

# GTLA association

## NEWSLETTER

Summer 2008

### Hail and Farewell

#### Back to the Future *Redux*

*Lee Hornberger, Immediate Past President, GTLA Bar Association*

#### INTRODUCTION

My first President's article indicated that:

"One of our basic goals is reconnecting with the past. This includes re-creating continuity from the past to the present to the future."

With the help of an active Bar membership, our Judges' participation, and Board of Governors' leadership, we have successfully accomplished our goal of reconnecting with the past.

What are those accomplishments?

#### LAW LIBRARY AND EXECUTIVE DIRECTOR

First, we have an excellent Executive Director and Law Librarian in Jill Porter. Jill started on June 2. Her experience includes serving as Director of Library Relations at the Practicing Law Institute and Associate Librarian for Information Services at Chadbourne & Parke, LLP. She received her BA in History from Wells College and her Masters in Information and Library Science from Pratt Institute. Her present hours at the Law Library are 8:30 a.m. to 12:30 p.m., Monday to Friday. Please feel free to stop by the Law Library and welcome Jill.

In addition, in our transition to the new Executive Director, staff librarians Mark Hetherington and Holly Thompson helped to keep



the Law Library efficiently and professionally operating. Congratulations go to Holly who is now an Associate Tribal Judge with the Grand Traverse Band of Ottawa and Chippewa Indians Tribal Court.

#### ATTORNEY PARTICIPATION

We have increased our attorney membership level to 281. This number surpasses the membership level of "the past."

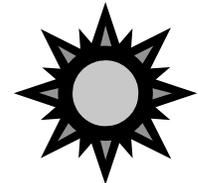
The Fall and Spring Dinners as well as the No-Talent Show were well-attended. One focal point has been reestablishing the social aspect of our Association. This was largely done under the leadership of Program/Special Events Committee Chair Jennifer Berry.

Ron Sondee was awarded the Association's Madeline Thomas Award at the Fall Dinner. Fred Bimber was awarded the Pro Bono Service Award by LEAP (Law - Enhanced Access Partnership) at the Annual Spring Dinner.

As always, John Racine's successful endeavors in helping promote the Golf Outing (with Doug Bishop) and the ADR Committee were appreciated. The 2008 Golf Outing will be at 1:00 p.m., Thursday, September 18, at the King's Challenge Golf Club near Sugarloaf in Leelanau County.

Our Secretary, Joe Van Horn, supplied the Association with concise and professional

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## GTLA Bar Association

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<http://www.gtlaba.org>

**GTLA Mission Statement:** *The Grand Traverse-Leelanau-Antrim Bar Association is a Michigan not-for-profit corporation whose members are attorneys principally practicing in Grand Traverse, Leelanau and Antrim counties. Its mission is to maintain the highest professional standards and competence among attorneys, to promote collegiality and camaraderie among attorneys, to improve the administration of justice, and to provide law-related service and education to its members and the public.*

### 2008-2009

The GTLA Bar Association officers for 2008-2009 were elected at the May 1, 2008, annual meeting, with a vacancy and some renewal appointments being made at June 18, 2008, Board of Governors meeting.

President	Jennifer Berry	231-929-3113
President Elect	Jo Bullis	231-941-1210
Past President	Lee Hornberger	231-941-3445
Secretary	Joe Van Horn	231-946-6200
Treasurer	Mardi Black	231-271-3402
At Large:	Larry LaSusa	6/30/09 231-392-9616
	Shawn Worden	6/30/09 231-929-4878
	Shelley Kester	6/30/10 231-922-6800
	Michael Richey	6/30/10 231-929-0500
	Aaron Bowron	231-946-8630
	Kristen Campbell	231-486-4542
State Bar Representatives:	John Blakeslee	231-946-2700
	Robert Witkop	231-946-4300
Young Lawyers	Corey Wiggins	231-946-8630
Women Lawyers	Deborah Rysso	231-933-5207
Bar Manager	Jill Porter	231-922-4715

### GTLA Bar Association

Alternative Dispute Resolution  
 Charitable Giving Foundation  
 Circuit Court Judicial Liaison  
 Continuing Legal Education

District Court Judicial Liaison  
 Probate Court Judicial Liaison  
 Family Division Cir. Ct. Liaison  
 Financial  
 Law Day  
 Law Library  
 Media  
 Membership  
 Mentor  
 Newsletter  
 Pro Bono  
 Program/Special Events  
 TARS

### Committee Chairs

John Racine 231-947-0400  
 Barbara LaSusa 231-922-8826  
 George Bearup 231-486-4510  
 Larry LaSusa 231-392-9616  
 Aaron Bowron 231-946-8630  
 L Page Graves 231-946-0700  
 Linda Wasielewski 231-933-0829  
 Billie Jo Clark 231-275-5007  
 Jo Bullis 231-941-1210  
 Michael Richey 231-929-0500  
 Mike Borden 231-947-0400  
 Larry LaSusa 231-392-9616  
 Jennifer Berry 231-929-3113  
 Shelley Kester 231-922-6800  
 Aaron Bowron 231-946-8630  
 David Becker 231-946-8228  
 Jennifer Berry 231-929-3113  
 Jo Bullis 231-941-1210

### Bar Association Newsletter

Editor & Committee Chair: Aaron Bowron

Assistant Editor & Committee Chair: Deborah L. Rysso

Designer: Michele Howard

Published Quarterly. Kindly mail articles and information to GTLA Bar Association by Friday, September 26, 2008 for publication in the Fall issue.

## ARRA INSURANCE AGENCY

Comerica Bldg, Suite 715, 151 S. Rose  
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*(President's Letter continued from page 1)*

minutes. We are lucky that Joe will continue to be our Secretary.

Our Treasurer, Jo Bullis, provided accurate and timely financial reports. Jo is stepping up to be the 2008-2009 President-Elect.

### GTLA NEWSLETTER

Under the leadership of Newsletter Committee Chair Aaron Bowron, Assistant Chair Deborah Rysso, and designer Michele Howard, our *Newsletter* has become the premiere legal publication of the North. It has included military veterans recognition and resurrected "Heard in the Halls." Should you have a proposed article or "Heard in the Halls" submission, please contact Aaron or Deborah.

### FAMILY LAW COMMITTEE

At the suggestion of Judge Stowe and with the help of Board member Shelley Kester, the Family Law Division Committee was created. With Billie Jo Clark as its first chair, it is off to a great start. The Committee meets in the Law Library at noon, the second Friday of every month.

### CLE COMMITTEE

We again had a successful seminar series under the leadership of Seminar Committee Chair Larry LaSusa and Assistant Chair Aaron Bowron. Larry and Aaron are already planning the 2008-2009 seminar series; the first two are already scheduled. On September 17, 2008, Jim Olson will speak on "Reclaiming the Water Commons: Public Trust, International Agreements, and Democracy." On October 15, 2008, Forensic Polygraph Examiner Robert Start will speak on "Polygraph Primer for Attorneys," which will include a brief live demonstration of the polygraph.

### LAW DAY

Michael Richey was our 2008 Law Day Chair. Mike's activities in having a successful Law Day included procuring Michigan Court of Appeals Judge Stephen L. Borrello as our Law Day speaker.

Bill Rossbach and Roy Montney were the Student Essay Contest co-chairs. Fred Bimber, Mike Long, Roy Montney, Mike Richey, and Bill Rossbach graded the student essays.

The morning "Ask the Attorney" session at the Senior Center as part of the Friday, May 2, Law Day events was done by John Rizzo and Deborah Rysso.

The afternoon "Ask the Attorney" session at the Law Library as part of the Friday, May 2, Law Day events was undertaken by David A. Bieganowski, Larry LaSusa, Josh Sheffer, and Jason Thompson.

Finally, concerning the Law Day luncheon, thanks should be given to Kathy Ann Blunck. For years, without complaint and with diligence and enthusiasm, Kathy Ann has created the Law Day lunch program brochure.

### STATE BAR OF MICHIGAN REPRESENTATIVE ASSEMBLY

John Blakeslee and Robert Witkop are our State Bar Representative Assembly Representatives. John and Bob represent us at several downstate meetings each year and report back to the Board of Governors and the membership on the activities of the Representative Assembly. The Representative Assembly is the policy making body of the State Bar of Michigan and also communicates with the Supreme Court on the Michigan Court Rules.

### WOMEN LAWYERS ASSOCIATION

Deborah Rysso is the Women Lawyers Association Representative. The purpose of the WLA is to secure the rights of women, advance the interests of women members of the legal profession, promote improvements in the administration of justice, promote equality and social justice, improve relations between the legal profession and the public, and encourage the continued legal education of attorneys. The WLA is currently focusing on educating our local bar about the importance of maintaining work/life balance. The WLA is in the process of planning events related to this theme.

### JUDICIAL INDEPENDENCE

Based upon a motion made by Board Member Mardi Black and seconded by Eleanor Lynn, the Board of Governors passed the following motion concerning judicial independence:

"The GTLA Board of Governors believes that judicial independence is an important issue and endorses the frank and open discussion of options to promote judicial independence and integrity."

### FAREWELL

Barbara LaSusa, Eleanor Lynn and Dave Bieganowski are leaving the Board of Governors after many years of dedicated service.

Barbara has served as Secretary, Treasurer, President-Elect, President, and Immediate Past President. She helped lead us in strategic planning and the creation of our Mission Statement. She also served as our representative on the Charitable Giving Foundation.

Eleanor was Chair of the Equality and Justice Committee. This Committee did a lot of much needed work, including exploring issues relating to gender representation to representation in court related assignments.

*(Continued on page 4)*

Dave was Chair of the Media Committee and its consistently successful endeavors to provide attorneys for the Ron Jolly Show "Ask the Attorney" program.

Barb, Eleanor and Dave will be sorely missed.

#### INTO THE FUTURE

The Association has a bright future with a dynamic new leadership.

It will have effective and experienced leadership with incoming President Jen Berry, incoming President-Elect Jo Bullis, and incoming Treasurer Mardi Black. These new officers will be ably supported by new Board members Kristen Campbell and Shawn Worden, and Young Lawyers new Representative Corey Wiggins. New committee chairs will be Shelley Kester (Mentor Committee), Linda Wasielewski (Probate Court Liaison Committee), and Larry LaSusa (Media Committee).

In addition, the Executive Director position is in capable hands with Jill Porter.

I have been honored to serve as the Association President during the past year. Working together, we have done great things. We have honored our attorney military veterans, increased our membership to a record level, and, with the help of committee chairs and, you, the membership, have had highly successful professional and social events.

I bid you a fond *au revoir*.

\*\*\*

### Lunch at Minerva's

Remember the good ole' days when you knew all members of the local bar?

In the spirit of establishing more camaraderie among Bar members, we are reestablishing the traditional noon, fourth Friday of the month, Dutch-treat lunches at the open aka "200 area" of Minerva Restaurant at the Park Place Hotel.

This is an opportunity for the bench and bar to have lunch together in an informal setting. Reservations are not required; just show up. The lunches for the next several months are:

Noon, Friday, July 25, 2008  
 Noon, Friday, August 29, 2008  
 Noon, Friday, September 26, 2008  
 Noon, Friday, October 31, 2008

## Attorney Frederick R. Bimber receives 4<sup>th</sup> Annual Pro Bono Service Award given by L.E.A.P. -Law Enhanced Access Project of Traverse City

Frederick R. Bimber of Traverse City received the annual Grand Traverse Area Pro Bono Service Award on May 1, 2008, at the Grand Traverse-Leelanau-Antrim County Bar Association's Annual Spring Dinner. For more than 20 years, Mr. Bimber provided thousands of hours of pro bono work in a variety of settings. He is a permanent member of the Grand Traverse-Leelanau-Antrim County Bar Association's pro bono committee and he regularly volunteers at the Free Legal Aid Clinic. Due to Mr. Bimber's pro bono service, many families in need have received legal assistance that truly changed their lives.

L.E.A.P. (Law – Enhanced Access Partnership) is a unique blend of legal and human services providers, which organized to address the unmet legal needs of the Grand Traverse region's working poor. The primary partners in L.E.A.P. are Legal Services of Northern Michigan, Inc., Third Level Crisis Intervention Center, Inc., the Women's Resource Center – Grand Traverse Area, the Grand Traverse-Leelanau-Antrim Bar Association and Women Lawyers Association of Traverse City. The Three Generations Circle of Women Givers provides financial support through its community grant program.

## GTLA Bar Association Selects New Executive Director

Jill Porter has been named GTLA Bar Association Executive Director and Law Librarian of the County Law Library.

In her position, Jill will be responsible for managing the Law Library located in the Grand Traverse County Courthouse, coordinating all GTLA Bar Association activities, including legal education seminars, the Association's newsletter, Law Day, and assisting its officers and committees. In addition, she will help manage the Association's Traverse Attorney Referral Service.

According to 2007-2008 GTLA Bar Association President Lee Hornberger, "Jill Porter brings many years of law library experience to our organization. We are proud of the Law Library, which

serves the Attorneys and citizens of northern Michigan. We look forward to Jill Porter leading the Law Library into the future and working with the Bar Association."

Jill's experience includes serving as Director of Library Relations at the Practising Law Institute in New York City and Associate Librarian for Information Services at Chadbourne & Parke, LLP, an international law firm. She received her BA in History from Wells College in Aurora, New York, and her Masters in Information and Library Science from Pratt Institute in New York City.

Porter is active in the Master Gardener Association of Northwest Michigan and resides in Leelanau County.

## Did You Know? Unsung Resources in the Law Library

Jill Porter, Executive Director GTLA Bar Association and Law Librarian

As mandated by state law, the County Law Library, which is jointly sponsored by the Traverse Area District Library, the 13<sup>th</sup> Judicial Circuit Court, and the GTLA Bar Association, maintains an up-to-date collection of Michigan and Federal statutes, Michigan regulations, Michigan court rules and jury instructions, reporters, digests, citators, legal encyclopedias and dictionaries. But did you also know that the Law Library has a number of other resources to meet your information needs?



- Michigan Law Review
- Wayne Law Review
- Michigan Bar Journals going back to the late 1950s (nearly complete)
- Michigan Rules of Court (State) going back to 1985
- ICLE practice handbooks
- Westlaw
- Internet access

Some of these include:

- Words and Phrases
- American Jurisprudence 2d
- West's Northwestern Reporter and related Shepard's Citator
- Grand Traverse Band Code
- Grand Traverse Band Tribal Court Opinions
- Indian Law Reporter

If it's been a while since you've used some of these sources (or perhaps you never did use some of them), the Library staff would be happy to help you navigate through the print and online sources that are available. Photocopies and print outs are available for 15 cents/page (or 20 cents/page if we need to bill you.) Please feel free to call me at 922-4715 if you have any questions or need assistance in locating a particular piece of information.

## Tribal Court Seeks Applications

The Grand Traverse Band of Ottawa and Chippewa Indians Tribal Court is seeking applications from attorneys interested in contracting to be court-appointed to represent indigent criminal defendants and juveniles before the Tribal Court. The contract term would be for two years, with terms and conditions similar to those currently provided for the 86<sup>th</sup> District Court. Experience before the Tribal Court would be preferred, but is not required.

## GT Legal Professional Installs Officers

The Grand Traverse Area Legal Professionals recently installed their officers for the 2008-2009 fiscal year. The new officers are: President – Loriann Tanis; Thompson, O'Neil & Vanderveen; Vice-President – Rosanne Schaub of Leelanau County Emergency Services 911; Treasurer – Joan Schaub of Leelanau County Prosecutor's Office; Secretary – Donielle Rickli of Smith Haughey Rice & Roegge; Governor – Kathy Ann Blunck of Smith Haughey Rice & Roegge; 1<sup>st</sup> Alternate Governor – Kristi Caldwell of Zimmerman, Kuhn and 2<sup>nd</sup> Alternate Governor – Mary Shomin from the Grand Traverse Band Legal Department. To learn more about the Grand Traverse Area Legal Professionals, please contact Loriann Tanis at (231) 929-9700.

Pictured from left to right are: Mary Shomin (Grand Traverse Band Legal Dept.); Kristi Caldwell (Zimmerman Kuhn); Kathy Ann Blunck (Smith Haughey); Joan Schaub, PLS, (Leelanau County Prosecutor's Office); Donielle Rikli (Smith Haughey); Rosanne Schaub, ALS (Leelanau County Emergency Services/ 9-1-1); Loriann Tanis, PP (Thompson O'Neill)



Attorneys and staff of Dingeman Dancer & Christopher-son participated in the annual Big Brothers/Big Sisters of Northwest Michigan Bowling for Kid's Sake fundraising event held at Timber Lanes on May 8. From left to right are Nathan Miller, Debra Casadonte, Greg Jenkins, Mike Richey, and Shauna Fite.



Jo Bullis, GTLA Bar Association President-Elect and former Treasurer, created the above Law Day display at TADL on Woodmere as part of the Bar Association's Law Day celebrations.

### In Memoriam Theresa Gen Hagen Widgren June 3, 1956 - July 11, 2008

The GTLA Bar Association extends its deepest sympathies to the family, friends and co-workers of Theresa Gen Hagen Widgren who passed away on July 11, 2008. Theresa was employed as a legal secretary at Bowerman, Bowden, Ford, Clulo and Luyt.

### Mark Your Calendars

#### Bosses' Night/Recognition Dinner

Grand Traverse Area Legal Professional's Bosses' Night/Recognition Dinner is scheduled for October 16, 2008. Please let inform your staff and mark this date on your calendar. Michael Swogger is this year's M.C. and there will be lots of raffle prizes!

**GRAND TRAVERSE-LEELANAU-ANTRIM BAR ASSOCIATION**

**2008 GOLF OUTING**

The Grand Traverse-Leelanau-Antrim Bar Association's 26<sup>th</sup> Annual Golf Outing is scheduled for **Thursday, September 18 at King's Challenge in Leelanau County**. The popular four-person scramble format will continue, with members encouraged to form their own "teams" and begin pre-outing boasting and challenges at any time. Law firm teams are encouraged and firm teammates may include non-lawyer employees, spouses and significant others. Judges are "wild cards" and may be utilized to complete a firm foursome. Attorneys may also form their own non-firm foursomes, though any group which appears to be too strong will be harassed during their backswings and may be assessed stroke penalties ex post facto in an amount determined by popular vote of the rest of the golfers. Attorneys may also register individually and will be placed in a foursome by the committee.

Tee time for our shotgun start is **1:00 p.m. sharp**. Don't be late or the others in your group will have to begin without you. A box lunch will be included for every golfer.

18 holes including cart, lunch, dinner, prizes and a good time, all for \$71.00. Golf, lunch, cart and prizes only: \$50.00; dinner only: \$21.

We must confirm the number of golfers and diners with the golf course one week in advance. Therefore all who plan to attend must contact our Bar Association Manager, Jill Porter, at the law library (922-4715) and send her your checks payable to the GTLA Bar Association by September 11. Only a limited number of tee times are available, so get your reservations in early.

There will be lots of door prizes that will take no skill to win -- just luck.

For further information, call Jill Porter (922-4715), Doug Bishop (946-4100) or John Racine (947-0400).

**GOLF OUTING - RESERVATION**

Name: \_\_\_\_\_

My foursome will include: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Golf, lunch and dinner. Enclosed is my check for \$71.00.

\_\_\_\_\_ Golf and lunch only. Enclosed is my check for \$50.00.

\_\_\_\_\_ Dinner only. Enclosed is my check for \$21.

Dinner will be buffet style and will include roast beef, chicken and stuffed lake trout.

Make checks payable to "Grand Traverse-Leelanau-Antrim Bar Association" and return to Jill Porter, P.O. Box 1958, Traverse City, MI 49685-1958, by September 11. We cannot guarantee dinner for you unless Jill receives your check by that date. There will be no refunds for cancellation requests received after that date.

## Heard in the Halls

**Diane Kuhn Huff** has been certified as an elder law attorney by the National Elder Law Foundation and accredited by the American Bar Association. Fewer than 400 attorneys have been certified as elder law attorneys. Diane Kuhn Huff is with the law firm of John A. Scott, P.C. in Traverse City.

**Joseph E. Quandt**, an equity member of Zimmerman, Kuhn, Darling, Boyd, Quandt, and Phelps, PLC, presented two seminars on behalf of the National Redi-Mix Concrete Association and Michigan Concrete Association at the International Construction Expo in Las Vegas. Quandt presented programs on managing regulated wastes and strategies for responding to agency inspections and warrants.

**Rachel Brochert Roe**, a shareholder in the Traverse City office of Smith Haughey Rice & Roegge, has been selected to participate in Leadership Michigan as a member of the class of 2008. She chairs Smith Haughey's Business and Individual Property Law Department and practices in the areas of business law and employment law.

**Gregory R. Kish** has joined Smith Haughey Rice & Roegge as an associate in the Traverse City office. He will focus his practice on business law, employment law, real estate law, and estate planning.

**Jennifer L. Jones** of Dingeman, Dancer & Christopherson, PLC recently completed a program developed by the Probate and Estate Planning Section of the State Bar of Michigan and the Institute of Continuing Legal Education, further developing the firm's proficiency in estate and wealth transfer planning, trust and probate administration services. Less than four percent of Michigan attorneys have attained this level of certification.

In June, the State Bar of Michigan announced it is honoring the **Parsons Ringsmuth Zelenock PLC** with the Circle of Excellence Award for 2008. The state-wide award is intended to "particularly recognize" the firm's public interest work and financial contributions to worthy causes. Attorneys and staff for Parsons Ringsmuth Zelenock PLC hold leadership positions with organizations working in the public interest, and provide financial support for individuals and public spirited groups. The firm specializes in personal injury and civil rights law.

**Jeff Wingfield** has joined the offices of Rizzo & Associates, PLC. The addition of Mr. Wingfield will allow Rizzo & Associates, PLC to provide its clients with help in more areas of law. Mr. Wingfield practices in the fields of family law, employment law, personal injury, and criminal law. Rizzo & Associates, PLC will continue to provide its extensive Elder Law Service, including: Medicaid planning, estate planning, Social Security Disability appeals, nursing home issues, and probate. Mr. Wingfield most recently practiced at Dundon & Wingfield, PLLC. Prior to that, he worked in law enforcement and state criminal investigations in Florida, and for the Drug Enforcement Agency in Virginia. Mr. Wingfield's law degree is from Barry University School of Law in

Miami, Florida. He also received degrees from Florida State University and Embry Riddle Aeronautical University. Mr. Wingfield is married to Julie Ann Wingfield and has a five-year-old daughter Olivia.

**Matthew Sinor** will be leaving private practice to be commissioned as a First Lieutenant in the Army Judge Advocate General's Corps this October.

### DIVORCE MEDIATION

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**Kromkowski & Posner**  
**231-271-4990**

**PO Box 519**  
**Suttons Bay, MI 49682**  
**Conference Room 423 E. 8th St. Traverse City**

Richard Mills, an attorney with the law office of Bethany C. Warner & Associates in downtown Traverse City, recently received the Certificate of Completion for The Probate and Estate Planning Program from the Institute of Continuing Legal Education. Less than four percent of Michigan attorneys have received a Certificate of Completion in this program, which typically takes two years. He can be reached at 922-8028 or at [rmills@warner-law.com](mailto:rmills@warner-law.com). Mr. Mills is accepting new clients.



## Ruth Schaub Installed as President of NALS of Michigan

Suttons Bay resident, Ruth M. Schaub, was installed as president of the NALS of Michigan, the state association for legal professionals, at their 47<sup>th</sup> Annual Education Conference in Lansing. Schaub, a trial paralegal with the firm Parsons Ringsmuth Zenock PLC in Traverse City, has over 22 years experience in personal injury and civil rights litigation. Ms. Schaub is the fourth person from the Grand Traverse Area and the first from Leelanau County to serve as president of this Association.

As current National Certification Board Chairperson, Ms. Schaub was also the keynote speaker at the Certification Luncheon on May 3, 2008. Her duties as chairperson will include overseeing the committee responsible for three national certification exams, including the certified professional paralegal exam.

Ms. Schaub was named GTALP Legal Professional of the Year in 1995, and has been a member of the multi-level association since 1987, earning the professional legal secretary (PLS) designation in 1990 and the certified professional paralegal (PP) designation in 2005.

The Michigan Association of Legal Professionals is dedicated to enhancing the contributions and competencies of members of the

legal profession through continuing education and certification. Mrs. Schaub will serve as president until the Annual Meeting in April 2009 at the Amway Grand Plaza.



Local paralegal Ruth Schaub being installed as president of the NALS of Michigan on May 3, 2008.

### GTLA Calendar of Events

#### 2008

- July 18 ADR Committee meeting, GTLA Bar Library, noon.
- July 25 Dutch Treat Lunch, Minerva's, noon
  
- Aug 8 Family Law Committee, meeting, GTLA Bar Library, noon.
- Aug 12 Women Lawyers Association, meeting, GTLA Law Library, noon.
- Aug 29 Dutch Treat Lunch, Minervas, noon.
  
- Sep 9 Women Lawyers Association, meeting, GTLA Law Library, noon.
- Sep 12 Family Law Committee, meeting, GTLA Bar Library, noon.
- Sep 17 Jim Olson (Olson Bzdok & Howard PC) will give a brown bag lunch seminar on "Reclaiming the water commons: public trust, international agreements, and democracy," GTLA Law Library, noon.
- Sep 18 2008 Bar Association's 26<sup>th</sup> Annual Golf Outing, King's Challenge Golf Club in Leelanau County, 1:00 p.m.
- Sep 19 ADR Committee, meeting, GTLA Bar Library, noon.
- Sep 26 Dutch Treat Lunch, Minervas, noon.
  
- Oct 10 Family Law Committee, meeting, GTLA Bar Library, noon.
- Oct 14 Women Lawyers Association, meeting, GTLA Law Library, noon.
- Oct 15 Robert Start will give a brown bag lunch seminar on "Polygraph Primer for Attorneys," including a brief live demonstration of the polygraph, GTLA Law Library, noon.
- Oct 31 Dutch Treat Lunch, Minervas, noon.
  
- Nov 11 Women Lawyers Association, meeting, GTLA Law Library, noon.
- Nov 14 Family Law Committee, meeting, GTLA Bar Library, noon.
- Nov 21 ADR Committee, meeting, GTLA Bar Library, noon.
  
- Dec 9 Women Lawyers Association, meeting, GTLA Law Library, noon.
- Dec 12 Family Law Committee, meeting GTLA Law Library, noon.

## Women Lawyers Association Update

**New Leaders:** The Women Lawyers Association recently announced their new leaders for the upcoming year. Deborah Rysso will serve as president, Wendy Bailey as Treasurer, Maura Brennan as Secretary, and Ellen Kohler as Vice President for Special Events.

**Improved web presence:** Mardi Black is spearheading a new technology/web site development committee. This committee will work to ensure that the WLA has a presence on the GTLA Bar website, and possibly a WLA website of its own.

**Work/Life Balance:** This Committee continues to focus on bringing issues of work-life balance to the attention of the local bar. The WLA is inviting the speakers of a seminar entitled "Dealing with Difficult Opposing Counsel" to Traverse City, possibly for a CLE lunch. The speakers discussed the psychology of lawyering and how to keep stress levels intact.

**Pro Bono Clinics & CLE luncheon:** The WLA is in the process of planning - in conjunction with Legal Services of NW Michigan and the Womens Resource Center - a CLE Lunch on pro bono services and helpful hints for attorneys participating in the local clinics.

**"5-minute networking":** A networking event is being planned for next winter patterned after the "5 minute dating" concept. Each lawyer who signed up would meet with another lawyer for 5 minutes at a time, introduce themselves and their area of expertise, and explain what kind of referrals they are interested in. The executive committee of the WLA meets on the second Tuesday of each month from noon to 1 p.m. in the law library. Everyone is invited to attend these meetings. For more information, please contact Deborah Rysso at 933-5207.



Deborah Rysso,  
WLA President



Wendy Bailey  
WLA Treasurer



Mardi Black  
WLA Vice President of Technology/Web Site  
Development

## Advertise in this Newsletter

Feedback from local attorneys indicates that the GTLA newsletter is widely read and well received. If you are interested in catching the attention of attorneys in Northwest Michigan, advertising in the GTLA newsletter is cost-effective and easy. The GTLA newsletter is published quarterly.

If you would like to advertise in the GTLA newsletter, please complete the form at the bottom of the page and include with your invoice.

### Rates:

- Full page ad \$180
- 1/2 page ad \$90
- 1/4 page ad \$60
- 1/6 page ad \$40
- 1/8 page ad (business card size) \$30

Yes! I would like to advertise in the GTLA newsletter.

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Phone: \_\_\_\_\_

Size of advertisement: \_\_\_\_\_  
\_\_\_\_\_

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## Click-Wrap Agreements: “I Accept” That Michigan Will Enforce These Agreements

Brian Hall, *Traverse Legal, PLC*

The enforceability of terms assented to by an Internet user clicking the “I Accept” or “I Agree” button are once again becoming a hotly debated topic amongst the legal and business communities. These click-wrap agreements present contract terms to a visitor of an Internet e-commerce web site and require the visitor to manifest assent by clicking, with the mouse, an “I agree” or an “I accept” button on a graphical user interface (i.e. such as a pop-up window). One click of the mouse button has led to numerous lawsuits across the country.

Michigan has yet to definitively rule upon the enforceability of click-wrap agreements or the enforceability of the different terms which they contain. For insight into how Michigan might rule upon these agreements, we must look to two different sources. The Sixth Circuit has ruled on the enforceability of a shrinkwrap agreement as distinguished from a click-wrap agreement. A shrinkwrap agreement is a license agreement that comes with most software on the envelope containing the CD-ROM or in the user manual and includes eye-straining print of terms and conditions that purports to create a binding contract. In *Lexmark Int'l v. Static Control Components, Inc.*, the Court briefly addressed the issue and found the shrinkwrap agreement to be enforceable since the agreement was clear enough to satisfy a meeting of the minds. *See* 387 F.3d 522 (6th Cir. 2004). Since click-wrap agreements are often analyzed in a similar fashion to shrink-wrap agreements, this decision suggests that the agreements would be enforceable.

The second source for insight into an expected Michigan ruling on click-wrap agreements is far more instructive. Other state courts and federal circuits have generally found click-wrap agreements to be enforceable. The commonalities among enforceable click-wrap agreements include reasonable notice and an adequate manifestation of assent to the agreement. That said, these agreements appear to be becoming more liberally enforced. 1

While the agreements themselves have been held enforceable, binding arbitration clauses, forum selection clauses, and the enforceability of provisions that allow for unilateral amendments have been questioned, and oftentimes, held unenforceable.

As a result, if click-wrap agreements are to be used in Michigan, follow these guidelines in order to increase the likelihood of their enforceability:

- Display the agreement terms as the first thing on the web page
- Include a provision in the terms of use explaining that by clicking the “I agree” the user consents to and agrees with the terms and conditions of use
- Limit the terms included within the click-wrap agreement to those courts have enforced in the past or ensure subsequent agreements containing the “at issue” terms are properly executed
- Require the user click “I agree” rather than simply placing the terms on the web site
- Provide a further notice of the agreement (i.e. follow-up email with terms)



In sum, while click-wrap agreements are a relatively new form of contract, the underlying issues are not novel. The requisites for an enforceable contract remain a meeting of the minds, offer and acceptance, mutual consideration, and good faith performance in tune with public policy. With that in mind, understand that one click of “I agree” may satisfy all of the above. Be sure your clients understand that click-wrap agreements which meet the requirements for traditional contracts are being upheld.

1. *See A.V., et al. v. IParadigms, LLC*, Civ. Act. No. 07-0293 (E.D. Va., March 11, 2008) (holding click-wrap agreement enforceable against minors who click “I agree” icon below online usage agreement for software that was used to check for plagiarism in their school papers); *see also Stephanie Hofer, et al. v. The Gap, Inc., Expedia Inc., and Turtle Beach Towers*, Civil Act. No. 05-40170-FDS (D. Mass., September 28, 2007) (upholding the liability disclaimer in a click-wrap agreement entered into by the friend who was held to be an agent of the plaintiff, a traveler injured at the hotel booked through Expedia); *see also Dewayne Hubbert v. Dell Corp.*, 835 N.E.2d 113 (Ill. App. 5 Dist. 2005) (applying Texas law, held that a consumer who purchased her Dell online was bound by the terms, including an arbitration clause, posted on Dell’s website despite not having to click an “I accept” icon since the website advised consumers all purchases were subject to the terms); *see also Wholesale Telecom Corp. v. ITC Deltacom Comm’s Inc.*, No. 05-13404 (11th Cir. 2006) (holding that plaintiff was bound by online amendments to the agreement defendant posted on its website); *see also Michael Cohn v. Truebe-ginnings, LLC, et al.*, B190423 (Cal. Crt. App., July 31, 2007) (holding plaintiff bound by online dating service’s terms having clicked the “continue” icon that read “I am 18 years old and I have read and agree to the True Terms of Use and Code of Ethics” when completing the user profile since the terms were available via hyperlink on the web page and also included language noting agreement to the terms by clicking the icon).

*Mr. Hall is a partner at Traverse Legal, PLC, a law firm based in Traverse City, Michigan that handles the global representation of business interests. Traverse Legal’s major practice areas include general civil litigation, business law, internet law, and intellectual property law, including trademarks, domain name disputes, and copyrights. Mr. Hall’s practice focuses on internet, domain, and intellectual property law. He has represented numerous major companies throughout the world in litigation, domain name, trademark, and related matters. He has also represented individuals and companies in matters in the District and Circuit Courts in Northern Michigan. You can learn more about Mr. Hall’s practice areas and Traverse Legal, PLC at [www.traverselegal.com](http://www.traverselegal.com).*

# LAW DAY 2008

## Student Essay Winners

### FIRST PLACE WINNER

By Carly Moore, TC East Junior High School

Should a high school library be allowed to install filters on its computers to restrict internet access? Yes, high school libraries should be allowed to restrict internet access to inappropriate web sites. The purpose of a library is for learning and research. There are many inappropriate sites online that have no educational value, and students in a library have no business visiting such sites. Filtering internet access preserves the integrity and educational value of libraries.

The United States is built upon the foundation of our core democratic values. One such value is the common good. Common good is defined as working together for the benefit of all citizens. Filtering internet access is clearly an example of working towards the common good because it prevents minors from being exposed to inappropriate materials such as obscenity and pornography when they should be using the library's resources for educational purposes. The government and most of the public does not approve of minors viewing inappropriate materials online, and a government-funded library is not the place for students to have easy access to those materials.

The Supreme Court backs this position. In the case *United States vs. American Library Association (2003)*, the Court ruled that public libraries receiving government funding for internet access must install filters that block obscene and pornographic images online. One reason the justices reached this decision was to protect minors from viewing obscenity and pornography in a public place. The American Library Association argued that restricting internet access was a violation of First Amendment rights to free speech, but this is not the case. The web sites are still there for citizens to view, even if they cannot be accessed from public libraries. In the words of Chief Justice John Rehnquist, "The decisions by most libraries to exclude pornography from their print collections are not subjected to heightened scrutiny; it would make little sense to treat libraries' judgments to block online pornography any differently." It's not fair to attack libraries for restricting internet access to inappropriate materials online when they already restrict print access to inappropriate materials.

The United States core democratic value of common good, the Supreme Court ruling in *United States vs. American Library Association*, and pure common sense all strongly support my position. High school libraries should be allowed to restrict internet access to protect their students and the educational value of their facilities.

### SECOND PLACE WINNER

By Molly Grettenberger, TC East Junior High School

Should a high school library be allowed to install filters on its computers to restrict Internet access? Many high school students around the country resent the use of Internet filters on school computers. The question of whether or not filters should be

allowed in both public and school library computers has been debated over the past two decades. A high school library should be allowed to install filters on its computers to restrict Internet access for the purpose of protecting minors from inappropriate material and preventing unlawful activity.

Public schools act in *loco parentis*, meaning "in place of parents," during the times in which minor students are under their care. In placing filters on its computer system, a school is merely keeping students from purposely or accidentally accessing inappropriate Internet material, as any responsible parent would. Just as parents have the right to monitor their children's behavior, so, too, must schools.

In the 2003 Supreme Court case, *United States vs. American Library Association (ALA)*, the Supreme Court justices ruled as to the constitutionality of the Children's Internet Protection Act (CIPA) passed by Congress in 2000. CIPA required libraries to implement policy restricting minors' access to unlawful and inappropriate material or risk losing government funding. The Supreme Court upheld CIPA on the basis that it is lawful to restrict minors' access to certain material on the Internet, and libraries retain broad discretion to review and decide which materials the public may access. A library's purpose is "to facilitate research, learning, and recreational pursuits by furnishing materials of requisite and appropriate quality" ("United States").

The dissenting opinion stated that filtering programs cannot possibly control *all* of the dangerous and inappropriate material available and could even inadvertently block valuable learning materials. This argument is diminished when one considers the vast pool of information available between a library's print sources and the Internet even with filters in place. It is better to be overly cautious in protecting students from potentially harmful material than to provide no protection at all.

Installing filters on school computers promotes the Core Democratic Value, Common Good, by protecting students from intentional and inadvertent access to salacious material. Although filtering of material could be considered a sacrifice for students, it benefits the community as a whole by potentially decreasing unlawful activities among minors. Filters also promote democratic values by encouraging students to visit "clean," educational sites.

Installing Internet filters in school library computers is a reasonable action, justified by the Core Values of the United States and its interest in raising a generation of reliable and trustworthy United States citizens. Not only is a high school well within its rights under the Rule of Law by installing filters, it is a school's duty to protect its students at all costs, including the installation of Internet filters.

### THIRD PLACE WINNER

By Mack Sovereign, TC East Junior High School

Should a high school library be allowed to install filters on its computers to restrict internet access? In today's world of high-speed internet and online databases, the availability of information on the world-wide web is endless. It is an incredible tool for people of all ages to access information for research and leisure purposes alike. However, with this infinite compilation of resources come many websites on which material is inappropriate,

and potentially harmful to students. It is due to the nature of these sites and to a school's responsibility to provide a safe learning environment, that it is acceptable for high school libraries to install filters on their computers to restrict internet access.

According to *Internet-Filter-Review.com*, about 4.2 million websites contain explicit images. Although alarming, this statistic only covers websites containing inappropriate images and not the countless websites with violent and unsafe material for students. All told, there are millions of websites that are unsuitable for children of all ages and are of no benefit to the learning process. This process, ultimately, is a school's greatest duty; and anything which inhibits this has no place in a school. The easy accessibility of sites containing inappropriate material make the use of internet filters essential.

When children are in school, the institution is said to be "*in loco parentis*". *Merriam-Webster Online* translates this Latin phrase as "in place of a parent". By this is meant that a school, acting as the supervising body over a minor, has the right to make decisions "that are outside the normal governmental purview" (Constitutional). When applied to this situation, *in loco parentis* clearly permits schools to act as a parent would and monitor the viewing material of the children. If they allow minors to be exposed to explicit internet content, schools are not fulfilling their obligation to parents.

An opponent to this position may say that because inherent in attempting to block all inappropriate web-content will be the blocking of some websites with educational value; therefore, internet filtering should not be allowed. However, this argument is refuted by the Core Democratic Value of Common Good. *CivicMind.com* defines Common Good as "community-wide benefits and ideals that outweigh any single individual's or group's needs or desires". Although there may be sites of some worth that are blocked in the filtering process, it is of much greater value to the development of young men and women and to the reinforcement of a community's ethics that inappropriate internet material be filtered on school computers.

The easy accessibility to inappropriate material on the internet, the responsibility of a school library to facilitate educational value, and the belief in supporting the benefits and principles of a community all led to the Supreme Court's 2003 reversal of a past decision to not allow filtering of inappropriate internet material. This decision, along with the logical arguments that support the position, provide a clear, concise, and constitutional answer to the question of whether school libraries should be allowed to restrict internet access.

## JUSTICE WEAVER AND JUDGE BORRELLO SPEAK AT LAW DAY

By Mike Richey, Law Day Chair

Michigan Supreme Court Justice Elizabeth "Betty" Weaver and Court of Appeals Judge Stephen Borrello were the guests of honor at this year's Law Day luncheon held on May 2. Although Judge Borrello was the featured speaker for the event, Justice Weaver graciously added a few words to compliment Judge Borrello's speech.



This year's Liberty Bell Award was given to Grand Traverse County Commissioner Christine Maxbauer. Although she could not personally attend the luncheon, Ms. Maxbauer provided a pre-recorded video statement wherein she thanked the Bar Association for the recognition. Dean Sheldon, the nominator of Ms. Maxbauer, accepted the Liberty Bell Award on her behalf.

The Student Essay Contest winners were also recognized. Taking first prize was Carly Moore, an eighth grader at Traverse City East Junior High School. Second place went to Molly Grettenberger, and third went to Mack Sovereign, both also of Traverse City East Junior High School. All three essays discussed the issue of whether internet filtering systems should be allowed on public school library computers.

Thank you to all those who helped make this year's Law Day a great success!

## Christine Maxbauer Wins Liberty Bell Award

Dean Sheldon

Ms. Maxbauer was born in Traverse City and has spent her whole life here. She has shown a deep sense of personal responsibility and public service, serving as County Commissioner while turning down all county benefits. As County Commissioner, she has actively promoted open government by personally taping many county governmental meetings. When other commissioners objected to the taping of their meetings, she insisted what she was doing was proper and legal. She did not give up. She did what was right for the people of Grand Traverse County. She understood the important role courts play in fair and effective government when she filed suit against the county board for violating the Michigan Open Meetings Act. She ultimately prevailed. On Dec. 26, 2007, the board finally capitulated and unanimously agreed to begin televising all of its board and committee meetings, beginning in January.



By word and deed, she has shown how one citizen can make a big difference. Open government is the rule of law. It promotes fairness and consistency. She has also contributed to the effective functioning of democratic institutions by opposing the use of taxpayer dollars to bail out the financially failing septage treatment plant unless the project director was fired. She also voted against a no-bid public relations contract. Her courageous efforts have not always been popular with her peers. She is to be commended for her contribution to the respect for law.

## Community Planners Beware....

*Corey J. Wiggins, Zirnhelt & Bowron, PLC*

On September 1, 2008 the Michigan Planning Enabling Act (MPEA), 2008 PA 33, takes effect changing land-use planning in Michigan. This article provides a limited synopsis of some significant changes made to the planning process.

Prior to MPEA, three separate laws governed Michigan's land-use planners. The Michigan Land Use Leadership Council found that existing planning laws resulted in a lack of conformity in control and land-use across the state. Based on the council's recommendations, MPEA repeals and unifies all three acts into one, with some major changes. Existing planning commissions will not see any changes, except for their duties, until 2011. Furthermore, master plans already in effect are not required conform to MPEA.

When forming a planning commission, notice must be provided to the county planning commission within fourteen days from the adoption of its ordinance of formation. If the county creates a planning commission, notice must be provided to the regional planning commission. Additionally, MPEA provides that an ordinance creating a township planning commission shall take effect 63 days after being published in the local newspaper; this is an increase from the 60 days previously prescribed.

Planning commission membership requirements have also changed. MPEA provides a specific number of members serving on any planning commission. Additionally, the requirement that a member of a township commission be a property owner in the township has been removed. Members of all commissions will be appointed for three-year terms, except some members of a newly formed commission shall be appointed to either a one or two year term so that all terms are not expiring at the same time. With the exception of villages and cities meeting specific requirements, all members must be qualified electors in the geographic area they serve.

Changes have also been made to the functions that every planning commission is charged with. Commissions must provide an annual written report to the governmental body regarding its operations and the status of planning activities (including recommendations to the legislative body regarding planning and development). Additionally, commissions must create a master plan addressing specific issues. Once adopted, the commission every five years must review the plan to determine if amendments or the creation of a new plan are necessary. After a master plan is adopted, commissions must prepare an annual capital improvements program, unless exempted, of public structures and improvements capable of being undertaken within a six year time period. MPEA permits all commissions to create a sub-area plan within their master plan. Sub-plans cover smaller geographic areas, if it is found the unique characteristics of the area require more intense planning.



The new act provides for a rigorous master plan adoption process. Notices must be provided to specific entities with the opportunity to make comments, the local governmental body must approve the plan before the commission can hold public hearings and eventually adopt the plan, and the governmental body may reserve the right to reject the plan once approved by the commission. Plans including a street plan have additional requirements.

If a municipality master plan includes a street plan, the planning commission for both the municipality and the county shall be given the opportunity to review and comment on any subdivision or plat proposed within their jurisdiction. If after 63 days the planning commissions fail to approve, approve with conditions, or reject the proposed plat or subdivision, it shall be presumed that approval was granted.

As stated earlier this is only a brief synopsis of changes made in the land-use planning law. Please consult the act for any changes not reviewed in this article.

*Corey J. Wiggins is an associate with the firm of Zirnhelt & Bowron, P.L.C. Mr. Wiggins also serves on the Wexford County Planning Commission, the Haring Township Board of Review and the Haring Township Zoning Board of Appeals.*

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___ ___ CLE Committee	___ ___ Mentor Committee
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___ ___ Judicial Liaison Committee Probate Court	___ ___ TARS Committee
___ ___ Law Day Committee	___ ___ Young Lawyers Committee

## Minutes from the Board of Governors Meeting

Joe Van Horn, Secretary

**Wednesday, March 19, 2008**

**Present:** Lee Hornberger, Jennifer Berry, Joe Van Horn, Jo Bullis, Barbara LaSusa, David Bieganowski, Eleanor Lynn, Mardi Black, Mike Richey, Deborah Rysso, Aaron Bowron

**Absent:** Larry LaSusa, Shelley Kester, John Blakeslee, Robert Witkop

The meeting was called to order at approximately 4:37 p.m. with a quorum.

**Secretary's Report:** The February 20, 2008 minutes were approved with David Bieganowski moving for approval and Aaron Bowron seconding. Motion was carried unanimously. The March 5, 2008 minutes concerning a special meeting of the Board of Governors were also approved with minor changes.

**Treasurer's Report:** Jo Bullis presented the Treasurer's Report and provided a written Budget Performance. There was not much change in financial status since the last report.

**President's Report:** Lee Hornberger presented the President's Report. The GTLA Bar Association Nominating Committee had met and nominations for the May 1, 2008 Annual Dinner Meeting Elections were as follows:

President: Jennifer Berry  
 President-Elect: Jo Bullis  
 Secretary: Joe Van Horn  
 Treasurer: Mardi Black  
 At Large: Aaron Bowron  
 At Large: Kristen Campbell

Discussion was held concerning the desire for a written policy on expense reimbursement for the Bar Association. Jennifer Berry will be drafting a policy on this issue and submitting it for consideration in the future. Revenue related to Newsletter advertising has been researched by Deborah Rysso and many advertisers were not billed for the Winter Newsletter. Bills will be submitted to these advertisers in the near future. Aaron Bowron reported that in response to a mid-year promotion, eight new members have signed up for the Bar. Lee Hornberger reported that the search for a new Executive Director is under way and the library continues to be covered and is open while this search continues.

### **Committee Reports:**

**CLE:** Aaron Bowron provided a report. The March 19, 2008 CLE held at the District Court with Judges Batzer, Hayes, and Foresman was well-attended and informative.

**Media Committee:** Dave Bieganowski provided a report. A new chair for this committee will be needed as of June 2008. Suggestions and interest in this position are welcome.

**Newsletter:** Aaron Bowron indicated that any ideas and information to include in the next Newsletter should be forwarded soon as it is close to its submission deadline.

**Women Lawyer's Association:** Deborah Rysso provided a report. The Spring Dinner will be held on May 8, 2008, at Tuscan Bistro. Spa Night will be held on April 8, 2008, at Allure.

**Young Lawyer's Association:** Aaron Bowron provided a report. A local 9<sup>th</sup> grade class is seeking attorneys to discuss the rule of law in society. Aaron Bowron anticipates speaking to this class with assistance of one or two other attorneys.

The meeting was adjourned on motion at approximately 5:11 p.m.

Respectfully submitted,  
 Joe Van Horn  
 GTLA Secretary

**Wednesday, April 16, 2008**

**Present:** Lee Hornberger, Jennifer Berry, Joe Van Horn, David Bieganowski, Eleanor Lynn, Mardi Black, Mike Richey, Deborah Rysso, Aaron Bowron, Robert Witkop

**Absent:** Jo Bullis, Barbara LaSusa, Larry LaSusa, Shelley Kester, John Blakeslee

The meeting was called to order at approximately 4:35 p.m. with a quorum.

**Secretary's Report:** The March 19, 2008 minutes were approved with David Bieganowski moving for approval and Aaron Bowron seconding. Motion was carried unanimously.

**Treasurer's Report:** Jo Bullis was absent from the meeting although the financial reports had been previously circulated for review.

**President's Report:** Lee Hornberger presented the President's Report. The search for a new Executive Director continues. Applications are being received and interviews will begin shortly. A draft policy on Expense Reimbursement will be taken up at the next meeting.

### **Committee Reports:**

**Probate Court Judicial Liaison:** Lee Hornberger provided a report. Suggestions for a chair for this committee are currently being entertained. Any suggestions should be provided to Lee Hornberger.

**Law Day:** This year's Liberty Bell recipient has been selected by committee. Aaron Bowron moved for the

acceptance of the individual's nomination. Mardi Black seconded. Motion carried on a vote of the then-present members of the Board.

**Law Library:** Lee Hornberger provided a report. A list of all library books and what entity is paying for them has now been compiled. Discussion was held concerning the current lack of up-to-date federal research coverage in the law library. Discussion was also held concerning the possibility of adding such resources to Westlaw coverage as well as what entity would assist in paying for these resources. A Law Library Committee meeting is scheduled for noon, May 7, 2008, at the Law Library, at which time these issues may be discussed further.

**Newsletter:** Aaron Bowron indicated that the current Newsletter was complete and would be sent out for mailing. Additional attempts have been made to prevent problems with delivery to members.

**Women Lawyer's Association:** Deborah Rysso provided a report. The Spring Dinner will be held on May 8, 2008, at Tuscan Bistro. Spa Night was previously held and was well-attended.

**Young Lawyer's Association:** Aaron Bowron provided a report. Aaron Bowron and David Bieganowski spoke recently to a local 9<sup>th</sup> grade class on the rule of law, which was well received. The State Bar Association Young Lawyer Committee will be holding a summit on May 16 and 17, 2008, at Soaring Eagle Casino in Mt. Pleasant. This is a good opportunity for young lawyers to network with judges and other attorneys. The cost is \$50. Aaron Bowron also reported that the State Bar is anxious to have young lawyers from Northern Michigan involved in its activities.

**Representative Assembly:** Robert Witkop provided a report. The Assembly recently met the prior weekend in Lansing. An article is being prepared concerning what was discussed and what actions were taken. Robert Witkop mentioned that one item currently up for discussion involves the extent of cell phone usage permitted in courthouses across the State of Michigan. At the current time, there are a variety of rules and policies depending upon the individual courthouse. A proposal is currently being suggested that would permit the use of cell phones in all courthouses in Michigan, but with each judge deciding whether they would be barred inside individual courtrooms.

The meeting was adjourned on motion at approximately 5:03 p.m.

Respectfully submitted,  
Joe Van Horn  
GTLA Secretary

## Circuit Court Welcomes New Employees

Recently, Circuit Court Administration has lost three employees. Jacque Cardinal, Andrea Humphrey and Norma Sandelius. We are sorry to see them leave and wish them all well in their new endeavors.

We are pleased to announce that we have three new employees in Circuit Court Administration.

Stacy Fewins is a Circuit Court Specialist with a focus as Domestic Relations ADR Clerk. She grew up in Kalkaska, attended Northwestern Michigan College and has been a resident of Traverse City since 1995. She is married with three sons ages 15, 14 and 6. Stacy has been employed with Legal Services of Northern Michigan, the 86<sup>th</sup> District Court in Traverse City and the 87<sup>th</sup> District Court in Kalkaska. Her hobbies and interest include rollerblading/walking, reading, traveling, history, shopping and many others, but especially being with her boys!

Debbie Rutkowski is a Circuit Court Specialist with a focus as Assignment Clerk. Debbie worked for the 46<sup>th</sup> Circuit Court for more than 20 years as an assignment clerk, judicial secretary and case manager. Prior to that she worked for attorneys in Grayling, Michigan and Cheyenne, Wyoming. She has also worked independently as a court recorder and transcriptionist over the years, most recently for Curtiss Reporting. I know that many of you have worked with Debbie in the past and she is looking forward to working with you again.

Kim Sheridan is a Circuit Court Specialist with a focus as Judicial Secretary. Kim grew up in Walled Lake, Michigan and moved to Traverse City in 1997. She and her husband are raising two boys; ages 13 and 14. She has worked in an office environment for most of her career and for many years she has worked at various law firms as a legal secretary. She was most recently employed at the Grand Traverse County Law Enforcement Center as an Office Specialist.

Please introduce yourselves to these women when you are in our office. It is always good to put a face to a name.

Teri Quinn  
Circuit Court Administrator

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<b>Income</b>		
CLE	0.00	100.00
Dues		
Assoc. Dues	31,180.00	29,000.00
Women Lawyers Dues	1,280.00	800.00
<b>Total Dues</b>	<b>32,460.00</b>	<b>29,800.00</b>
Golf Outing	3,587.00	3,000.00
Interest MM Account	976.32	1,200.00
Meals— Quarterly Mtgs	570.00	360.00
Miscellaneous		
Charitable/Donation	320.00	
Mailing Labels	34.00	0.00
Miscellaneous-Other	631.92	100.00
<b>Total Miscellaneous</b>	<b>985.92</b>	<b>100.00</b>
Newsletter	2,040.00	2,500.00
Photocopies—Library Copier	3,432.70	3,000.00
TARS		
TARS dues	2,050.00	3,000.00
TARS Referrals	1,146.00	2,000.00
TARS Referrals	549.00	
<b>Total TARS</b>	<b>3,396.00</b>	<b>5,000.00</b>
<b>Total Income</b>	<b>47,447.94</b>	<b>45,060.00</b>
<b>Expense</b>		
Accounting Fees	540.00	600.00
Bank Service Chg	181.00	0.00
CLE Comm	471.83	700.00
Copier/Fax	613.64	500.00
Dinners/Program	8,438.96	5,500.00
Education		
Bar Leadership Forum	157.00	700.00
GTALP Student Scholar.	100.00	100.00
Law Day	3,221.41	3,500.00
<b>Total Education</b>	<b>3,478.41</b>	<b>4,300.00</b>
Golf Outing Exp	3,663.74	3,200.00
Law Library		
Law Books/Supp	1,017.07	3,500.00
Modem & Phone	2,708.17	2,300.00
<b>Total Law Library</b>	<b>3,725.24</b>	<b>5,800.00</b>
Legal Eagles	350.00	500.00
Mailing/Postage		
Mailing/Postage	758.65	1,000.00
Printing	201.34	0.00
<b>Total Mailing/Postage</b>	<b>959.99</b>	<b>1,000.00</b>
Manager's Budget		
Insurance	364.00	400.00
MABE Dues	50.00	50.00
Office Supplies	576.11	800.00
Past Presidents Plaque	75.55	100.00
PO Box Rental	68.00	80.00
Salary & Fringe	20,745.33	19,000.00
<b>Total Managers Budget</b>	<b>21,878.99</b>	<b>20,430.00</b>

Profit and Loss continued

Miscellaneous Expense		
Corporate Filing	40.00	
Employment Ad	517.52	
GTRCF Regional Foundation	890.00	
Misc. Other	166.59	200.00
<b>Total Miscellaneous Expense</b>	<b>1,614.11</b>	<b>200.00</b>
Newsletter Exp	3,173.89	1,500.00
Pro Bono Clinic	5,000.00	5,000.00
TARS Exp	461.31	5,000.00
Travel Expense		
Bar President Travel	421.71	250.00
Bar Rep. Travel	327.68	0.00
Manager Travel	430.50	300.00
<b>Total Travel Expense</b>	<b>1,179.89</b>	<b>550.00</b>
Website Expense	479.00	600.00
Women Lawyer	1,280.00	800.00
<b>Total Expense</b>	<b>57,490.00</b>	<b>52,635.00</b>
Net Ordinary Income	<b>-10,042.06</b>	<b>-7,575.00</b>
<b>Net Income</b>	<b>-10,042.06</b>	<b>-7,575.00</b>

**Balance Sheet**

Jun 31, 08

<b>ASSETS</b>	
Current Assets	
Checking/Savings	
Checking - TCSB	429.99
Money Market Savings - TCSB	19,597.87
<b>Total Checking/Savings</b>	<b>20,027.86</b>
<b>Total Current Assets</b>	<b>20,027.86</b>
<b>TOTAL ASSETS</b>	<b>20,027.86</b>
<b>FIXED ASSETS</b>	
Computer Equipment	
Accumul. Depreciation	-1,201.00
Cost	3,275.46
<b>Total Computer Equipment</b>	<b>2,074.46</b>
<b>TOTAL Fixed Assets</b>	<b>2,074.46</b>
<b>TOTAL ASSETS</b>	<b>22,102.32</b>
<b>LIABILITIES &amp; EQUITY</b>	
Equity	
Open Bal Equity	26,571.60
Retained Earnings	5,572.78
Net Income	-10,042.06
<b>Total Equity</b>	<b>22,102.32</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>22,102.32</b>

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*"Arriving at one point  
is just the starting  
point to another"*

- John Dewey



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