

March/April 2020

BARBEAT

Genesee County Bar Association



Photo credit: Shelley R. Spivack

Your Board of Directors...

Neithercut Scholarships Expanded

Law is the Family Business: Local Attorney Families

NARCAN and the Good Samaritan

Moot Court Comes to UM-Flint

Case Note: Elliot-Larsen Civil Rights Act -
Discrimination/Age

Budapest and the Balaton

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Your Board of Directors...

By Sherri L. Belknap, President



Sherri L. Belknap

I cannot believe it is the time for nominating individuals for the Board of Directors, Executive Committee, and annual awards. It just seems like yesterday that I was nominated for President. So far (knock on wood), things are going great at the GCBA. For that, I thank our Board of Directors and Executive Committee members. We have some amazing board members.

The Board of Directors are from diverse areas of law such as landlord tenant, real estate, probate, bankruptcy, personal injury, and criminal. It includes members of the Young Lawyers Committee, Women's Lawyer Association of Michigan, Flint Trial Lawyers, and Mallory, VanDyne Scott Bar. We have attorneys with many years of experience as well as attorneys with less experience. I would like to introduce you to all of our Board Members, but the Bar Beat Committee limits my word count (which is probably a good thing) so I will introduce you to a few members.

If you talk to me long enough, you will learn that I enjoy watching the City of Flint council meetings. I am a huge fan of **Angela Wheeler**, City Attorney for the City of Flint and GCBA Board Member. Angela is a classic example of calm under pressure, professionalism, and courtesy. In November 2017, Angela was appointed the Chief Legal Officer for the City of Flint after serving 12 years in the department. In July 2016, she joined the Board of Directors.

Elias J. Fanous joined the Board of Directors in July 2018. Elias is the Managing Partner at the Law Office of Elias J. Fanous PLLC where he practices landlord tenant, family and criminal law. As an active member of our Board, Elias brings a new and fresh perspective. At 7:30 a.m., he brings some much needed levity to the board meetings.

As part of our Board, we have delegates from local legal organizations such as Women Lawyers Association of Michigan; Mallory, VanDyne, Scott Bar Association, and Flint Trial Lawyers. **I'Lanta Money Robbins** is the delegate for Mallory VanDyne Scott Bar Association. Mallory VanDyne Scott Bar is an Association of African American Judges and Attorneys practicing in Genesee County. I'Lanta is a graduate of Michigan State University and Michigan State University College of Law. She previously worked for the City of Flint Law Department before she opened her own practice where she practices in creditor/debtors' rights, probate and estate planning and commercial litigation.

A rising star in the legal community, **Samantha Orvis** joins the Board as the delegate for the Women Lawyers. She is a shareholder at Garan Lucow Miller, P.C. where she practices automobile negligence, premises liability, property

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damage litigation, general liability, general liability, no-fault insurance litigation, and insurance coverage. Samantha is active not only with the GCBA but also the State Bar of Michigan where she is the Young Lawyers Section representative on the Board of Commissioners.

Michael A. Tesner is the Managing Assistant Prosecuting Attorney for the Appeals Division of the Genesee County Prosecutor's Office. Michael joined the Board in July 2015 and currently serves as Vice President. This year, his main responsibility has been to schedule our Monthly Meeting speakers. Unless two-thirds of the nominating committee

votes otherwise, Michael will be the next GCBA President, which will leave us in very good hands next year.

I joined the GCBA Board of Directors in July 2013. It has been a great experience that has helped shape who I am today. Being a member of the Board has provided many opportunities to network with other attorneys and judges, hear diverse opinions on many subjects, and learn from my fellow GCBA members. I am honored to have served with those Board members, past and present, and thank them for sharing their experiences and opinions during our meetings.

Neithercut Scholarships Expanded

By Roberta J.F. Wray

After a one-year experiment, the GCBA Foundation is expanding the availability of scholarships for continuing legal studies. The program is supported by the Neithercut Fund which was eager to help attorneys afford the cost of tuition for attendance at classes provided by the Institute of Continuing Legal Education (ICLE).

In announcing the program in September 2018, GCBA past president Randolph Piper said they had no idea how many GCBA members attended ICLE classes. The initial offering was \$300 per attorney per year for as many as would fit within the \$10,000 cap.

Since the inception of the program, just ten scholarships have been awarded. That has led to an expansion of programs

eligible for assistance. At the request of the bankruptcy committee, programs for continuing education in the area of bankruptcy law were added. Criminal law practitioners will also be eligible.

In the future applicants must prove paid attendance at any ICLE Seminar of the Michigan State Bar Association, American Bankruptcy Institute, Federal Bar Association Bankruptcy Section, and Criminal Defense Attorneys of Michigan. The Foundation will reimburse one-half of the cost of the seminar tuition. The program is not "need based." Any GCBA member qualifies for the aid in order to help maintain and improve the high quality of representation in our community.

To take advantage of this opportunity contact GCBA/GCBF Executive Director Tina Burroughs at (810) 232-6000.



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Law is the Family Business: Local Attorney Families

By William J. Brickley



The GCBA has a rich history of members who come from a family of lawyers. Many of our attorney families accomplish as much as the “big name” attorneys, but they do not receive the same public recognition. In each edition we will highlight a couple of our local attorney families who work hard to serve the Genesee County community.

The Lattie Family

Having been born in Flint, and after attending Flint Northern High School and even Flint Junior College, **Lyn-don Lattie** decided after his college graduation to attend the Detroit College of Law. He returned to his home community in the early 60's to devote himself to a practice centered on municipal law. He had some brief associations with “Uncle Pete” and Ed Jakeway but primarily hung his own shingle. His son **David**, growing up in Grand Blanc, followed his father to Detroit College of Law and also came home to establish his practice which included a stint doing trial work with Garan Lucow Miller defending civil litigation but eventually took him into municipal law where he still practices in Grand Blanc, about a stone's throw from where he grew up. Lynn just wrapped up his last legal matter in February of 2020 and now at the age of 84 has decided that he is retired. And by the way, “Uncle Pete” just happened to marry Lynn's sister; he is the **Honorable Peter Anastor**, formerly of the 68th District Court.

The Buckley Family

In 1954 **James Richard Buckley** took an opportunity to work for AC in labor relations in Flint, Michigan. While in Flint he met many wonderful people including Duke Parker, and Reese Stipes. His young family started to grow and Jim moved away for a short time. After attending night school at Detroit College of Law Jim moved his family of 5 children back to Genesee County and entered the practice of law in 1966 with Allan “Duke” Parker. His daughter **Kathleen Buckley** attended Detroit College of Law as well, and joined her father's practice in 1981. Son **J. Michael Buckley** was also a grad of DCL and went on to the Wayne County Prosecuting Attorney's office and then to the U.S. Attorney's office. **John P. Buckley**, another son, attended University of Michigan law school and went to Chicago to practice his trade. Kathleen continues her father's tradition in Genesee County, specializing in family law and giving of her time and talents to the Genesee County Bar Foundation.

The Piper Family

The legal legacy of the Piper family was started with **M. Harry Piper** who graduated from U of D Law in '56. He was

in first in private practice in Flint before joining Genesee Bank as a Trust Officer in 1957. He remained there until his retirement in 1987 as Senior VP and Chief Financial Officer. **Randolph P. Piper**, Harry's son, graduated from the National Law Center at George Washington University in 1970. Randy returned home to Flint to private practice and maintained his practice for 43 years. **Jeremy Piper** followed them, graduating from the Wayne State University School of Law in 2001. He also came home to enter into private practice which he has been engaged in since 2001.

Also a part of the Piper legal family is **John Siler**, a first cousin to Randy. John graduated National Law Center at George Washington U. in '70. (Yes, the cousins did go to law school together; they would not say who got the better grades.) John was in private practice in Flint for 41 years. Randy's sister-in-law and Jeremy's aunt, **Janice Rundles**, is also an attorney. She graduated from Southwestern University Law School in LA in 1977. She also returned to Flint and worked with Legal Services of Eastern Michigan, clerked for Judge Phillip Elliot, and then had a stint with the Genesee County Prosecutors Office. She relocated to New Hampshire and in 2000 was elected as the county prosecutor in Strafford County. She has since been re-elected 4 times.

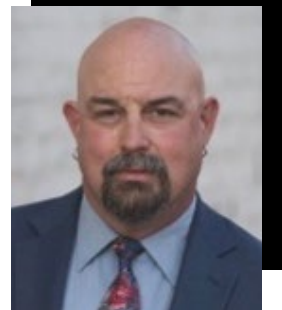
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NARCAN and the Good Samaritan

By Rick Hetherington



Rick Hetherington

In Michigan right now, Wayne and Genesee Counties have experienced unfortunate increases in opioid overdose deaths. Opioid addiction is nothing new, and overdoses have been on the rise for many years. In the addiction cycle, as people use more and more opioids, their tolerance builds up and they need more to feel that same effect. Overdose fatalities often occur after someone has a dry period (maybe a stint in jail or a rehab facility) and then starts using again. Their brief abstinence has caused their tolerance to decrease and they can't handle as much as they used to, but they use the dose they were used to, resulting in overdose.

At a press conference at the end of January, Genesee County Sheriff Chris Swanson said fentanyl has caused over 90% of the overdose cases in the county to end in death. Fentanyl is a synthetic opioid that is added to heroin to increase potency, or to disguise it as highly potent heroin. Swanson went on to advise all residents in Genesee County to carry NARCAN.

NARCAN, which is also called Naloxone, comes in a nasal spray and is useful for helping someone suffering from an opioid overdose. NARCAN reverses the effects of opioids and often revives people within seconds. But what liability could you face if you administer NARCAN to someone? Fear of criminal prosecution represents a major barrier to seeking help, especially if the caller is also using illegal substances.

In an effort to combat increasing deaths due to opioid abuse, Governor Rick Snyder appointed a task force to address prescription drug and opioid abuse. The task force ultimately recommended passing a Good Samaritan law to encourage people to seek medical assistance during an overdose, which Governor Snyder signed into law in 2016.

Pertinent Statutes

MCL 333.17744b makes it legal for doctors to prescribe and pharmacists to dispense NARCAN to any person at risk of experiencing an opioid related overdose. This includes family members, friends, and other individuals in a position to provide assistance to someone having an opioid related overdose. Any person acting in good faith and with reasonable care may possess and administer NARCAN.

MCL 691.150 provides protection from civil action for damages that might occur when administering NARCAN.

MCL 333.7403 protects a person from prosecution for possessing a controlled substance in an amount sufficient only for personal use when seeking medical assistance for him/herself or another person due to an overdose or some other medical emergency related to substance use.

MCL 333.7404 protects a person from prosecution for using a controlled substance in an amount sufficient only for personal use when seeking medical assistance for him/herself or another person due to an overdose or some other medical emergency related to substance use.

NARCAN is an effective life-saving tool, and steps have been taken to protect good Samaritans from liability. In January of 2020, The Michigan Department of Health and Human Services announced the allocation of monies from the State Opioid Response Grant, which includes \$4.5 million to high risk areas like Genesee County. In Michigan, NARCAN is available to anyone without a prescription. In Genesee County specifically, free NARCAN training is available through Genesee Community Health Center. The training consists of:

- how to properly respond to an opioid overdose using NARCAN;
- ways to decrease risks of a fatal overdose;
- how to store, yet have NARCAN readily available;
- understanding that NARCAN does not take the place of immediate medical attention;
- being assured that you are covered under the "Good Samaritan" law as a first responder;
- being able to identify the symptoms of an opioid overdose.

The training lasts approximately one hour, and at the end, if you successfully complete, you will receive a free NARCAN kit. Anyone who is interested can register online at <http://www.genhs/NARCANtraining>. Or call (810) 496-5727 with any questions. Opioid addiction has attacked men and women and people of most age groups, races, and ethnicities. As practicing attorneys, we are frequently in court, and exposed to a wide array of people, which increases our likelihood of encountering someone addicted to opioids. Get some NARCAN! It could save a life.



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Moot Court Comes to UM-Flint

By Shelley Spivack

While mock trial has been making its way through undergraduate institutions and even high schools for some time now, moot court has been slower to be adopted by undergraduate institutions. Moot court and its simulated appellate arguments provide rich opportunities for undergraduate students to discover their love of the law, develop their analytical reasoning skills, and practice their oration in a competitive yet supportive environment. The University of Michigan-Flint recently became the home of one of the state's newest undergraduate moot court teams and is looking to make a name for itself on the regional and national stage.

The moot court season runs from May first when the case problem is released to January of the following year when the National Moot Court Competition is held at a rotating set of universities nationwide. The rules are governed by the American Moot Court Association. While the oral argument is stressed as the fundamental exercise for undergraduate students, there is also a brief writing competition that occurs during the same time frame. Teams of two students are given 20 minutes per side to present an argument that contains two main issues.

"We were quite impressed with our inaugural team," said Kevin Lorentz, lecturer and co-coach of the UM-Flint Moot Court Team. "Our students started working on the problem as soon as it was released and actually requested more meetings with us over the summer to develop their reasoning and argumentation skills." Students were divided into two issues and worked for months posing questions, coming up with analogies, and polishing their presentations.

Kim Saks McManaway, lecturer and co-coach of the UM-Flint Moot Court Team, noted how well the inaugural team competed this past November at the Great Lakes Regional Moot Court Competition at Saginaw Valley State University. "We had two teams move on to the second day of competition

and finish in the top 24 teams," she said. "Additionally, one of our students was ranked ninth best orator in the entire competition." These accomplishments, Lorentz and Saks McManaway said, are virtually unheard of in the moot court world.

The Moot Court Team at UM-Flint is gearing up for their next season. Recruitment of students began in March after the school's spring break. The team will be largely set by May when the new problem is released. Students will meet several times over the summer and prepare diligently in the fall for next year's regional. In addition, the school has added a one-credit moot court class to help students develop their oral advocacy skills.

"We would love community support to make this program truly shine," said Saks McManaway. Students will begin presenting practice arguments in August and September, and outside judges are needed to come to practices to help provide fresh eyes and ears to arguments. "This kind of feedback from professionals is key to ensuring that our students are well prepared for competition."

"It's also an opportunity for students to make connections in the legal world before they graduate," said Lorentz. "Many of these students are very interested in law school and having a variety of people they can hear from about their experiences and get feedback from on their moot court performance would be ideal. Moreover, many of these students would make wonderful interns and law clerks, helping Genesee County retain some serious future legal talent."

If you are interested in helping with UM-Flint's Moot Court team, you can contact co-coach Kim Saks McManaway at kimsaks@umich.edu or at (810) 762-3472.

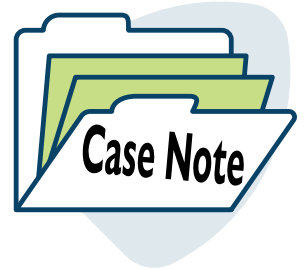


Shelley Spivack

CASE NOTE

Elliot-Larsen Civil Rights Act - Discrimination/Age

By Tom R. Pabst and Jarrett M. Pabst



Injuries Alleged:	Loss of job, lost wages, breach of contractual obligations, outrage/emotional distress/mental anguish
Name of Case:	<i>Bill Walter v GIGP, et al</i>
Case No:	18-111380-CZ
Court:	Genesee County Circuit Court
Name of Judge:	Hon. F. Kay Behm
Settlement:	\$125,000
Date of Settlement:	1/2/2020
Key To Winning:	Plaintiff's Counsel was able to confirm under oath that Defendants tortiously interfered with Plaintiff's employment lifetime contract when Defendants fired him on the day he turned 59½ years old.
Description of Case:	Defendant medical group breaches plaintiff's lifetime employment contract and fires him the day he turns 59½ years old

Approximately thirty years ago, Dr. Dan Walter started a medical practice in Davison, Michigan. Dr. Walter wanted to do something to secure the future financial security of his non-doctor son, Plaintiff, Bill Walter, and created a unique job for Bill by contractually promising Bill that he could work at the Family Practice as long as he wanted to, so long as he did the job (eventually that of "Office Manger").

Defendants, with knowledge of the contractual promise of job security made by Dr. Dan Walter to Bill Walter, nevertheless decided to renege on the contractual promise/obligation so that each Defendant could keep an aliquot share of the salary otherwise payable to Bill Walter, Plaintiff. They made this decision within months of each Defendant Doctor receiving substantial sums of money for selling his/her shares of the Family Practice to Defendant Hospital Group. It was Bill Walter's position that Defendants plotted and schemed to "get rid of" him behind his back.

Unfortunately for Defendants, they used an unlawful factor/means to "get rid of" Bill Walter – his age. Despite the fact that it is unlawful under Michigan Law to use age as a factor in making employment decisions, Defendants did just that! Specifically, at a meeting in May of 2017, Defendants got together with Defendant Hospital Group's CEO and agreed that because Bill Walter would turn 59½ years of age in July of 2018 – a year and one month later – they would get rid of

him. Apparently, Defendants and Defendant Hospital Group's CEO decided Bill Walter could retire at 59½ years of age and "cannibalize" his 401K retirement plan to live on until his social security could be collected years later! This shocked Bill Walter and he told them he had no intention of retiring. On the contrary, Bill Walter made it very clear that he intended to work until he was 65 years old.

During depositions, Defendants acknowledged that they knew of Plaintiff's lifetime contract, and that they "accelerated" his retirement anyway – and admitted and conceded that they used his age as a factor in coming to their decision.

Although Bill's case was potentially worth *many* hundreds of thousands of dollars, the case settled for \$125,000 through the Court's ADR process due to the real fear of sanctions.

Judge Robert M. Ransom

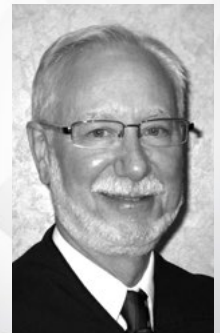
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Budapest and the Balaton

By Shelley Spivack

Last year when a friend asked me if I wanted to do a bike tour of a wine region in Hungary, I thought she was crazy. Hungarian wine??? Never heard of it. Hungarian goulash - now I could go for that. Nevertheless, as I had always wanted to visit Budapest, I jumped on board.

Hungary turned out to be a land of many surprises. As I had expected, Budapest was a delight- -- the Paris of Eastern Europe. From broad boulevards to cobblestone alleyways, the city had much to discover. The town of Buda on one side of the Danube boasts castles, fortresses and the national art museum, amongst other treasures. High on a hilltop, the view is picture postcard perfect. On the Pest side, where we stayed, the magnificent Parliament building hugs the waterfront. Seen at night from a cruise along the Danube, its lights illuminate the landscape.



What had the most impact on me was the synagogue and the memorials to sites from which Jews were deported in 1944. The synagogue, built in the style of a gothic cathedral, survived the deportation of the Jews to Auschwitz and is the largest in Europe seating 3,000 people. The old Jewish Quarter of the city, where our apartment was located, now

is a vibrant tourist mecca, sporting all varieties of restaurants and street vendors.

After a few days touring Budapest we headed towards Lake Balaton, the largest lake in Central Europe, where our Wine and Bike tour would begin. We met our guide in Veszprem, a hill top medieval city located north of the lake. Winding cobblestone streets took us to the site commemorating St. Stephen, the first king of Hungary, who defeated his enemies and transformed Hungary into a Christian nation.



Shelley Spivack



Meandering bike trails led us out of Veszprem and towards Lake Balaton where we spent the next six days riding on the lake's hilly northern shore. Covered with vineyards, this area has become one of the premier wine producers in Central Europe. Each day our guide Gabor, who had an abun-



dant knowledge of Hungarian history, brought us to castles, fortresses and cathedrals, all of which played important roles in the evolution of this proud nation. Not to be forgotten were our tours of the areas wineries. After pedaling up the hills to the vineyards, we would be met by gracious hosts offering us samples of the area's best wine and gourmet delights.

By the end of the week, I no longer had my doubts about Hungarian wine and was thoroughly enchanted by this idyllic lakeside hideaway. For more information: <http://www.vinociped.com/en/>



It's About Interpretation

By Roberta J.F. Wray

You hear the words all the time, especially when the Constitution is involved. How do you interpret the meaning of the Founders, with respect to the Second Amendment's "keep and bear arms" clause and more recently in considering the meaning of "high crimes and misdemeanors" in connection with "impeachment." An article in the New York Times Magazine, published February 28, 2020, discussed the methodology of interpretation of the conservative-leaning Supreme Court.

Senate Majority Leader Mitch McConnell has famously promised to fill the federal courts with judges who will "interpret the plain meaning of our laws and our Constitution." The problem with that is that "the plain meaning" of words can change over time.

Justice Neil Gorsuch has described his philosophy of judicial review as a mix of "originalism" and "textualism." His philosophy aligns closely with that of the late Justice Antonin Scalia and Justice Clarence Thomas. "Originalism" usually has to do with deducing the meaning of the Founders in the words of the Constitution as they were understood at the time it was written. "Textualism" deals with the plain meaning of words used in legislation.

The New York Times article points out that "(t)he Constitution invited some license . . . being specific in instructing how some parts of government are to work (i.e. Congressional duties) but remaining open-ended in some ways," such as freedom of speech, due process, and liberty. In addition, landmark cases like *McCulloch v. Maryland* 17 US 316 (1819) have noted that Congress may make "necessary laws" to allow desirable outcomes.

Justice Thurgood Marshall has described the Court's role as "simply to ascertain and give effect to the intent of the Framers . . . with the understanding that the Constitution was meant to be a living document." And Justice Antonin Scalia, according to the New York Times article, said applying originalism correctly requires "immersing oneself in the political and intellectual atmosphere of the time," including taking significant research "better suited to the historian than the lawyer."

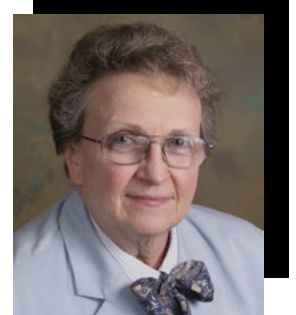
The continuing challenge of finding the true meaning of constitutional language has resulted in the development of "a new tool" which is a "paradigm-shifting technology." It may prove to be the answer to Justice Scalia's dilemma regarding the intent of the Framers. Brigham Young University has developed "a database of more than 120,000 texts from the late 18th century" described in the New York Times article, "making it possible to comprehensively assess how people at the time used the words 'bear arms,'" for example, in a discussion of the Second Amendment.

The BYU database

containing hundreds of millions of words, in both contemporary and historical English (is) open to the public . . . and promises to put judicial inquiries into language patterns on a firmer, more systematic footing, the results are still prey to all manner of human interpretation,

according to a March 2011 article in The Atlantic. The article, entitled "The Corpus in the Court: 'Like Lexis on Steroids'" suggests "even though language is often central to judicial decision-making" there is a danger in expecting the new high-tech tools to offer an antidote to the "inherent slipperiness of words."

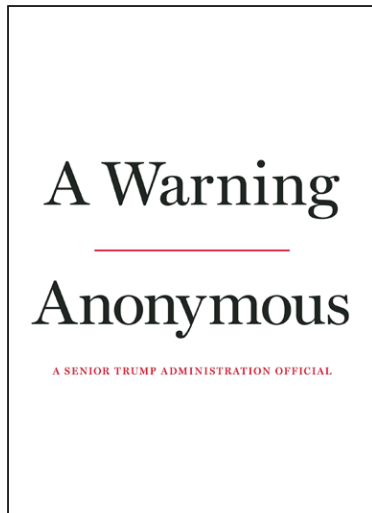
The author of the New York Times article, Emily Bazelon, concludes by citing a debate between Justice Scalia and Justice Stephen Breyer in which Breyer argued for "judging that went back to . . . *McCulloch*: reading laws and the Constitution in context to weigh their underlying purpose and the consequences of interpreting them one way or another." In a more recent interview Justice Breyer told her "I don't want textualism to take over law schools, and I fear it is. . . .The purpose of the law is to work, to work for the people."



Roberta J.F. Wray

Book Review: *A Warning!*

By J. Dallas Winegarden



A *Warning!* is similar to other books written about Trump's helter skelter White House. It is unique because of the philosophical, historic, and scholarly approaches to President Trump and his legacy, especially, and will be reviewed with only direct quotes. That, in my opinion, speaks volumes.

"The President has been called a pathological liar. I used to cringe when I heard people say that just to score political points, and I thought it was unfair. Now I know it's true. He spreads lies he hears. He makes up new lies to spread. He lies to our faces." (p. 522) "The President's untruths resonate with supporters due to their 'confirmation bias.' Humans tend to interpret new information as evidence to support pre-existing views. Social media has put his cognitive defects on steroids." (p. 526) "The President's lack of concern about the truth has terrible implications for a free society."

The book of John says, "you shall know the truth, and the truth shall make you free." Our capacity to reason to see through falsehoods is one of our studious rampages against threats to democracy. Without it, a republic is vulnerable to creeping encroachment of authoritarianism." [Ed: page number missing]

"Trump's words have already undercut the independence of the judiciary, excused the overage of executive power, and chipped away at public trust in government. They are also being used to attack our last hope for truth -- the Free Press." (p. 526) Trump revels in the herd-like behavior of his followers, he uses his social media presence to inflame public debates and dispatch supporters to attack politicians who criticized him or to rally followers in his defense. (p. 528)

Congress Legislatures regardless of party have an obligation to monitors is where the presidency is

fiercely examined and Ardently debated. the executive branch. They should do so fairly and respectfully, But above all they should do so. Unfortunately, on one side of the aisle, it sounds like night time on Capitol Hill. All you hear is the crickets. Republicans are hesitant to criticize the president when he deserves it, and if they can't apply them, they just go quiet. (p.603)

In the last chapter of the book he quotes Thomas Jefferson. "Who will govern the governors? There is only one force in the nation that can be depended upon to keep the government pure and the governors honest, and that is the people themselves." (p. 606)

This is a very fair historically significant appraisal, in my opinion, from a true scholar who is on the scene of this unbelievable nightmare perpetrated on the American people. God save this United States of America. Happy election year! Remember: Silence is Complicity!

[Editor's note: Some references page numbers and quotation marks may be missing.]



J. Dallas Winegarden

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Supreme Court LIVE?

By Roberta J.F. Wray

If a new bill introduced in the U.S. House of Representatives becomes law, we may be able to listen live to oral arguments before the U.S. Supreme Court someday. The 21st Century Courts Act, House Resolution 6017, was referred to the Committee on the Judiciary on February 28th. Among other things it would require same-day audio of oral arguments before the Court within a year, and live-streaming audio within two years.

The purpose of the requirement is to help overcome the difficulty for citizens who would like to observe the Court in action. Anyone who has been to the Supreme Court knows how limited is the space for the public. On important cases, long lines form outside the Courthouse, and observers are admitted in shifts.

In addition, most people can't take the time to travel to Washington to see the Court in action. Currently, a transcript of each argument is published the same day as the argument and an audio version is available by the following Friday, according to the SCOTUSblog.

The bill starts with a requirement that the Supreme Court "promulgate a code of conduct for justices of the Supreme Court." It also requires explanations for disqualification of justices, judges and magistrate judges along with publication of timely notification. It also makes modernization of electronic case management systems mandatory along with ability to link to external websites, with appropriate redaction of sensitive materials.

The funding for implementation of the act will come from increases to various fees, especially for high volume users, but accessibility to the public of all materials is intended to be free. The bill was introduced by Rep. Hank Johnson, D-Ga., and cosponsored by Rep. Mike Quigley, D-Ill., and Judiciary Committee Chair Jerry Nadler, D-NY.



Roberta J.F. Wray

Judge Crawford Administers Oath to Son

By Hon. William H. Crawford II

On December 18, 2019, William H. Crawford III, was sworn into the Michigan Bar in a ceremony conducted in the 67th District Court. Attorney Loyst Fletcher, Jr. made the motion for admission and Judge William H. Crawford II, acting as a 7th Judicial Circuit Court Judge by assignment of the State Court Administrative Office, administered the oath.

It was an emotional evening as Judge Crawford reflected upon his feelings after he saw his signature in the "Red Book" from when he was sworn in 37 years ago, and then he flipped the pages for his son's signature. "Will" is a recent graduate of Duke University School of Law. He will be off next year to work for the law firm Hogan Lovells in Washington D.C. after completing his federal court clerkship in Detroit, MI. Will currently serves as a law clerk for the Honorable Chief Judge Denise Page Hood, of the United States District Court for the Eastern District of Michigan.

Chief Judge Hood attended the ceremony along with her husband, Reverend Nicholas Hood III. The ceremony was also attended by Attorney Christopher McGrath who was sworn in by Judge Crawford many years ago.



Mrs. William H. Crawford II, William ("Will") Crawford III, and Hon. William Crawford II

Attorneys Kendall B. Williams, Barry Wolf, Karen Lopez, Ken Scott, Brenda Williams, Tabitha Marsh, and Trachelle Young, and many other friends and family provided support and enhanced a wonderful evening.

Your Vote, Your Voice, Our Democracy: The 19th Amendment at 100

By Sherri L. Belknap, President



Sherri L. Belknap

Law Day 2020 is commemorating the constitutional amendment allowing women to vote. During the early history of America, women were denied the basic rights enjoyed by men such as owning property, right to vote, or having money.

In 1848, Elizabeth Cady Stanton and Lucretia Mott organized the first women's movement in Seneca Falls, New York. More than 300 individuals attended including Frederick Douglass. Most of those in attendance believed that women were separate individuals with their own political identities. A small group of the attendees produced the "Declaration of Sentiments" which mirrored the Declaration of Independence. The Declaration of Sentiments provided that all men and women were created equal. Some members of the convention withdrew their support for the Declaration of Sentiments because the press mocked the idea of women having voting rights.

The momentum for women's voting rights was setback by the Civil War. After the War, women were confronted with a divide as to whether black men should be allowed to vote as proposed in the 15th Amendment. Some of the suffrage leaders, such as Elizabeth Cady Stanton, objected to the proposed amendment which gave black men the ability to vote but not black women.

In 1869, Stanton and Susan B. Anthony formed the National American Woman Suffrage Association ("NAWSA"). NAWSA's purpose was to secure a constitutional amendment allowing women to vote. As part of their strategy, Susan B. Anthony registered to vote in 1871. In November 1872, Anthony and fourteen other women returned on election day and were permitted to vote after answering several questions.

Within two weeks after she voted, Susan B. Anthony was arrested and charged with voting for members of the U.S. House of Representatives without having a lawful right to vote. When the deputy federal marshal went to arrest her, Anthony demanded to be arrested as if she were a man. In addition to Anthony, the fourteen women and the two Republican inspectors of election were arrested.

The examination of Susan B. Anthony started on November 29, 1872 and was adjourned until December 23, 1872. On December 26, 1872, Anthony was committed to jail. However, the federal marshal did not jail her. In an effort to educate the jury pool, Anthony gave many speeches about whether a U.S. Citizen had the right to vote. A county newspaper printed her entire speech in the paper.

The trial began on June 17, 1873. After hearing the evidence, Justice Hunt ruled that there was no question of fact and that Anthony was guilty of knowingly violating the law. Anthony's attorneys filed a motion for new trial which was denied. She was sentenced to pay \$100 and the costs of prosecution. Anthony did not pay the fines and costs and a marshal was sent to collect. However, the marshal claimed that he did not find any assets from which to collect.

Genesee County had its own trailblazer, Eva R. Belles. In 1888, Michigan allowed tax-paying women to vote for school trustees as well as bonds and appropriations for school purposes. Women were not allowed to vote for county or state superintendents.

In April 1888, Mrs. Belles attempted to vote in the Flint school board election, but the election inspectors refused to accept her ballot. She retained GCBA's first President, George H. Durand, as her attorney. With Mr. Durand, Mrs. Belles fought her case to the Michigan Supreme Court which granted her the right to vote in certain school elections. Eva R. Belles's fight for the right to vote is memorialized as the State Bar of Michigan's 11th Michigan Legal Milestone.

In June 1919, both houses in Congress passed the 19th Amendment which provides "the rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex." The 19th Amendment was ratified on August 18, 1920 ending almost a century of protest.

NAWSA continued to use politics to reform society. It later became the League of Women Voters.



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