

November/December 2021

BARBEAT

Genesee County Bar Association



YOUTH ARTS: UNLOCKED (YAU)

Because It's Ours

GCBA/GCBF Holiday Giving

Remembering Jack Minore

Federal Eviction Moratoriums: A Post-Mortem

Best Interests of Fido

Law is the Family Business: Local Attorney Families

A Friend for the Ages: The Past and Future of the FOC

Youth Arts: Unlocked Celebrates 10th Anniversary

Odyssey

A Mandate for Civility & Professionalism as Ordered by
the Michigan Supreme Court for Lawyers and Judges

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

Genesee County Bar Association

2020-2021 Board of Directors

PRESIDENT – William J. Brickley
VICE PRESIDENT – Nancy K. Chinonis
TREASURER – Craig R. Fiederlein
SECRETARY – Angela Wheeler
IMMEDIATE PAST PRESIDENT – Michael A. Tesner

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 – Dean T. Yeotis

Board Members

Sandra K. Carlson '22	Chadd O'Brien '22
Brooke E. Tucker '22	Erica A. Vicari '22
Anthony K. Chubb '23	Hon. Jessica Mainprize-Hajek, '23
Eric J. Mead '23	Hon. Geoffrey L. Neithercut '23
Vinson F. Carter '24	Elias J. Fanous '24
Leo J. Foley, Jr. '24	Paul J. White '24

Staff

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

Bar Beat Editor

LindaLee Massoud
BarBeat@gcbalaw.org

Bar Beat Assistant Editors:

Shelley R. Spivack
Sean M. Siebigteroth

Genesee County Bar Association

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

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

Published bimonthly 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.

Table of Contents

- | | |
|--|------------------------|
| 4 Because It's Ours | by William J. Brickley |
| 5 GCBA/GCBF Holiday Giving | by Brian M. Barkey |
| 6 Remembering Jack Minore | by Ramona L. Sain |
| 7 Federal Eviction Moratoriums:
A Post-Mortem | by Michael D. Vizard |
| 8 Best Interests of Fido | by Cara Willing |
| 9 Law is the Family Business:
Local Attorney Families | |
| 11 A Friend for the Ages:
The Past and Future of the FOC | by Tony McDowell |
| 12 Youth Arts:
Unlocked Celebrates 10th Anniversary | by Shelley R. Spivack |
| 14 Odyssey | by Roberta J.F. Wray |
| 14 A Mandate for Civility & Professionalism as
Ordered by the Michigan Supreme Court
for Lawyers and Judges | by J.D. Winegarden |

Advertisers

Member Insurance Solutions/BCBS inside cover	Judge Robert M. Ransom 12
Larry Day 3	The Tyler Law Firm PLLC 13
KMH Notary Services 4	Jakeway Injury Law 13
Tom R. Pabst, PC 5	Classifieds 14
YEO & YEO	Hamo Law Firm 15
CPAs & Business Consultants 6	LawPay
Manor Law Group 10	back cover



Larry Day

Attorney

Elk Rapids & Grand Blanc, MI
www.lawrencedaylaw.com

(810) 603-3400

Legal Help For Injured People

Experience—Personal injury attorney since 1980

Member Genesee County Bar Association

Member Grand Traverse-Leelanau-Antrim Bar Association

Referral fees honored and confirmed in writing

AREAS OF INTEREST:

- Auto and Truck Accidents
- Scalding tap water burns in baths and showers
- Juul E-Cigarette Vaping Claims
- Hernia Mesh Claims
- Birth Injury Claims
- Roundup®/Glyphosate Cancer Claims
- Metal on Metal Implant Claims
- Please see "REAL PEOPLE—REAL RESULTS"
at www.lawrencedaylaw.com

Because It's Ours

By William J. Brickley, President



William J. Brickley

When it's yours you pay more attention to it. When it's yours you want to protect it. When it's yours you want it to flourish. When it's yours you want it to succeed. It really does not matter what I am talking about: your family, your home, your legal practice, a precious gift left to you by a friend or relative. When we take ownership of something we care more, and we make sacrifices for it.

One of the things that makes our profession unique is our commitment to justice, not just for the client that we happen to be representing, but for all. There is no doubt that at times we selfishly wish the other party would just get a lawyer because for a multitude of reasons that would make our lives so much easier, but it goes beyond the concept of our own convenience. We as lawyers simply believe that everyone has the right to legal counsel. This concept is as basic as it comes: everyone needs a lawyer!

Unfortunately, real life means the poor and vulnerable in our society often are unable to access an attorney and as a result they are often unable to access justice. The results can be that our system of law, which depends upon both sides to a dispute being represented so that the truth can be exposed, does not work the way it is supposed to.

We, as a legal profession, have taken on the primary responsibility of addressing and trying to combat this problem. This is accomplished by not just talking about it, by not just making some vague promise, but by making our desire to combat this problem a part of our professional rules. First, we have agreed as individual attorneys to "render public interest legal services." MRCP 6.1. The comment to this rule leaves no doubt of our commitment. "The basic responsibility . . . for those unable to pay ultimately rests upon the individual lawyer" In addition to accepting the personal responsibility for addressing this need we also acknowledge that more is required. Our rules obligate us to

create and support organizations whose sole purpose is to provide legal aid and "[e]very lawyer should support all proper efforts to meet this need"

In response to this call to action our state bar has created the Access to Justice Campaign. This initiative seeks to raise awareness for those in need of legal services and to raise funds to support those organizations that are providing legal aid services. Our very own Legal Services of Eastern Michigan just happens to be supported by the ATJ Campaign. In 2020 the ATJ Campaign identified over 1.8 million people in our state who qualified for legal aid services. Unfortunately, there was only one attorney for every 6,675 eligible Michiganders. Despite these staggering statistics, those organizations supported by the ATJ Campaign assisted in over 40,000 cases. The positive outcomes achieved when legal representation was provided was over 90% in many of the categories of cases handled.

While the ATJ campaign accepts contributions from all, the primary responsibility for charitably supporting this campaign falls upon us lawyers. In 2020 alone over 4,300 of us made gifts to support this campaign. In 51 law firms the average donation received exceeded \$300 per attorney. Despite this rather impressive generosity more is needed. We still lag behind other states in the way those attorneys support legal aid services.

Being lawyers, I am sure we could all make rationalizations for not giving this year. Don't. This is ours. This is our profession, our ideals, our sense of fairness and justice. Protect it, help it to flourish, support it so it can succeed. I encourage you all to visit <https://atjfund.org/> and to make your donation today.

KMH Notary Services



MOBILE NOTARY

Certified Loan Signing Agent

The Notary that comes to You!

Kris Hasenfratz

P: 810-730-2846 * W: kmhnotaryservices.com

E: kmhnotaryservices@yahoo.com

Loan Signing System Certified * Notary2Pro Elite Certified * NNA Certified * Remote Online Certified

Connect with the GCBA



@gcbalaw48502



@gcbalaw48502



Genesee County
Bar Association



@gcbalaw

GCBA/GCBF Holiday Giving

By Brian M. Barkey



Brian M. Barkey

As you know, because of the COVID crisis, we were not able to hold our traditional Holiday Dinner last year for the first time in 28 years. The risk of spreading infection was overwhelming and we had no choice. Ironically, the need created by COVID was much greater. Area businesses were forced to close, area shelters were overwhelmed, and food distribution centers were exhausted every week. The nation shut down.

Area shelters where we had delivered fliers every year learned of our dilemma last year, and one of them called us. Their kitchen had been so busy that they had to close it over Christmas for repairs. They were faced with the prospect of serving sandwiches for Christmas dinner or, worse yet, turning hungry families away. What could we do?

Well, we went to work on ideas that served this need but did not accelerate the risk. The GCBA/GCBF Holiday Giving project was born. We called Italia Gardens, a locally owned restaurant, and they were enthusiastic to help. They prepared and delivered a holiday meal. We served over 300 people at three area shelters during the two weeks before Christmas. None of the meals were sandwiches. We had the children living at those same area shelters pick presents from an Amazon Wish List, and we bought them and had them

delivered. These kids actually got their Christmas wish! In every instance these wonderful things were enthusiastically and gratefully received.

The situation has not changed much in the year since then. COVID has flared again and the landscape of closed and shrunken businesses (including the ones we need to host our traditional Holiday Dinner) has remained pretty dismal. But we have learned from last year's experience. When we called the same three shelters this year, they were very happy with our proposal to repeat the Holiday Giving project this year. Word got around, and we have added three more shelters. This year we will be serving Carriage Town Miniseries, Shelter of Flint, Whaley Children's Center, East Side Mission and the residential programs at the YMCA and Salvation Army. We are exploring the willingness of at least three other restaurants to cater meals for residents at these shelters.

I tell this story about the charitable work done by our Association every chance I get. It sets us apart from the reputation of other lawyers across the state, and I cannot tell you how proud this makes me. Thank you for your continued support.

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

Remembering Jack Minore

By Ramona L. Sain (guest author)

July 1998. I had just settled behind my desk as the GCBA's newest executive director and opened the top desk drawer in the office. Inside was a lovely congratulatory note from Jack Minore, my immediate predecessor, soon to be winner of the primary election to the Michigan House of Representatives. Given the dynamics of the district, Jack's primary win would guarantee success in the general election.

Jack, with typical finesse, penned his support and promised to be there for me if, and when, needed. His words were warm, reassuring, and magnanimous. I had big shoes to fill.

During his tenure as executive director, Jack raised the profile and professionalism of the GCBA to unprecedented heights. He deepened community engagement; was active in the Michigan Association of Bar Executives, a state-wide organization of peers; and his executive presence provided the GCBA with a voice at the table on State Bar of Michigan issues.

Jack also had a talent for hiring stellar support staff, including your current executive director, Tina Burroughs.

Former GCBA President Jean Carl (who passed away in 2006) once commented that my interview with the GCBA hiring committee was so satisfactory that someone wondered if Jack tipped me off with a few questions in advance of the meeting. My reply was firm, and quick, "Anyone who thought that doesn't know Jack."

Those who knew Jack knew that he was a man of honesty, integrity, compassion, and wisdom. One who had a knack for assessing and articulating the needs and concerns for his employers and constituents. He was an advocate for the oppressed, less-advantaged, minorities, women, and children. He was an admired statesman.

But Jack was much more than a man who I happened to be lucky enough to follow at GCBA. He was a mentor and friend who will forever be missed.



Jack D. Minore



Yeo & Yeo

Make the *strongest case* for your client.

From business valuation and litigation to retirement and financial planning, our **experienced** professionals provide **quality** advice and support to secure the best possible outcome for attorneys and their clients.

- Business Valuation
- Litigation Support
- Divorce & Disputes
- Expert Witness Testimony
- Buy/Sell Agreements
- Physician Compensation Valuations
- Mergers & Acquisitions
- Receivership & Conservatorship
- Forensic Accounting
- Fraud Investigation
- Estate & Gift Taxes
- Succession Planning
- Estate Planning
- Retirement Planning



YEO & YEO
CPAs & BUSINESS CONSULTANTS



Rebecca Millsap, CPA
Managing Principal
Estate Planning Services Group Leader
rebmil@yeoandyeo.com



John W. Haag Sr., CPA/ABV, CVA, CFF
Valuation & Litigation Support Group Leader
johhaa@yeoandyeo.com

OFFICES THROUGHOUT MICHIGAN | FLINT 810.732.3000

yeoandyeo.com  

Federal Eviction Moratoriums: A Post-Mortem

By Michael D. Vizard



Michael D. Vizard

On August 26, 2021, SCOTUS dealt the final blow to the CDC's nationwide moratorium on residential evictions, ordering that "If a federally imposed moratorium is to continue, Congress must specifically authorize it."¹

How did we get here? On March 27, 2020, Congress passed the CARES Act, a \$2 trillion coronavirus economic stimulus bill designed to combat the economic effects of the COVID-19 pandemic. Pub. L. 116-136. The CARES Act also provided for a 120-day evictions moratorium on tenants in federally backed housing, which was sweeping because most mortgages are federally backed.² Congress did not renew that moratorium.

The CDC then imposed its own nationwide moratorium on residential evictions, citing Section 361(a) of the Public Health Service Act, 42 USC 264(a), as its source of authority. The CDC moratorium was more expansive than the CARES Act's moratoriums because it covered *all* residential properties; it also criminalized violations. The CDC consistently cited Section 361(a) as authority for all moratorium extensions.

The original CDC moratorium was slated to expire December 31, 2020, but Congress extended it for one month as part of the Consolidated Appropriations Act. Pub. L. 116-260 (2021). Congress did not renew that moratorium, but the CDC extended it month-by-month continuing into the summer of 2021.

That brings us to the present. On August 6, 2021, the CDC published notice of an agency order in the Federal Register, "Temporary Halt in Residential Evictions in Communities with Substantial or High Transmission of COVID-19 to Prevent the Further Spread of COVID-19," 86 Fed. Reg. 43244 (2021), which is the evictions moratorium SCOTUS blocked in *Alabama Ass'n of Realtors*.

The CDC claimed that Section 361(a) allowed it to impose the nationwide evictions ban to prevent the further spread of COVID-19 by temporarily halting residential evictions. The Alabama Association of Realtors sued in the U.S. District Court for the District of Columbia, which vacated the moratorium. However, the District Court stayed vacating the moratorium while the Government appealed. The issue, for SCOTUS to decide once and for all, was whether Section 361(a) gave the CDC authority to impose a nationwide ban on residential evictions to prevent the transmission of infectious disease.

Section 361(a) states:

The Surgeon General, with the approval of the Secretary of Health and Human Services, is authorized

to make and enforce such regulations as in his judgment are necessary to prevent the introduction, transmission, or spread of communicable diseases.... For purposes of carrying out and enforcing such regulations, the Surgeon General may provide for such inspection, fumigation, disinfection, sanitation, pest extermination, destruction of animals or articles found to be so infected or contaminated as to be sources of dangerous infection to human beings, and other measures, as in his judgment may be necessary.

SCOTUS scathingly rejected the Government's position that Section 361(a) grants the CDC the authority to impose a nationwide moratorium on residential evictions, saying, "It strains credulity to believe that this statute grants the CDC the sweeping authority that it asserts." SCOTUS noted that "the second sentence of [Section 361(a)] informs the grant of authority by illustrating the kinds of measures that could be necessary: inspection, fumigation, disinfection, sanitation, pest extermination, and destruction of contaminated animals and articles." SCOTUS agreed with the Government that some evicted tenants may move from state to state and carry COVID-19 with them, but the Court held, "This downstream connection between eviction and the interstate spread of disease is markedly different from the direct targeting of disease that characterizes the measures identified in the statute." The Court further reasoned if it adopted the Government's reasoning there would be "no limit [to the Government's authority] in Section 361(a) beyond the requirement that the CDC deem a measure 'necessary,'" and it would also interfere in the landlord-tenant relationship, which the Supreme Court noted is ordinarily the domain of state law, not federal law. SCOTUS concluded, "It is indisputable that the public has a strong interest in combating the spread of the COVID-19 Delta variant. But our system does not permit agencies to act unlawfully even in pursuit of desirable ends.... It is up to Congress, not the CDC, to decide whether the public interest merits further action here."

Endnotes

- 1 *Alabama Ass'n of Realtors, et al v Dep't of Health and Human Services, et al*, 594 US ____ (2021).
- 2 *Id.* at Section 4024.

Best Interests of Fido

By Cara Willing



Cara Willing

Pets are everywhere. Historically, pets were limited to the home, but now pets are part of everyday life. Restaurants like Starbucks offer “puppuccinos” or cups of whipped cream for your dogs, and in larger cities cat cafes are growing in popularity. On a more serious note, one could not watch the Westminster Kennel Club dog show this year without seeing an advertisement for Purina’s Purple Leash Project, an organization supporting domestic violence shelters that allow for pets. According to Purina’s Purple Leash Project’s website, 48% of domestic violence victims delay leaving the relationship because they do not want to leave their pet.¹

As interests and family dynamics change, the law slowly follows. In a recent Atlantic Monthly article, “Why Millennials Are So Obsessed With Dogs,” author Amanda Mull explains that some estimates indicate more than half of all millennials own dogs, and that this number increased during the pandemic.² Mull then explains that millennials adopt dogs because it is one way to put down roots when other traditional options seem out of reach, such as purchasing a house or having a child.

Recently, some states have enacted laws to protect pet owners and pets during a divorce. Alaska, California, and Illinois have enacted legislation that treat pets like children in custody cases by analyzing what would be in their best interests. As there are no specific statutory provisions regarding pets in Michigan, most practitioners treat them as property, like your car, tractor, and dishes. The options are: a party keeps the pet or it goes up for adoption. Some attorneys draft “petnups” to prevent frivolous litigation or to prevent one party from using the pet as a bargaining tool.

According to Pew Research Center, only 44% of millennials were married in 2019, compared with 53% of Gen Xers, 61% of Boomers and 81% of Silents at a comparable age.³ Despite the fact that fewer millennials are getting married, those who do marry may still get divorced. With the increase in pet ownership among millennials, it is likely that there will also be more pet litigation in divorces. A quick search on Westlaw under Family Law provides 109 cases where the word “pet” is found. Many of the cases are those of abuse and neglect; however, there is a Michigan case affirming a judgment of divorce which ordered a husband to pay for the family pet’s veterinary bills.⁴

In 2018, the Michigan Bar Journal published an article about estate planning and pets that advises attorneys to

provide clients with options such as pet trusts and powers of attorney for pet care.⁵ The Institute of Continuing Legal Education offers little advice on

handling pet division. The few pings when searching for pets under the family law tab on ICLE’s website state that pets are treated as property, but as with any family law case, parties can reach a creative agreement on how to handle the situation.

Attorney Allie Phillips, founder and CEO of *Sheltering Animals and Families Together* (<https://saftprogram.org>) and currently chair-elect of the State Bar of Michigan Animal Law section, stated she was not aware of any legislation to change the status of animals as property, but there has been discussion on changing the sentencing guidelines for criminal offenses involving animal cruelty. One of the Section members, Michigan State University Law School Professor David Favre, has published articles on animals as property and also teaches a course on animal law focusing on property status, anti-cruelty laws, and zoning issues.⁶

Treating animals as property is conceptually simple, but it ignores the emotional connections that humans have with their pets. The Purple Leash Project recognizes that domestic violence survivors are so emotionally invested in their animals that they will protect their pets before protecting themselves. As pet adoption (especially dogs) is on the rise, new legislation could increase litigation, but it would also provide more guidance for both attorneys and clients. By recognizing the emotional and legal needs of pet owners, such legislation would enhance the outcomes in family law cases.

Endnotes

- 1 <https://www.purina.com/about-purina/purple-leash-project/the-issue>
- 2 <https://www.theatlantic.com/magazine/archive/2021/09/why-millennials-are-so-obsessed-with-dogs/619489/>
- 3 <https://www.pewresearch.org/social-trends/2020/05/27/as-millennials-near-40-theyre-approaching-family-life-differently-than-previous-generations/>
- 4 *Schwartz v Oltarz-Schwartz*, 2016 WL 5328531 (Mich App Sept. 22, 2016).
- 5 Wrock, R.L., Planning for Pets with Default Provisions, Thoughtful Questions and Compassionate Counseling, 97 Mich BJ 23 (July 2018).
- 6 See David S. Favre, *Animal Law: Welfare, Interests, and Rights* (3rd ed. 2020).

Law is the Family Business: Local Attorney Families

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 Cullari/Sanchez Family

Francine Cullari, MA, MBA, JD, has been an attorney for almost 40 years and on the faculty at UM-Flint for over 15 years. She has a Masters in Planning/Urban Affairs from St. Louis University, a Masters in Business Administration from the UM-Flint, and a Juris Doctor degree from Michigan State University. She has studied international law at the Panamerican University in Mexico City.

Ms. Cullari has long been active in state and local bar associations. She is a past president of the Genesee County Bar Association, current Secretary of the Bar Foundation, and was a SBM Commissioner and Assemblyperson. Her editorial and authorial accomplishments include articles in *Bar Beat* and the *Flint Journal*.

Ms. Cullari's many accolades include the 2014 Roberts P. Hudson award, which the SBM presents to a Michigan lawyer in recognition of “extraordinary help and assistance to the Bar and the legal profession.”

The proudest “accomplishments” she and her husband enjoy are their two sons. Emil has a Ph.D. in Biochemistry and works for a drug development company on COVID and influenza treatments.

Alejandro will join the Washington Department of Licensing as its Deputy Director in mid-December. He is currently a special assistant to Governor Inslee, advising on immigration issues and the state's COVID-19 response.

Previously, Alejandro worked for and was on the Board of the Washington State Board of Tax Appeals. He has just been appointed by Governor Inslee to the Office of Civil Legal Aid Oversight Committee.

Alejandro has a B.A. in Philosophy from the University of Michigan, a J.D. cum laude from Michigan State University, and an LL.M. in Taxation from the University of Washington, ranking second in his class.

Having first been introduced to the profession by his mother, Alejandro recalls his many trips to the Genesee County Circuit Court interspersed with time spent discussing the law.

The Ransom Family

Law, as a Ransom family business nearing a collective 162 years, can be traced to **Marvin** W. Ransom who graduated from DCL and commenced private practice in Flint at the height of the Great Depression in 1932.

Honorable Louis McGregor relished telling the story of Marvin coming to the law office of McGregor and Transue to negotiate a settlement. In the process, Marvin carried the negotiations beyond the case to “engaging” their legal secretary, Hazel Sharpe, who subsequently became Hazel Ransom. They became the parents of **Robert** and **John (Jack)** Ransom, who likewise became graduates of Detroit College of Law.

Marvin was a highly respected as a civil defense trial lawyer who was elected to the Flushing Board of Education and became a Charter Member of the Genesee County Bar Foundation. He continued in private practice until his death in 1979.

Marvin's son, Judge **Robert** M. Ransom, has a rich history in the legal profession since 1962, when he started his practice with his father. He joined the first full-time faculty of Thomas M. Cooley Law School in 1973, serving as law professor until his appointment to the Genesee County Circuit Court by Governor Milliken in 1977.

Judge Ransom was re-elected five times to the Circuit Court, retiring after 28 years, having served as Genesee County Chief Circuit Judge for 16 of them. Through multiple assignments, he has served on every level of the Michigan judicial system, except the Supreme Court. His most rewarding judicial achievements include establishing a Drug Court in Genesee County and overseeing the Genesee County Court House restoration.

Judge Ransom currently carries on in the law through facilitations, mediations and private judging and serves as President of the Michigan Retired Judges Association. His interest in the community includes serving on the Boards of the Crim Fitness Foundation, Adrian College and Mott College Bruin Club.

He has received recognition as Outstanding Alumni Athlete of Mott Community College and Outstanding Alumnus of Adrian College, which also awarded him an honorary Doctor of Laws degree.

Marvin's second son, **John** Ransom, joined the firm of Ransom and Fazenbaker in 1965, practicing with his father and brother. He was appointed in 1988 as an U.S. Administrative Law Judge with the Social Security Administration. He served as ALJ in Fargo, North Dakota and in Lansing, and returned to Flint in 1992, where he served until he retired in 2015. Since his retirement in 2015, John and his wife Nancy have enjoyed their two dogs, winter vacations in Hawaii and UM football, as avid season ticket holders.

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

A Friend for the Ages: The Past and Future of the FOC

By Tony McDowell, FOC

In 1918, the first Friend of the Court (FOC) was appointed in Wayne County. With the passage of the Friend of the Court Act in 1919, all other counties in Michigan followed suit. At the time, the FOC was tasked with enforcing support orders mostly for divorcing single income families. They were also responsible for fact finding on the growing divorce caseload, and, in the early days, helping divorcing parents reconcile. Although the FOC is no longer a marriage counselor, much of its original role remains intact, in addition to its many new responsibilities.

By the 1930s, FOC offices also began enforcing custody and parenting time order violations. Things changed drastically again when the Federal government became involved in 1975 with the passage of Title IV-D of the Social Security Act which brought Federal funding and regulation to child support enforcement. In 1982 and 1987, the FOC was given two major tools: the Support and Parenting Time Enforcement Act, which provides the FOC with most of their enforcement tools, and the Michigan Child Support Formula, which helps calculate support obligations.

At a local level, the Genesee County FOC has also experienced its fair share of change. Since 1964, there have been four Friends of the Court in Genesee County: Bob Standal from 1964 to 1989, Judge Jennie Barkey from 1989 to 2006, Jack Battles from 2006 to 2021, and now myself. Since Mr. Standal's time, the world has dramatically changed, as has the role of the FOC in Genesee County. Single-income families used to be the norm. Now it's common for both parents to earn an income. Divorce filings used to outweigh cases involving unmarried parents. In the last 17 years alone, divorces with children have been cut in half while unmarried case filings have nearly doubled.

The local economy used to be bolstered by around 80,000 jobs at General Motors. While GM is still the largest employer in the county, it only represents around 7,500 local jobs. Although W-2 jobs remain common, they are increasingly replaced with jobs from the "gig economy." The FOC used to have a massive file room with thousands of files. Today, it is completely paperless. All of these changes have reshaped the way in which the FOC enforces orders, allocates resources, and serves families.



Tony McDowell

The future of the Genesee County FOC will continue to build on the excellent foundation created by those who

came before. We are able to learn from our history and continue to improve. We know that the FOC impacts a large portion of this community, either directly or indirectly, and that we have the potential to make a positive impact on this community when we are mindful about our role. When we work with community partners and families, we are able to support families and build orders that make sense for them which, in turn, encourages compliance with court orders.

With all of this in mind, we are bringing our tools to bear to achieve the best results for families. One asset is a passionate group of 83 hardworking public servants who genuinely want to help families and better the relationship between the FOC and the community. In addition, we work with an array of community partners. These organizations include the Genesee County Bar Association, Legal Services of Eastern Michigan, Community Resolution Center, InvolvedDad, Genesee County Health Department, YWCA, Flint STRIVE, and MSU Extension.

There are also more ways to access the FOC than ever before. We are available via email, text message, online chat, Zoom, telephone, fax, Facebook, Instagram, YouTube, in person, and in the community. With families better able to reach us, we can then work on getting them the orders and services that fit their specific family. This includes increased parenting time services, like helping families get stipulated parenting time orders, offering parenting classes, and referrals for supervised parenting time. In some cases, it could even mean guiding families through opting out of the FOC if that is what is best for them.

The future FOC is part of the community it serves. When people are involved in creating their court order, they are more likely to comply with that order. When they have been assisted, they are more likely to seek out that assistance again in the future. Ultimately, we partner with families to help them comply with their order. In doing so, we live up to our name as a friend to the court.

Want to advertise in *Bar Beat*?

Find out how at <http://www.gcbalaw.org/barbeat.cfm>



Youth Arts: Unlocked Celebrates 10th Anniversary

By Shelley R. Spivack

Ten years ago, while serving as a Family Court Attorney/Referee by day and member of Buckham Gallery by night, I saw a flyer seeking proposals for “Share Art: Flint”—a new grant program that would bring the arts to underserved Flint communities. Immediately an idea clicked in my head: to “share” the expertise of Buckham artists with the youth detained at the Genesee Valley Regional Center (GVRC). Having worked with incarcerated youth, both as an attorney and as a Referee, I believed that giving kids the opportunity to work with professional artists and to express themselves through the arts would positively impact their lives.

Ten years (and many grants) later our program that started with a 12-week pilot project featuring visual arts and Spoken Word Poetry workshops has grown into an independent non-profit—YOUTH ARTS: UNLOCKED (YAU)—providing art, poetry, dance, theatre, and yoga workshops year round to court-involved youth in Genesee County.



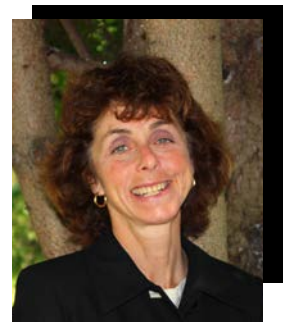
In our 90-minute theatre workshops at the Genesee County Juvenile Justice Center (formerly GVRC), detained youth participate in “Shakesprov”—our innovative improvisation workshops in which youth not only learn about Shakespeare, but create their own scenes and stories based upon themes in Macbeth and other plays. In our gender-based HER-

STORY: UNLOCKED” program, girls and gender non-conforming youth have the opportunity to express themselves through dance and Spoken Word Poetry. By exploring new dance styles, learning about innovative dancers, and choreographing new dances, the girls have the chance to create while also learning to work together as a group. In Spoken Word Poetry, the girls have a safe space in which to express their innermost thoughts, feelings, fears and desires. Yoga workshops, which were started by former GCBA president, Judge Jessica Hammon, give both boys and girls (in separate sessions) the chance to unwind through stretching, breathing and meditation techniques.

Youth in workshops at GCJJC and at the Learning Co-Op created visual art that was recently featured in YAU’s 10th Anniversary Exhibit at St. Paul’s Episcopal Church during downtown Flint’s October Artwalk. Through the exhibit, the first in-person YAU event since the pandemic, attendees such as Hon. Brian Pickell (at left), had the chance to personally experience the vibrant creativity of Genesee County’s court involved youth.



Reflecting on YAU’s 10th anniversary, Deputy Court Administrator Rhonda Ihm and GCJJC director Chad Sharpe stated: “The Court has been proud to collaborate with YAU in introducing artistic concepts to our court-involved youth as a means of connecting, expressing, and learning. They have been a long-standing and committed partner in helping us achieve better outcomes for youth. The art



Shelley R. Spivack



Linda Pylypiw

Private Judging
Mediation

Facilitation
Arbitration

Over 40 Years of Judicial Experience
7th Circuit Court Retired
Judge Robert M. Ransom

P: 810-659-6221 C: 810-813-8090
e-mail: Ransom05@comcast.net



program offers a unique opportunity for justice-involved youth to consider new horizons and possibilities in the world outside their current situation. YAU has provided our kids with a multitude of workshops enabling them to find their voices, creativity, and ultimately their hopes and dreams. In their 10 years of service to the facility, youth, and community, YAU has sharpened and encouraged our kids to be the best version of themselves."

The positive impact that art has on justice-involved youth is best expressed by the kids themselves:

Acting makes me feel AWESOME; I learned about Romeo & Juliet and the Macbeth curse; how to keep cool; how to be with a group; I learned I was good at acting and I love acting; I learned to open up more.

"It's fun. I love it; You have to try new things every day; I learned to keep pushing and trying; I like to use art to express ideas; I learned to work with others; stay positive.

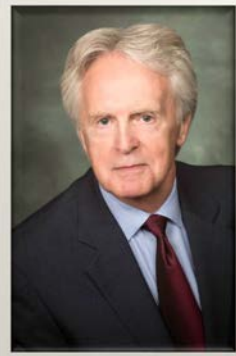
"I learned about body positivity and stereotypes; self-love; self-confidence; I was happy after; I learned to collaborate and hype my peers up; I learned about dancing freely; I was feeling down a lil, now I'm feeling so good.

"I learned how to calm my body; new poses; to be humble and calm; how to relive stress and clear my mind; I was able to focus on my thoughts; I learned how to meditate.

To learn more about YAU please visit:
<http://www.youth-arts-unlocked.org>.

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



G-8161 S. Saginaw Street, Grand Blanc, MI 48439
 (810) 694-1211 ☎ www.JakwayInjuryLaw.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

Odyssey

By Roberta J.F. Wray

You know those ads on TV that show someone on the floor or ground saying, "I've fallen and I can't get up"? That was me last January tenth. I went to the bathroom using my walker, but when I tried to get up, using the grab bars, my right leg buckled and I was stuck. I was on the floor of my bathroom for four days, unable to get to a phone to call for help.

I knew I had a work crew coming to install a new garage door, so I waited until I heard them knock. I yelled trying to get their attention. It didn't work. I called out each time I heard my next door neighbors come and go. No one heard.

I hallucinated over and over about watching Air Force One flying the President and First Lady to Florida and dumping them in the area of Mar-a-Lago! My TV wasn't on.

Luckily one of my daughters became concerned when her calls were not answered. She lives in Petoskey, so she called my friend Jan in Clio to the rescue. Jan called Flint Police and they broke in and found me. I don't know what time of day it was. I spent the next four days in McLaren ICU and then three weeks in Grand Blanc in rehab. I had apparently broken or cracked several ribs and was seriously dehydrated. I never went back home.

We decided I would move to Petoskey, but on the trip North I had another fall in the rest area near Gaylord. Despite the best efforts of two retired firefighters and an EMT who were also stopped in the rest area, I could not get up. This time I had shattered my right femur. They waited with us for an ambulance

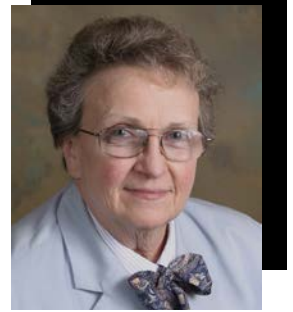
to take me on a bumpy hour-long ride to McLaren Northern Michigan in Petoskey.

After five hours of surgery, during which the surgeons installed a steel rod, using about twenty screws, a couple of feet of wire and all the bone fragments they could glue together, I was placed in residential rehab at Boulder Park Terrace in Charlevoix. I've been transported for X-rays in Petoskey, first every couple of weeks and then every month or so while the surgeons track the healing process. The X-rays always look like something Rosie the Riveter put together. But they finally told us I don't have to go back unless there's a problem in the future.

After months of non-weight bearing bed rest I'm now working on gaining strength to stand and walk. Boy, is the saying "use it or lose it" true. I would not have believed it would be so hard to learn to stand and walk again.

I remain a member of GCBA, but I'll be transplanted back to the north country from whence I came. With the help of my family and some friends from the GCBA, my house has been sold and my belongings have been transported to my brother's pole barns near Grayling where I was born.

My new home, once I escape here, will be in Alanson, north of Petoskey. With any luck, I may get out by January. Hopefully I will have learned how to keep upright!



Roberta J.F. Wray

A Mandate for Civility & Professionalism as Ordered by the Michigan Supreme Court for Lawyers and Judges

By J.D. Winegarden

In December 2020, the Michigan Supreme Court produced an administrative order, number 2023-23, for both the bench and the bar. Courts speak by their written orders and the Michigan Supreme Court spoke loud and clear. Every lawyer and judge should read this!

Implicit in the concepts of an orderly and ethical Bench and Bar are these rules of behavior. Let's try and live up to the principles of professionalism.

The order includes guidelines for both attorneys and judges. The full text is available online and can be downloaded in PDF form. <https://tinyurl.com/AO-2020-23>



J.D. Winegarden

Classified Advertising

PARKING SPACE RENTALS. Avoid street parking meters and parking tickets! Parking is available across from both circuit court entrances in and out, convenient, and fast. Only \$40 per month. Call John N. Pavlis, 810.238.0780.

HAMO

— LAW FIRM —

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

810-234-3667

614 S. Grand Traverse, Flint, MI 48502

www.HamoLaw.com

- ❖ Serving Flint and Genesee County for Over 35 Years
- ❖ We Always Honor Referral Fees – Millions Paid to Referring Attorneys
- ❖ GCBA Member since 1981 – **100% Locally Owned**
- ❖ Statewide Practice

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

RETURN SERVICE REQUESTED

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

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 Wells Fargo Bank N.A., Concord, CA, 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
888-259-2367