

## WINTER 2012

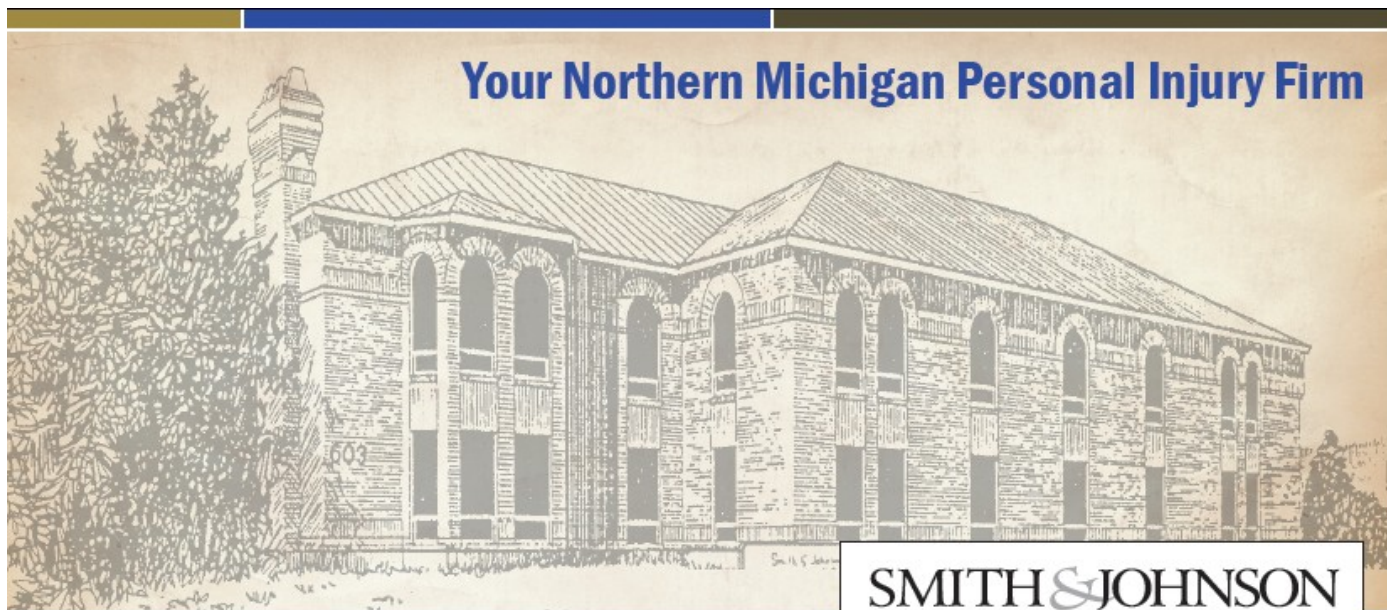
### December 2011 Free Legal Aid Statistics

County	Legal Concern	Number of Persons Served
Grand Traverse- 29 Benzie – 1 Manistee - 1	6 custody/visitation 8 divorce 3 Landlord-Tenant 2 Collections 1 Other Miscellaneous 4 Other individual rights 3 Bankruptcy 1 Employment	31 and 1 Case signed to an attorney through the Legal Services Program.
<b>Attorneys who volunteered:</b> Joanna Kloet, Grant Parsons, Scott Gordon, Greg Jenkins, Dave Becker, Marie Walker, Dave Cvengros and Megan Beldon		<b>Demographics of Persons Served</b> 15 female and 16 male Age range between 18 and 72 27 White 2 Native American 2 Asian

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GTLABA is in need of a computer donation. We need a computer that meets the following specifics:

- Minimum of 4 GB's
- Not less than two years old

If you or anyone you know would like to donate, please contact April Sala, GTLABA Executive Director at [admin@gtlaba.org](mailto:admin@gtlaba.org) or 231 922-4715



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**Thomas R. Diehl, MA**  
 Retired FBI Special Agent

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GTLABA would like to thank LaSusa Law Offices for their generous donation of a HP All In One Printer, Scanner and Fax machine.

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**Bar Association Newsletter**

Editors & Committee Co-Chairs: Aaron Bowron and Corey Wiggins. Published Quarterly. Kindly mail articles and information to GTLABA by **Friday March 23rd** for publication in the **Spring** issue. Questions or comments should be directed to Aaron Bowron at [abowron@zbwlaw.com](mailto:abowron@zbwlaw.com) or Corey Wiggins at [coreyjwiggins@zbwlaw.com](mailto:coreyjwiggins@zbwlaw.com)



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The State Court Administrative Office (SCAO) is seeking comment on proposed revisions to the Standards of Conduct for Mediators, originally adopted by the SCAO in 2001. The proposals were drafted by a 25-member committee convened by the SCAO to assess whether the current Michigan standards should be revised in light of the 2005 amendments to the Standards of Conduct for Mediators adopted by the American Bar Association (ABA), and in light of the significant growth of mediation practice in the Michigan trial courts since the adoption of MCR 2.411 (Mediation) and amendment of MCR 3.216 (Domestic Relations Mediation) in 2000. The proposals derive in large part from the ABA general civil and domestic relations mediator standards. This draft consolidates both sets of standards into one set that would apply to both general civil and domestic relations mediators. The committee believed that establishing one set of standards would most effectively promote the highest quality of mediation practice across all case types.

All written comments received by February 29, 2012, will be considered. Comments may be directed to:

Doug Van Epps  
Director, Office of Dispute Resolution  
Michigan Supreme Court  
Box 30048  
Lansing, MI 48909  
Email: [vaneppsd@courts.mi.gov](mailto:vaneppsd@courts.mi.gov)  
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### **LJAP Offers Assistance on a Broad Range of Concerns**

Martha D. Burkett, M.P.A., L.P.C., N.C.C., C.A.A.C., BRI-II, A.C.S

LJAP Program Administrator

Proactive, expansive, confidential, and free are all words that describe a very important State Bar member service. The Lawyers and Judges Assistance Program (LJAP), one of the oldest lawyers' assistance programs in the country, employs a total wellness approach in assisting individuals who are faced with issues related to depression, gambling, substance use disorders, stress, marriage and family issues, career transition, life stage adjustment, and other general wellness issues. Since 1979, the program has been a confidential source of guidance and support to attorneys, judges, and law students throughout the State of Michigan.

Through LJAP's confidential toll-free phone line, lawyers or those concerned about them can receive information about ways to address substance abuse and other mental health issues impacting a lawyer's ability to ethically practice law – including referral information and the opportunity to schedule an inperson conversation that may lead to assessment and treatment recommendations.

In recent years LJAP has shifted its focus from merely reactive to preventative. By providing education and support for individuals, families, law schools, and employers, LJAP can assist in circumventing trouble, and/or begin to assist program participants toward health through difficult times, minimizing harm to individuals, families, and the community.

Highly skilled professionals, experienced in dealing with substance use and mental health disorders as well as general wellness issues, are working to ensure that bar members and students are supported, and the public is protected. The LJAP clinical staff program administrator Martha Burkett, clinical/administrative assistant, Jen Clark, and case monitors Molly Dean and Molly Ranns is devoted to helping individuals get back on track before they begin to experience formal consequences related to difficulties that they face. Where formal consequences have come to fruition, LJAP is ready to provide assistance via its Attorney Monitoring Program.

MCR 9.114 (B) allows a lawyer who has been investigated for professional misconduct relative to a mental health and/or substance use disorder to enter into "contractual probation", which is an agreement with the attorney in question that is implemented by the Attorney Grievance Commission and facilitated in cooperation with LJAP. Under MCR 9.114 (B) a lawyer may consent to a period of probation not to exceed three years. Every attorney referred by the Attorney Grievance Commission to LJAP has an opportunity to address what may be the underlying cause of misconduct. For many, the probationary /monitoring experience results in lasting and positive transformation.

Similarly, law students sometimes incur legal infractions that may be related to substance use and/or mental health disorders. Some students get referred to LJAP as a result of reporting these infractions to their law schools. Others may be referred once they have begun the bar application process and learned that those offenses will impact their character and fitness evaluation. Because law students are the future of the legal profession, LJAP has sought to extend its preventative education to this population. By continuing to develop and deliver preventative educational programming for students, LJAP seeks to support the students' strengths and help them to eliminate any budding difficulties before they can impact their abilities as lawyers representing clients.

LJAP is a service for State Bar members that is supported by member dues. The LJAP staff recognizes that the issues that bring lawyers, judges, and students to the program are deeply personal and must be handled with the utmost discretion. All inquiries and services are handled in accordance with applicable federal and state privacy guidelines. For more information about the LJAP program and its services, view our website at [or call our confidential help line: 1-\(800\) 996-5522](https://www.ljap.org).

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## 2011-2012 Fall CLE Line-Up

An Update from the Continuing Legal Education Chair

By: Lindsay M. Cummings

The Continuing Legal Education (CLE) program of the local bar association has a wide variety of speakers and topics for the upcoming Fall. In order to increase attendance and participation, pizza lunch will be provided at the below listed events to all attendants free of charge. Each of the listed events will be held from 12:00p.m.- 1:00p.m. in the multi-purpose room of the District Courthouse

**January 25, 2011***"Mortgage Foreclosure and the Pre-Foreclosure Mortgage Modification Requirements"*

Presented by H. Douglas Shepherd, IV of Brandt, Fisher, Alward &amp; Pezzetti PC

**February 22, 2011***"Insurance Programs for Law Firms"*

Presented by Michael J. Hale of Cambridge Property &amp; Casualty

If you wish to present or have any suggestions for topics of local interest, please contact Lindsay M. Cummings of Smith Haughey Rice & Roegge directly at [lcummings@shrr.com](mailto:lcummings@shrr.com) or (231) 486-4547.

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**HEARD IN THE HALLS**

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**Brian L Johnson** has been named a partner at **Dingeman, Dancer & Christopherson** in Traverse City. Brian has worked for the firm for 10 years and practices in estate planning, probate, general business practice and real estate.

**L. Eric Ranieri** is now a partner with **Dingeman, Dancer & Christopherson** in Traverse City. Eric has worked for the firm for 5 years and practices in civil litigation, appeals, banking, collections, land use and real estate and development law.

**Todd W. Millar** and **Mark Bickel** attorneys at **Smith, Haughey, Rice & Roegge** Traverse City office have been recognized as "local litigation stars", in the publication Benchmark. Less than 50 attorneys in the state are included in this list.

**Karrie A. Zeits** former chief legal advisor to The City of Traverse City has joined **Smith, Haughey, Rice & Roegge** at the Traverse City office as a shareholder. Karrie represents municipal clients in zoning, real estate, employment and general public corporation law matters.

**John Ferguson** joined **Bethany C. Warner & Associates** in Traverse City. John practices in business planning and corporate government, personal finance, estate planning and wills, real estate matters. John has experience in family and criminal representation.

**Lee Hornberger** of the **Arbitration and Mediation Office of Lee Hornberger** has been admitted to the Federal Mediation and Conciliation Service's Roster of Arbitrators.

**Sterling Law Office** is pleased to announce that **Robin L. Cole** has joined the staff as a Legal Assistant.

### **Thirteenth Judicial Circuit court E-Filing Status**

By now you are aware that the 13th Circuit Court has begun the process of digitizing its workflow. A few years ago, the On-Base document management system was installed in the Friend of the Court's office and we have operated it successfully in all three counties. All Family Division Judges are able to e-sign orders, warrants and other domestic documents. We also have computer access to all digital court records.

With the receipt of our Local Administrative Order in April 2010, we went through a RFP and vendor selection process. It culminated in the installation of OnBase document management systems in the offices of the three County Clerks and the Circuit Court Administrator's office. The system has been tested, training is ongoing and we have now gone "live" with it. The current phase of our project is the transmission of documents from lawyers and litigants to the Court electronically or e-filing. The ImageSoft TrueFile product was selected and a group of attorneys have agreed to assist us in testing and debugging the software over the next month. We anticipate a go-live date in January. While the demonstration project attorneys and staff have received training, additional training opportunities will be provided for you and your staff as well.

Initially, e-filing will only be mandatory in cases that have a "C" or "N" case code. However, as soon as we are satisfied the system is working smoothly; we anticipate adding the rest of the general civil docket and, by the end of 2012, the divorce docket.

Next year we will complete the additional internal programming necessary to add criminal cases and hope to complete that process with the Circuit's prosecutors and have documents e-filed from the prosecutors and defense attorneys in all three counties no later than 2013. Given the pace with which cases move through our Court, we anticipate that by the end of 2013 all open files will be completely digital. As we are moving forward, the 86th District Court is beginning the process of installing a document management system for its civil cases. We hope that at some point in the relatively near future, you will be able to e-file in the 86th District Court also.

We are cognizant of the fact that this project cannot be completed successfully without the full cooperation of our staff, the Bar Association, the County Clerks and three County Commissions. To this point, the response has been overwhelmingly positive. We have an extraordinary staff who are dedicated to making this the best product possible, and the staff and attorneys who have appeared for training for the pilot project have been enthusiastic and constructive.

We look forward to your comments and constructive criticism as this project continues to unfold. Have a pleasant and safe holiday season.

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