorney Bill Shedd, who we lost in 2021 to ALS. I began working at Winegarden, Shedd, Haley, Lindholm & Robertson in 1995 when I was attending the University of

Michigan-Flint. Mr. Shedd was the senior partner. I looked up to Mr. Shedd with admiration and I am thankful for all that I learned from him.

Advice to young lawyers:

You have worked hard to get where you are. Represent our profession with dignity and respect. Your reputation is everything. Therefore, dress and act professionally. Never be too proud to reach out to other attorneys for advice or support.

Extrajudicial activities/community organizations:

I am a member of the Board of Directors for the Genesee County Historical Society.

Hobbies/interests:

I am an avid runner. I enjoy running road races including the Crim 10 mile, 5ks and the Detroit Full Marathon.

Family:

I have three beautiful daughters: Krislin, Lela and Addison. They are my world and I couldn't imagine my life without them.



G-8161 S. Saginaw Street, Grand Blanc, MI 48439
(810) 694-1211 📞 www.JakewayInjuryLaw.com

- 🌀 Your Genesee County Personal Injury Referral Connection
- 🌀 Accepting Referrals in All Injury Matters
- 🌀 Millions Paid Out to Referring Attorneys

Auto-Negligence 🌀 Premises Liability 🌀 Medical Malpractice 🌀 General Negligence

New Year, (Almost) New Family Court

By Tony McDowell



Tony McDowell

As we enter into 2023, we are embarking on an almost entirely new look for our Family Court in Genesee County. With new judges, new procedures, and changes to the distribution of hearings before referees, when you visit the Court in 2023 (virtually or in person) we will look very different from the Family Court you last saw in 2022.

The last few months have been building up to the changes in the Court. With Judge Dawn Weier's election in November, she will take over the seat on the Family Division bench that had been held since the Family Court's inception by Judge Duncan Beagle. After Judge Joseph Farah's retirement, Governor Whitmer appointed Judge Khary Hanible to the bench. Effective January 23, 2023, Judge Hanible will be taking over Judge Chris Christenson's caseload in the Family Division. Finally, with former Family Court Judge F. Kay Behm's appointment to the Federal District bench, Judge Elizabeth Kelly will be moving over to the civil and criminal division of the Circuit Court. Former Circuit Court Referee Ariana Heath will be joining the Family Division bench and taking over Judge Kelly's former caseload. Presiding Judge John Gadola is holding steady and will continue in his role in the Family Division.

Still following along....? Good, now onto the changes with the referees.

Temporarily, we will be down to 4 referees with Judge Heath's appointment to the Family Division bench. During this temporary reduction in the referee offices, 2 referees will be hearing the juvenile and neglect matters and 2 referees will be handling all domestic relations matters. For the last decade, the referee work division has been with 3 referees hearing custody, parenting time, and juvenile matters and 2 referees hearing child support and Friend of the Court matters. In addition to a new split in the types of cases, there will also be changes to the types of hearings the referees and judges will be hearing.

On the Juvenile and Neglect side, Referees Mary Hood and Lisa Lanxton will be hearing preliminary hearings, contested pre-trials, pleas on neglect cases, pleas on consent calendar cases, and some trials. The Family Division Judges will be handling reviews, trials, and any other matters that require judicial involvement. Referee Hood will be hearing Judge Gadola's and Judge Hanible's matters and Referee Lanxton will be hearing Judge Weier's and Judge Heath's matters. The goal of these changes is to help meet State Court Administrative Office timeframes and will help get results for families more quickly as it relates to the time sensitive issues involved in juvenile cases.

On the domestic relations side, Referees Sandra Carlson and Coryelle Christie will be hearing all *pro per* matters related to custody, parenting time, child support, divorce, Prosecutor Family Support cases, and Friend of the Court matters. We are looking to fill the vacancy created by the appointment of Judge Heath in the near future. The Family Division Judges will be hearing all matters involving two attorneys, matters that must be heard by judges, such as spousal support and property issues, and parenting time show causes requested by the Friend of the Court. For the last decade, the referee matters sometimes resulted in one hearing before one referee on custody and another referee hearing on support. These changes will consolidate those hearings and will make it easier for the families we serve to have their issues heard in one hearing.

The new Family Court will look a little different than what everyone is used to, but the future is very bright. We have a great group of committed Family Division Judges, Referees, and court staff, who are prepared to make the Family Division the best experience for attorneys and the families we serve.



Connect with the GCBA

	@gcbalaw48502		@gcbalaw48502
	Genesee County Bar Association		@gcbalaw

Top Tips for Child Support Hearings

By Referee Coryelle Christie



Coryelle Christie

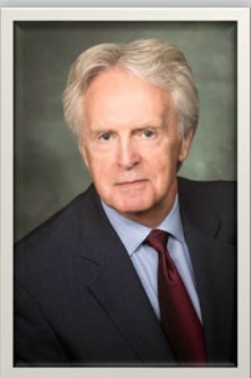
I have been a Referee at the Friend of the Court (FOC) for just over two years, hearing mainly child support cases. Here is a list of the most commonly missed child support provisions that may help you in your next case!

- Children's income is not included in child support, including a child's Social Security benefits if the child is disabled. MCSF 2.03. Note: This is not the same as a disabled parent receiving dependent benefits for a child, which is a bit more complicated.
- Income does not include the value of benefits from means tested income such as food stamps or earned income credit. The most common example of this is if a parent receives Social Security Income (SSI) based on a disability—it is not considered income for child support purposes. Note: This is distinct from Social Security Disability (SSD) benefits, which are based on a parent's work history, and can be used for child support purposes.

- If parties are agreeing to a deviation, do not forget to complete a deviation addendum! See MCSF 1.04.
- Generally speaking, the court can only retroactively modify child support during the period when there is a pending petition for modification. However, retroactive modification of child support is discretionary and not required by the court. MCL 552.603.
- If a parent is receiving public assistance, including Medicaid, parties cannot deviate to \$0 child support—the ordinary medical expense must be paid according to the formula, and that amount is paid to the State of Michigan. There are some exceptions to this, outlined in MCSF 3.04(B)(3).
- The cost of mandatory medical insurance for a parent (even if the child is not covered) can be deducted from a parent's income. MCSF 2.07(F).
- Child Care costs require verification. MCSF 3.06.
- Uninsured medical expenses should be split by the parties based on the percentage recommended by the formula. MCSF 3.04. If one parent refuses to pay their percentage, receipts can be submitted to the FOC for reimbursement. MCL 552.511a. Many parents do not know the process for splitting expenses, and do not take advantage of this procedure. There is more information and forms are available on the FOC website.
- Parties cannot opt out of the FOC if either party is receiving public assistance, including Medicaid.
- When one parent is not working, most attorneys jump right to arguing imputation. However, income may include the value of gifts such as money, food, shelter, transportation, etc, that a parent receives from relatives or friends that is significant and regularly reduces income. MCSF 2.05(C). This rule can be used as an alternative to imputation; and can be easily proven by asking a parent about their monthly living expenses. However, this rule does not apply if a spouse is supporting the other parent.
- Parents are considered incapacitated for child support purposes if they are unable to earn income for more than 180 days due to disability, mental incompetency, serious injury, debilitating illness, or incarceration. MCSF 4.02. If your client is disabled and not receiving Social

The Tyler Law Firm

P.L.L.C



MALPRACTICE
LEGAL
PRODUCTS

B.A. Tyler

3001 West Big Beaver Rd., Suite 110

Troy, MI 48084

248-458-6600

www.tyler-legal.com

btyler@tyler-legal.com

Security, have their doctor complete a medical affidavit to submit to the FOC or the Referee.

- Minimum wage in Michigan is \$10.10 per hour, effective January 2023. If the parent works in another state, check that state's minimum income.
- The minimum threshold for modification is 10 percent or \$50 per month, whichever is greater. The public calculator is available online, so it is a good idea to run a calculation before filing a motion to modify child support. I have seen a number of motions to decrease child support actually result in an increase!
- Imputation of income is one of the most complicated areas in child support and requires evidence if you plan

to impute at a rate greater than minimum wage. Make sure to prepare your case in advance if you want the court to impute wages. MCSF 2.01(G).

- Most importantly, remember that child support is one of the most important areas of family law. Your knowledge of the law and advocacy on behalf of your client directly impacts the well-being of children in our community. If you have a question, contact one of the child support professionals at the Genesee County FOC or at SCAO's Friend of the Court Bureau: <https://www.courts.michigan.gov/administration/offices/friend-of-the-court-bureau/>.

Night of Honor

By Sherri L. Belknap

On November 12, 2022, over 100 members of the legal community gathered to honor Judge Duncan M. Beagle, retired Judge Nathaniel C. Perry III, and retired Judge Michael J. Theile as well as to celebrate the 125th Anniversary of the Genesee County Bar Association. The dinner and program were held at Genesys Conference and Banquet Center.

Circuit Court Administrator Barbara Menear and Judge G. David Guinn spoke about Judge Beagle and Judge Perry. Unfortunately, Judge Theile was unable to be present as he was under the weather. Richard Ruhala, the Dean of the Genesee County Bar Association, spoke about changes in the courts and the profession during his career.

Donald G. Rockwell joined Judge Beagle and Judge Perry for a panel discussion about things that happened during their careers. The microphone was then turned over to Judge Beagle and Judge Perry, who each thanked their families for standing by them during their careers.

At the end of the program, GCBA President Nancy Chinois and Master of Ceremonies Judge B. Chris Christenson gave a Bulova Empire clock to each judge to thank them for their service to our community.

The night was the biggest gathering of members of the legal community since the beginning of the COVID pandemic. There was no better time to gather than to celebrate three of our judges who have given years of service to the community and to celebrate the Bar Association for 125 years of excellence.

See photos from the evening at right.



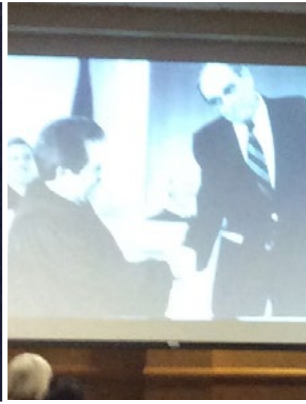
Sherri L. Belknap




**GENESEE COUNTY
BAR ASSOCIATION**
Professionalism Since 1897

MISSION STATEMENT

The Genesee County Bar Association exists to serve the professional needs of our members, improve the justice system, and educate the public about the law and the role of lawyers.





**GENESEE COUNTY
BAR ASSOCIATION**
Professionalism Since 1897

A NIGHT OF HONOR

Celebrating the 125th Anniversary of the GCBA
and Honoring the Achievements of
Honorable Duncan M. Beagle,
Honorable Nathaniel C. Perry III
and
Honorable Michael J. Theile.

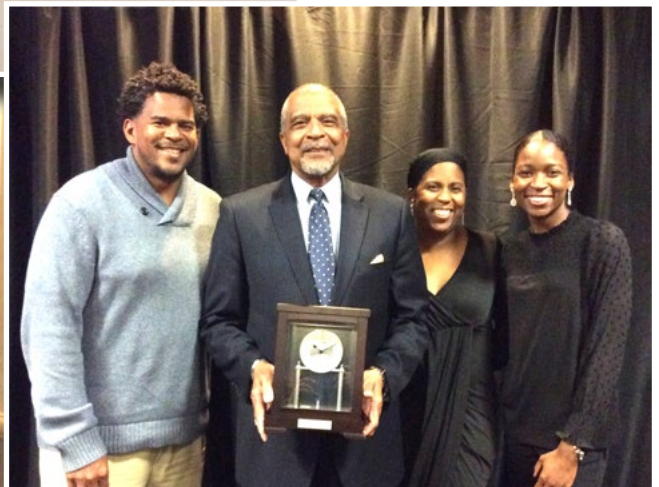
Judge's Club
Hamo Law
Prosecutor David Leyton

President's Club
Cline, Cline & Griffin
Garan Lucow Miller P.C.

Barrister's Club
Jeremy R.M. Piper
Robert J. MacDonald, Esq.
Simen, Figura & Parker PLC

Counselor's Guild
Henneke, Fraim & Dawes P.C.
Judge Geoffrey & Mrs. Constance Neithercut

Legal Scholar
Circuit Court Bench
Legal Services of Eastern Michigan



GCBA/GCBF Holiday Giving Project

By Brian M. Barkey

For the third year in a row, we have sponsored a successful Holiday Giving Project for our community's homeless families. And for the third year in a row, your participation in this project and its size has grown.

Again, we were able to solicit the cooperation of six area shelters: Shelter of Flint, Carriage Town Mission, East Side Mission, Salvation Army, YWCA and Whaley Children's Center. For each of these, we catered holiday meals from three local non-franchise restaurants: Italia Gardens, White Horse Restaurant and Luigis. It did not take Jack Tubbs long to learn the dates and times of these events and recruit entertainment for them. Two flute players attended the parties at Whaley and Shelter of Flint, Glenn Simmington entertained at the Shelter of Flint, the Sylvia Pittman Chorale group sang at the YWCA and Jack and a few friends played at the Salvation Army residential program party. I tagged along to these parties and snapped a few pictures. Although not clear from the pictures (I purposely did not take many of the attendees there), we served nearly 500 meals -- which was more than last year -- and the atmosphere was great.

We arranged and funded holiday gifts from Amazon gift lists and gift programs administered by the shelters to the

children residing there. Unlike the gifts we distribute at our traditional dinner, the kids (rather than lawyers) get to select what they get for the Holiday.

I have been told more than once that the Christmas holidays are very hard on families living in shelters, especially the children. The shelters see this and they cannot thank the attorneys of Genesee County enough -- and not just the 80 GCBA members who contributed. This is something that reflects well on every lawyer here.

I heard a story that illustrates this. It seems that one of the children living at the Whaley Children's Center had asked for art supplies in her wish list and when her gift was delivered, she unpacked it and decided to write a thank you card to the lawyers who funded this program with her gift. Other children saw her do this and began to write their own. I got them two weeks later and I can tell you -- they will make you cry, I promise you.

Thank you for your continued support of this wonderful gift to these families.



Brian M. Barkey







YEO & YEO

LET'S THRIVE



We wake up
every morning
thinking about
the things that
keep your clients
up at night.

BUSINESS VALUATION

Analysis of factors that value your business or one in which you have interest. A third party with true perspective.

ESTATE PLANNING

Wealth building advisement with a full range of estate planning strategies and solutions. Matching your purpose with your legacy.

EXPERT WITNESS TESTIMONY

Our expertise brings reliable and relevant support for your cases. We're with you every step of the way.

YEOANDYEO.COM



2022 Amy Harris Criminal Law Seminar sponsored by the Genesee County Bar Association and Bar Foundation

By Jessica Mainprize-Hajek



Jessica Mainprize-Hajek

2022 provided the GCBA with the first opportunity to conduct a hybrid seminar—both in person at the Genesee County Friend of the Court Training Room and virtually through Zoom. Though attendance this year was not as high as previous years, likely because of the delay in finalizing the seminar's schedule and the seminar being late in the year, I still believe that the Seminar was a success! The seminar leaders presented exceptional educational material to those in attendance.

We began *Amy's Seminar* on December 1st, with updates from the Public Defender's Chief and fearless leader, Nathaniel C. Perry. He introduced the entire PD staff, updated us on important topics – such as reimbursement for services and opportunities for expert witness funding. Sheriff Swanson followed up with a dynamic presentation on the Sheriff's IG-NITE Program – a program that has changed perspectives and lives for many inmates incarcerated in the Genesee County Jail. It should be noted that when scheduling the seminar, the thought was Captains Gould and Kennamer would be teaching and presenting to us. Much to the surprise of those attending, it was the Sheriff himself who arrived. Following the Sheriff, I presented and summarized the necessity of filing motions in the trial court and gave a checklist to attendees for Motion Practice.

Blondie's Restaurant provided a wonderful lunch which received rave reviews, and participants, both in person and on zoom, provided stories of wins, losses, questions, and tips during our working lunch. Normally, the presenter following lunch is in a tough position to contend with full stomachs. However, Professor Kristin Henning, the Blume Professor of Law and Director of the Juvenile Justice Clinic & Initia-

tive at Georgetown Law, rose to the occasion. Presenting on "Litigating Race and the 4th

Amendment," Professor Henning was brilliant, passionate, and eye-opening, teaching us how to advocate for our clients who suffer from racial bias, whether explicit or implicit, every day. We ended the first day of training with a round-table discussion led by Genesee County's own Chief Assistant Prosecuting Attorney Tamara Phillips and Managing Assistant Prosecuting Attorney Michael Tesner. Mike and Tammy gave us updates on the Prosecutor's case management/discovery system and shared with us education and tips about the necessity of protecting the record. I even received a complaint that the seminar ended at 5 because they did not want this round table to end.

On December 2, Attorney Katie Stanley from Legal Services of Eastern Michigan presented to us on Attorney Mindfulness and reminded us that we need to be present in the moment and mentally healthy for both ourselves and our clients. Attorney Marilena David of the State Appellate Defenders Office provided us with the recent 2022 Michigan Supreme Court decisions relating to youthful offenders. The decision has important consequences for multiple youthful offenders who have already been sentenced as well as those under the age of 18 who will be sentenced in the future. Finally, Attorney Anne Yantus updated us all on sentencing issues over the last year. These legal updates are always interesting and very helpful in the criminal law world. Anne has been a constant and dynamic presenter since *Amy's* first seminar in 2016.

As all Genesee County public defenders know, every year we are required to have continuing legal education credits to remain active on the public defender list. The Michigan Indigent Defense Commission's Standard 1 also mandates attorneys to complete at least 12 hours of continuing legal education courses. See <http://michiganidc.gov/standards/>. Chief Public Defender Nathaniel C. Perry has been kind enough to allow *Amy's Seminar* to fulfill the full 12 hours of required continuing legal education. I would be remiss to not specifically thank the Genesee County Defender's Office for their help and support throughout this seminar. Chief Perry,

Continued on next page

McNALLY MASON AGENCY

Since 1948

AGENT FOR CNA SURETY
PROBATE, TRUST AND SURETY BONDS

ATTORNEY RICHARD F. McNALLY
717 S. GRAND TRAVERSE, FLINT, MI 48502

(810) 767-5550

WWW.MCNALLYMASONAGENCY.COM
CARLMASONAGENCY@AOL.COM

Michelle Bolthouse, and Todd McKee were essential to the successful 6th annual Amy K. Harris Seminar.

A very special thank you to GCBA Executive Director Tina Burroughs. Without her, and her hard work – when my lack of preparation became her emergency – *Amy's Seminar* would not be possible. A big thank you as well to the Genesee County Friend of the Court, Tony McDowell. The use of the FOC conference room allowed us to reach more people for continuing education through the ability to present in person and on Zoom. This technology being new for *Amy's Seminar*, Friend of the Court Tony McDowell was essential in explain-

ing the tech (even in a time crunch) and allowing us the use of the beautiful and well-designed training room.

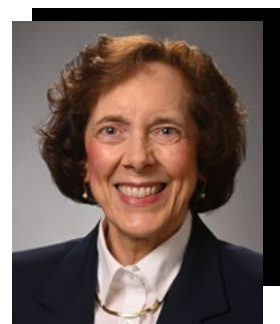
Last but certainly not least, a very special thank you must go out to the Genesee Bar Foundation Neithercut Fund for their continued financial support of *Amy's Seminar*. The Fund's grants allowed us to provide for a hybrid seminar as well as obtain education from the best sources.

Topics for *Amy's 2023 seminar* are already being hashed out but suggestions are always welcome. See you at the Amy K. Harris Criminal Law Seminar in 2023 – hopefully in the Spring!!

Why We Serve

Edited by LindaLee Massoud

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.



LindaLee Massoud



Denise Fish

Denise Fish

I have volunteered at Applewood Estate (Ruth Mott Foundation) for years. My duties have included gate greeter, helper at Friday story time, helper with the house tours, and helper at the Fall festival.

The Estate is open Thursdays through Saturdays from 11:00 to 5:00 and Sundays from 1:00 to 4:00. It is a beautiful place in the city of Flint.

I enjoy volunteering at Applewood and giving back to the community that has given so much to me. Another benefit is that I meet a lot of people here, both the people who work or volunteer at Applewood and the people who visit.

It was Ruth Mott's desire that the estate be open to honor Mr. Mott and to give the city a chance to enjoy the beauty of the estate. They have a lot of programs, more than I know about. It is a beautiful venue with much to offer and I am proud to be a part of it. <https://www.ruthmottfoundation.org/applewood/>

L. David Lawson

I have been a board member of the Friends of For-Mar Foundation, Inc. for over 4 years. and currently serve as board President. The Friends of For-Mar is a 501(c)(3) organization

that supports the For-Mar Nature Preserve and Arboretum in Burton.

For-Mar, as it is operated by the Genesee County Park System, is a gem in our community, maintaining an extensive and well-maintained arboretum and nature preserve, along with a Visitors Center, Butterfly Garden, tree house and countless ever-evolving nature, conservation, and related educational programs that can be enjoyed by the whole community.

Since the County Park system does an excellent job in maintaining and running For-Mar and related programs, the role of the Friends of For-Mar is that of a partner, helping it achieve its goal to provide an educational, conservation, and recreation resource for the area.

As a board member I am involved in fund raising and reviewing the operation of For-Mar to assure that its operation is consistent with the terms of a gift of the park property, and of a trust fund established for it.

It is a joy and honor to assist the Park System in ensuring that For-Mar remains one of the gems of Genesee County. <https://geneseecountyparks.org/explore/for-mar-nature-preserve-and-arboretum-and-forbes-martha-merkley-visitor-center/>



L. David Lawson



Injury Lawyers Servicing Flint & Genesee County for over 40 Years.

- **Auto Accidents**
 - **Motorcycle Accidents**
 - **Trucking Accidents**
 - **Wrongful Death**
 - **No Fault Law**
 - **Personal Injury**
 - **Dog Bites**
 - **Medical Malpractice**
 - **Premises Liability**
 - **Dram Shop**
-

- ❖ We Always Honor Referral Fees
- ❖ Millions Paid to Referring Attorneys
- ❖ GCBA Member Since 1981
- ❖ 100% Locally Owned
- ❖ Statewide Practice



810-234-3667

www.HamoLaw.com

Genesee County Bar Association
315 East Court Street
Flint, Michigan 48502-1611

PRSRT STD
U.S. Postage
PAID
Flint, MI
Permit No. 125

RETURN SERVICE REQUESTED

LAWPAY[®] +
AN AFFINIPAY SOLUTION



Member
Benefit
Provider

“I love LawPay! I'm not sure why
I waited so long to get it set up.

— Law Firm in Ohio

Trusted by 50,000 law firms, LawPay is a simple, secure solution that allows you to easily accept credit and eCheck payments online, in person, or through your favorite practice management tools.



22% increase in cash flow with online payments



Vetted and approved by all 50 state bars, 70+ local and specialty bars, the ABA, and the ALA



62% of bills sent online are paid in 24 hours

Data based on an average of firm accounts receivables increases using online billing solutions. LawPay is a registered agent of Synovus Bank, Columbus, GA., and Fifth Third Bank, N.A., Cincinnati, OH.

YOUR FIRM
LOGO HERE

**Trust Payment
IOLTA Deposit**

New Case Reference

**** * 9995 ***

TOTAL: \$1,500.00

VISA POWERED BY
eCheck **DISCOVER** **PAY ATTORNEY**

Get started at
lawpay.com/gcba
866-730-4140