

State Bar of Michigan | 2015-2016 SECTION ANNUAL REPORT

Article VIII §1, Bylaws of the State Bar of Michigan

Every Section and State Bar entity so directed by the Board of Commissioners or Representative Assembly shall annually make a written report containing a summary of its activities during the association year which shall be submitted to the Secretary on or before May 31. Annual reports may not exceed five 8 1/2" x 11" pages unless a waiver of this limitation is approved by the Executive Director.

Appellate Practice Section

Chair

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Chair-Elect

P68718 Gaetan Gerville-Reache, Grand Rapids

Secretary

P51288 Elizabeth L. Sokol, Birmingham

Treasurer

P53864 Stephanie Simon Morita, Farmington Hills

Council Member

Term Ending: 2016

P31590 Graham K. Crabtree, Lansing
P66026 Lauren DuVal Donofrio, Lansing
P27553 Richard C. Kraus, Lansing
P24269 Gerald F. Posner, Southfield
P33594 Joanne Geha Swanson, Detroit

Term Ending: 2017

P66901 Conor B. Dugan, Grand Rapids
P54818 Christina A. Ginter, Detroit
P64957 Lauren M. London, Ypsilanti
P75090 Mark J. Magyar, Grand Rapids
P28165 Larry J. Saylor, Detroit
P67762 Ann M. Sherman, Lansing
P51288 Elizabeth L. Sokol, Birmingham

Term Ending: 2018

P37150 Anne L. Argiroff, Farmington Hills
P31978 Judith A. Curtis, Grosse Pointe
P46290 Barbara H. Goldman, Southfield
P68924 Bradley R. Hall, Lansing
P47291 Valerie R. Newman, Detroit
P46888 Bridget Brown Powers, Petoskey

Commissioner Liaison

P43980 Hon. Michael J. Riordan, Detroit

Ex Officio

P55595 Phillip J. DeRosier, Detroit
P49921 Jill M. Wheaton, Ann Arbor
P54144 Nancy Vayda Dembinski, Farmington Hills

**STATE BAR OF MICHIGAN
SECTION ANNUAL REPORT**

Council Meeting Schedule:

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Please attach any additional information needed regarding Council meetings as an addendum.

Meeting Type	Date	Location
Annual	10/8/15	Novi
Special	10/12/15	Conference Call
Special	10/14/15	Council ListServ
Monthly	11/20/15	Detroit
Monthly	12/18/15	Conference Call
Monthly	1/22/16	Southfield
Monthly	2/26/16	Lansing
Monthly	3/18/16	Detroit
Monthly	4/22/16	Plymouth
Monthly	5/20/16	Petoskey
Monthly	6/15/16	Brighton

General Budget Information: Please refer to p. 49 of the SBM Final Audited Financial Statement FY 2015

The Section Council abided by the five-year rolling budget adopted by Council on 5/15/15. The budget was adopted to assist with the Section's financial planning and was based on the Treasurer's detailed analysis presented to Council.

Events and/or Seminars:

Please attach any additional information needed regarding events and/or seminars as an addendum.

Event or Seminar Title	Date	Location
Court of Appeals' Decisions & Post-Decision Practice	10/8/15	Novi
Michigan Supreme Court Historical Society Luncheon (sponsor)	4/14/16	Detroit
Bench Bar Conference (sponsor)	4/20-22/16	Plymouth
6th Circuit Appellate Practice: Appealing Tips from Appellate Clerks (sponsor)	5/3/16	Detroit
2015 Lifetime Achievement Award presented to Justice Michael Cavanagh	10/8/15	Novi
2016 Lifetime Achievement Award presented to Justice Maura Corrigan	4/21/16	Plymouth
Please see attached addendum		

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STATE BAR OF MICHIGAN SECTION ANNUAL REPORT

Legislative issues:

Please see attached addendum to this report

Recommendations for next Council:

Please see attached addendum to this report

Other Information:

Please see Committee Reports in the attached addendum to this report

Reports must be submitted before May 31, 2016 to:

Jennifer Williams
Administrative Assistant
306 Townsend Street, Lansing MI 48933
Email: jwilliams@mail.michbar.org
Phone 517-367-6421 Fax: 517-482-6248

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e-mail form

Appellate Practice Section of the State Bar of Michigan - Addendum

Events and/or Seminars:

Council also enjoyed a discussion about the new mediation pilot program in the Michigan Court of Appeals by Chief Judge Michael Talbot and court staff, at the January 2016 monthly meeting, which occurred in Southfield, MI.

Council also enjoyed a discussion about the new e-filing procedures in the Michigan Court of Appeals and Supreme Court, by members of the staff of those courts, at the February 2016 monthly meeting, which occurred at the Hall of Justice in Lansing, MI.

Legislative issues:

Comment on SB 0531 and SB 0533 – Council voted to support Legislation regarding a state-wide electronic filing system with comment relating to "service only" use of the e-filing system.

Comment on ADM File No. 2013-26 – Proposed Amendment of Rule 7.209 of the Michigan Court Rules – Council voted to support Alternative B to the proposed amendments relating to stay bonds, with further proposed amendments.

Recommendations for next Council:

The adoption of the rotating Section Council meeting locations has benefitted members who would otherwise have to travel greater distances to attend Council meetings and provides the opportunity for Section members to attend a meeting closer to their location.

Council continues to enjoy an excellent relationship with members of the appellate courts' bench and staff, which benefitted all involved.

The five-year rolling budget adopted in May 2015 has assisted in financial planning for future Appellate Practice Section officers, council, and members.

Committee Reports:

Court Liaison/Rules Comment - The committee analyzed and advised Council on the proposed amendments of MCR 7.209 (ADM 2013-26) (stay of proceedings), drafted suggested alternative language addressing various issues raised by Council and members of the Section, and appeared on behalf of the Section at the Supreme Court's September 2015 public hearing. The hearing covered the proposed amendments of both MCR 7.209 and MCR 7.215 (ADM 2014-09) (citation of unpublished opinions), on which the Section commented in May 2015. The committee also analyzed and advised Council on the proposed amendments of MCR 2.004, 3.705, 3.708, 3.804, 3.904, 4.101, 4.201, 4.202, 4.304, 4.401, 5.119, 5.140, 5.402, 5.404, 5.738a, 6.006, and 6.901 (expansion of videoconferencing in court proceedings). Finally, the committee evaluated and reported to Council on various issues raised during the Michigan Appellate Bench

Bar Conference, as well as the extent to which trial courts retain discretion under the newly adopted MCR 7.209 to stay money judgments without a bond or with a reduced bond.

Michigan Court Practice – The committee assisted the court rules committee and monitored pending proposals, including proposed court rule suggestions on MCR 2.315.

Publications – The committee worked to publish three issues of the Section Newsletter, including an electronic-only issue to be distributed summer 2016. Newsletters are available on the Section's webpage.

Technology - Members of the Technology Committee met with representatives of ImageSoft, Inc. to discuss recent changes and potential improvements to the e-filing system in use at the Supreme Court and Court of Appeals.

Federal Practice - The federal practice committee is working on planning a half day conference with members of the Sixth Circuit Court of Appeals staff and judges.

Legislative Action – The committee continued to follow legislation related to or affecting appellate practice and advised Council on same.

Good Deeds - The committee initiated two events for section members, appellate court personnel, family members and friends. On May 14, 2016, the group planted trees with **Greening of Detroit** on a stretch of Three Mile Drive from Bremen Street to Mack Avenue in the City of Detroit. Greening of Detroit is dedicated to restoring Detroit's tree-lined streets and parks following decades of loss due to Dutch Elm disease, storm damage, urban expansion, neglect, and more recently, the Emerald Ash Borer. Its mission today is to inspire a healthy urban environment enhanced by the many social, economic, and ecological benefits of planting trees. Section volunteers also assisted at the **Forgotten Harvest** warehouse on June 25, 2016, repackaging "rescued" food for redistribution to agencies and recipients in Wayne, Oakland and Macomb counties. The mission of Forgotten Harvest is to end hunger and prevent food waste in metro Detroit. The Forgotten Harvest team rescues fresh food from retail grocers, farms, wholesale distributors, and entertainment venues throughout the area.

Economics of Appellate Practice – The committee is planning an event for fall 2016 in Novi. The committee is considering making the event free to Section members or with scholarship opportunities to encourage attendance and also looking into sponsorship by law firms to cover expenses.

Annual Meeting – The committee is planning the event to take place on September 22, 2016, at 2:00 p.m. at DeVos Place in Grand Rapids, MI. The panel discussion will involve issues relating to stays and bonds.

Bench Bar – The committee continued to meet as it worked with planning the Michigan Appellate Bench Bar Conference, which occurred April 20-22, 2016, at The Inn at St. John in Plymouth, MI.

Ad Hoc Committee on Probate Appeals – The committee continued to work with and/or monitor draft legislation pertaining to probate appeals.

Submitted by,

Beth A. Wittmann (P63233)
Chair