

Inter Alia

Among Other Things

Fall 2015

www.michiganyounglawyers.com

Council Officers

Chairperson

Andrea Irons

Chairperson-Elect

Mark W. Jane

Secretary

Shenique A. Moss

Treasurer

Syeda F. Davidson

Council

Elizabeth Abdnour

Matthew P. Breuer

Jerome Crawford

Tanya N. Cripps

Jade J. Edwards

Stephanie E. Farkas

Kara R. Hart-Negrich

Aysha J. Kasham

Laura Kubit

Laura I. Marji

Samantha J. Orvis

Ryan C. Plecha

Choi T. Portis

Donald Rencher

Roberta Sacharski

Mwanaisha A. Sims

Ryan Zemke

Law Student

Section Chair

Aaron Sohaski

Ex Officio

Hope V. Shovein

Letter from the Chair-Elect



Mark Jane

Butzel Long

301 East Liberty Street

Suite 500

Ann Arbor, MI 48104

P: (734) 995-3110

E: mwjane1980@yahoo.com

Ah, fall! I love this time of year. From the outstanding weather, to football at all levels (Go Blue!), all the way to the bustling apple orchards, the fall is always great in the Midwest. Also, it's the start of a new bar year for the State Bar of Michigan and the Young Lawyers Section!

By the time you read this, I will just about be starting my term as chair of the YLS (October 8 at Suburban Collection Showplace in Novi, Michigan to be exact—register for the Annual Meeting if you can make it!). I am looking forward to a very productive year ahead, and I am confident I can speak for all members of the YLS Council that they are as well.

Of course, you might want to know why we are going to have a productive year for 2015-2016. It's my goal that the YLS host a program in every major county in the state of Michigan. That way, all members of YLS (over 8,000 strong!) will have close access to the great bar and public service events that are available. Also, for the ninth year running, we will host the Young Lawyers Summit, which has become the signature event of the YLS. At the Summit, we will continue our tradition of holding several substantive seminars and ample networking opportunities for the numerous young lawyers throughout the state. Just make sure to keep a close eye out for reminders and registration prompts so you can take advantage of the amazing opportunities being a member of the YLS brings.

I look forward to serving as the chair of YLS and getting to know you all throughout the upcoming year!

Regards,

Mark

Immigration Seminar

Aysha Kasham

On February 6, 2015, Young Lawyers Section members converged at the U.S. Citizenship and Immigration Services Support Center in Detroit, Michigan. YLS hosted a seminar entitled “Immigration Law for New Practitioners.” The program allows new and young lawyers the opportunity to become acquainted with the immigration system. The agencies that were present included U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement (ICE), Customs and Border Patrol (CBP), and Department of State.

This project provided an all-day event with presentations from the various agencies and introductions from the directors and officers of each agency. The attendees had the ability to have direct access and interact with the various immigration agencies and obtain important information for practitioners as well as the opportunity to ask questions. There was a great amount of information exchanged from both sides, and the event proved to be very helpful for the young lawyers as well as the agencies.

The end result of this event is that it opens the doors of communication between the young practitioners and the officers of such agencies. It allows the exchange of information to the benefit of all parties. The USCIS liaison has requested a repeat event in the late fall...more to come on this!



Just The Beginning

Choi Portis

On June 23, 2015, I had the honor and privilege of assisting with the Just the Beginning Foundation Pipeline Program. The program began as a celebration of the integration of the federal judiciary on September 19, 1992 in Chicago, IL. Today the organization offers pipeline programs around the country that are directly aimed at inspiring young students and increasing diversity in the legal profession and judiciary.

The Detroit Summer Legal Institute is a week-long program, spearheaded by the Honorable Victoria Roberts. The program on June 23 consisted of a panel discussion regarding the legal profession and the importance of diversity within the profession. The panel consisted of Judge Judith Levy, Magistrate Elizabeth Stafford, Judge Matthew Leitman, and Judge Denise Page Hood. The mid-day portion of the program concluded with a luncheon, where the conversations about the profession continued at the individual tables with attorneys and the judges, including Chief Judge Gerald Rosen, who invited the students to conduct their mock trial program in his courtroom.

Six Common Financial Mistakes Lawyers Make

By Laura I. Marji

This year the ABA YLD Spring Conference was held in Tampa, Florida. While there, I was able to participate in a conference that covered the Six Common Financial Mistakes Lawyers Make. The topic was presented by Kristin Brandli, an independent financial consultant. As a young lawyer I found this topic particularly interesting because it is one that is often ignored.

Ms. Brandli first covered her three key steps toward financial security: (1) spend less than you earn; (2) reduce your debt load; and (3) grow your money to accommodate your future needs. She then presented the six common mistakes lawyers make.

First, she finds that lawyers do not use a budget. She recommends organizing spending and engaging in active (not passive) saving. A large part of the first mistake includes not having an adequate emergency reserve. She believes that each of us should have an emergency fund equal to three to six

months of expenses. The second mistake is not having a debt repayment strategy. Ms. Brandli recommends prioritizing debts based on interest rates by paying those debts with the highest interest rate off first. The third common mistake is not being properly insured. This can include considerations for health, auto, renter/homeowner, supplemental disability, and life insurance. The fourth mistake is waiting to invest. The sooner you start saving, the less you need to save to reach the same goal, because interest compounds over time. The fifth mistake is misidentifying investment risks. This can include market fluctuations, tax changes, and inflation. The last mistake is not getting help. Ms. Brandli recommends contacting a financial advisor with any questions about debt and savings. The seminar was only a brief overview of common mistakes and financial concerns from the perspective of a financial consultant. Should you have questions, I recommend contacting a financial consultant directly.



ABA YLD Tampa Conference

By Ryan Zemke

Members of the SBM YLS recently had the opportunity to attend the ABA Young Lawyers Division Spring Conference on May 14–17 in Tampa Bay, Florida. The event was three days of educational sessions, idea-exchanges, and countless networking opportunities with practice-area experts as well as young leaders across the world. We left with new strategies, connections, skills, and knowledge to make positive progressions both in our own day-to-day practices as well as in our capacity as members of the SBM YLS.

On the educational spectrum, one session focused on issues regarding beginning and ending client relationships with proper engagement and termination letters to prevent major ethical and practical issues. Another session focused on the ethical and tax implications of the legalization of marijuana and how attorneys can stay in compliance with the tax code as well as the Rules of Professional Conduct while handling matters on behalf of their clients.

On the personal improvement side, there was a session on networking in unconventional ways to develop business. The panel provided insight and practical tips on how to best leverage running clubs, gyms, and other non-traditional opportunities into great places to meet people and build relationships. There was also a session regarding financial planning that was geared specifically toward young lawyers. Whether tackling student loan debt, preparing to invest, or prioritizing goals, life is busy enough without having to worry whether you're making the best choices with your money. A financial consultant helped provide tools and actionable tips to help smartly navigate personal financial growth while learning from the six common mistakes made by others.

Perhaps the most important development from this conference is that the ABA will be hosting its 2016 YLD Fall Conference in Detroit. For those of you who have always wanted to go to an ABA conference but perhaps have been unable to travel, this is your chance. Look for more information regarding this event in future releases.

Don't Dismiss the Writing Seminar

By Syeda Davidson

No matter how many conferences I've attended, I'm always drawn to the writing seminar. And surprisingly, I learn something new at each. At the ABA/YLD's Spring Conference in Tampa, Florida, I had the opportunity to attend yet another writing seminar. This seminar focused on the strategy and practical matters that are encountered when writing a legal piece.

First, I learned that there are two kinds of writers: preppers and doers. Preppers do an outline before writing a brief or a similar legal piece. Doers feel as though they must just start writing. I fall somewhere in the middle, often depending on what kind of deadline I'm facing. The lecturers suggested that, even when you fall into the doer category, you must outline at some point (which I find to be true). You can use a method called "reverse outlining," which means you take away all of the supporting details so that you are left with the main points of your piece. This can show you whether your writing addresses the points that you intended. (I think that the point of this part of the lecture was that it's worth it to take the additional time to outline at the beginning.) Do an outline, even if you're dreading to start writing.

I also learned that there are three things to think about when you're writing anything: purpose, audience, and tone. When you are writing a legal piece, the purpose is almost always to try to get your audience to do something. For that reason, it's important to frontload your information. Ask yourself what you want your audience to do with the information you are giving them, and how you can get the information to them faster. Your tone is how you invoke emotion into your audience. For example, although some audiences appreciate brevity, others can interpret it as terse. The most important takeaway from this segment was that legal writing is not about you, as the writer—it's about your audience.

Another piece of advice that I seem to be hearing more and more involves hyperbole. When you edit your document, search and find "ly" words (adverbs). If something is obvious or clear, you should not have to say so. Instead of saying "obviously" or "clearly," just set forth the facts that show that something is obvious or clear.

As a practical matter, I learned that writing on a computer should be done with caution. Writing "on the screen" has changed the speed of reading and writing. It is important to slow your reader down to obtain your intended emotional tone. This is also important when you edit—print a copy of your draft for editing instead of editing on your screen. One way to do this is by using the white space in your document for visual rests. Another is to use headings.

The writing seminars at conferences have always proven to be very useful to me. While some of the information was not new to me (white space, discouraging the use of adverbs), it never hurts to get a refresher. And of course, it's almost never *all* review. If you have the opportunity to go to any legal conference, I'd encourage you to check out a writing seminar.

Calling All Writers!

The State Bar of Michigan Young Lawyers Section Inter Alia Committee is now accepting article submissions meeting the following criteria:

- The subject matter should be relevant to young lawyers.
- Articles should be no longer than 2,000 words. Longer articles may be considered to run as a series.
- All submissions must include a short author biography and a digital photo of the author (300 dpi resolution preferred).

Electronic submissions (MS Word) are preferred. Please submit articles to Shenique A. Moss at sheniquemoss@gmail.com.

Articles for the next issue are due by November 30, 2015.

Project Street Youth in Practice

By Kara Hart-Negrich

In the fall 2014 edition of *Inter Alia*, I wrote about Project Street Youth, the ABA YLD's year-long project focusing on getting homeless kids legal help. The first law clinic for homeless youth in Michigan was held on June 17, 2015 at the Kevin J. Moody Youth Home in Lansing. I was glad to have so many attorneys interested in helping, either by volunteering for the clinic or by donating money to the Moody Home.

The clinic itself differed from the Project Street Youth model by necessity. The Moody Home only houses a small number of homeless teenagers and the location is not publicized for safety reasons, so opening the house up to homeless youth from other areas was not an option. Instead we had a panel of attorneys who answered legal questions that the kids had previously submitted, with an option to meet privately with an attorney if they had more sensitive questions. Questions ranged from traffic violations to assault and battery.

While I was satisfied with this as a first attempt, in the future I hope to engage more homeless youth. I have been in discussion with the leadership at the Moody Home about doing an outreach clinic where attorneys would go with outreach workers to areas homeless kids are known to gather and answer legal questions on site. A legal clinic in Detroit is also a goal, as the homeless population there is much larger, as is the number of attorneys.



Join the State Bar of Michigan Young Lawyers Facebook page for information on upcoming events!

A Michigan Delegate's Trip to Chicago

By Mark W. Jane

I recently attended the 2015 Annual Meeting of the American Bar Association (“ABA”) in Chicago, Illinois as a Michigan delegate to the ABA Young Lawyers Division (“YLD”) Assembly. The YLD Assembly meeting took place on July 31, 2015 and August 1, 2015, but activities and events spanned the entire week. This was my second occasion serving as a Michigan delegate to the YLD Assembly (the first being at the ABA YLD Midyear Meeting in New Orleans, Louisiana in 2012), but it was a unique experience nonetheless.

This trip was a bit of a homecoming for me, as I returned to the city of my law school (Loyola). Along with providing me the opportunity to catch up with some fellow alumni, I was honored to be able to vote on some pressing resolutions on behalf of Michigan in the YLD Assembly. For example, the YLD Assembly voted on such issues as to whether we (as a policy-making body) should encourage state and local entities to remove all references to the Confederate flag on government grounds, as well as whether lawyer referral services should be subject to confidentiality during the initial intake.

The entire YLD Assembly agenda was packed with a multitude of presentations and debates. Numerous speakers from the ABA (including the outgoing and incoming presidents) and the YLD passionately discussed the current state of the legal profession, and what we as lawyers can do to help. I was honored to sit through and participate at the YLD Assembly. I encourage all young attorneys in Michigan to get involved and attend an ABA Annual or Midyear Meeting to view a YLD Assembly, if possible.

ABA YLD Annual Meeting in Chicago Seminar Report

By Liz Abdour

At the 2015 ABA Annual Meeting in Chicago in August, I was particularly interested in attending a program cosponsored by the Young Lawyers Division and the Commission on Domestic and Sexual Violence, *Domestic Violence in Professional Sports: A Discussion on the Future of Professional Athletes that are Accused of Domestic Violence*. The panelists included Randy Kessler, a divorce attorney whose clients include some of the *Real Housewives of Atlanta*; Cleveland Peterson, a prosecutor from Mobile, Alabama; and Scott Andresen, an entertainment and sports lawyer from Chicago. My first reaction upon seeing the panel was, “Where are the women?” Department of Justice statistics featured on the Commission on Domestic and Sexual Violence’s website state that 84 percent of spouse abuse victims were females, and 86 percent of victims of dating partner abuse were female, so I found it a little surprising that there was no female voice on the panel on an issue that so significantly affects women.

Although I thought the panel was lacking in gender diversity, they did a good job of presenting the issues realistically in terms of the prevalence of gender-based violence among professional athletes and the minimal response that many professional sports organizations have taken in addressing it. NASCAR was presented as the clear leader in terms of its response to allegations of relationship violence, as the panel indicated that driver Kurt Busch was suspended indefinitely when allegations surfaced that he had violently beaten and strangled his ex-girlfriend earlier in the year. The panel discussed the more lackluster response by the NFL in cases such as those involving Ray Rice (caught on video violently beating his then-fiancée and knocking her unconscious) and Adrian Peterson (charged with felony child abuse for brutally beating his four-year-old son with a switch and leaving him bruised and bloody).

The main takeaway from the program was this: money speaks. The panelists suggested that, as women make up 45 percent of the NFL’s fan base, the only way to get the organization to pay attention to this issue is with our dollars. It’s a bleak but realistic picture of the low importance that professional sports organizations place on ensuring that their athletes are acting ethically and professionally in their very public personal lives. Unless their unlawful and violent behavior impacts organizations’ bottom lines, it’s unlikely that we will see any significant change in how domestic violence is addressed in professional sports.



Greetings From the “House”—an End of an Era, So Let’s Make Some History

By Mwanaisha A. Sims

Those were the words spoken by the speaker of the American Bar Association (“ABA”) House of Delegates, Patricia Lee Refo, this year when the House welcomed the new ABA President Paulette Brown. Well, I am sort of paraphrasing what House Speaker Refo said; it was actually the outgoing ABA President William C. Hubbard that said “an end of an era,” and then the House speaker said, “Let’s make some history.” But it wasn’t until the incoming ABA President Paulette Brown reached the podium of the House that it all made sense. President Brown is the first woman of color to become the ABA president. So an era has indeed ended and history has been made.



This historic event took place during the ABA’s Annual Meeting in Chicago, Illinois from July 31 to August 4, 2015. If this is the first time you are reading one of my biannual *Inter Alia* articles on the House, consider this your first and last. I have officially aged out of the Young Lawyers Section of the State Bar of Michigan that allows a young lawyer the honor to hold a seat at the table in the House. So I may have thought President Hubbard was talking about me when he said it was an end of an era.

Before I discuss what proposals the House debated, adopted, voted into infinity, or denied, I would be remiss if I failed to mention some other history that was made. Lacy Durham, a bright young lawyer from Dallas, Texas, became the 2015–2016 chair of the ABA Young Lawyers Division. Lacy may not be the first woman of color to hold that seat (she is the third African-American female) but she is the first woman of color to hold that seat under President Brown, and both are members of Delta Sigma Theta Sorority Incorporated. Delta Sigma Theta Sorority Incorporated is a sorority that believes in sister-

hood, scholarship, and service. Both these women have carried on that motto throughout their lives and exemplified that in their careers as attorneys. As a fellow member of Delta Sigma Theta Sorority Incorporated, I was ecstatic to see a sea of crimson and cream, the sorority’s official colors, to support ABA President Paulette Brown’s inauguration as the ABA president.

Now that you have read this far, on to the business of the House. The House is the policy-making body of the ABA and meets twice each year at the ABA Annual and Midyear Meetings.

The House debated and adopted some hot topic resolutions. Here are a few:

11-6A(3) Provides an additional delegate to those delegations without a young lawyer, subject to the additional delegate’s being less than 36 years old at the beginning of the term.

102 Urges state and territorial bar licensing entities to eliminate any questions that ask about mental health history, diagnoses or treatment when determining character and fitness for the purpose of bar admission. The questions should focus instead on conduct or behavior that impairs an applicant’s ability to practice law in a competent, ethical and professional manner.

103A Adopts the *Model Act Governing the Confidentiality and Expungement of Juvenile Delinquency Records*, dated August 2015, which mandates that courts, probation offices and law enforcement agencies keep juvenile court and law enforcement records confidential.

108B Urges Congress to restore Pell Grant eligibility for prisoners who qualify under existing need-based criteria in order to facilitate re-entry and reduce recidivism.

111 Urges courts and legislative bodies to adopt rules or enact legislation to establish a privilege for ensuring that a client consulting a lawyer referral service for the purpose of retaining a lawyer or obtaining legal advice from a lawyer may refuse to disclose, or prevent the lawyer referral service from disclosing, those confidential communications.

112 Recognizes that lesbian, gay, bisexual, transgender, and queer (LGBTQ) people have the right to be free from attempts to change their sexual orientation and gender

Continued on next page

Greetings ... Continued from page 7



identity and urges governments to enact laws that prohibit state-licensed professionals from using conversion therapy on minors.

Shenique Moss will be the new young lawyer representative from the State Bar of Michigan Young Lawyers Section Council to sit in the House. Shenique is dynamic in so many ways, but to name a few she is on leadership track as the upcoming State Bar of Michigan Young Lawyers Section Council chair; she received Rising Star of the Year from the ABA Young Lawyers Division chair, and she will ascend to the ABA Young Lawyers Division speaker at the close of the 2016 Annual Meeting in August.

Thank you for allowing me the opportunity to serve as your Young Lawyer Delegate for the ABA House of Delegates. I sat amongst giants in the profession these last couple of years and I will be forever grateful!

Seeking Enthusiastic & Committed Young Lawyer Volunteers

The State Bar of Michigan Young Lawyers Section (the “SBM YLS”) is seeking enthusiastic and committed volunteers to serve on its 2016 YLD Fall Conference Host Committee. As you may know, Detroit, Michigan was selected as the host site for the 2016 American Bar Association Young Lawyers Division Fall Conference scheduled on October 20-22, 2016.

The Host Committee will oversee the coordination of all local responsibilities. As a member of the Host Committee you will be tasked with helping to ensure that Detroit is best represented during the convention and that the 2016 Fall Conference is the most successful conference to date.

The SBM YLS is ready and eager to shine a bright light on Detroit and show that it is an extraordinary place to live, work and play. If you are interested in getting involved, please contact Shenique A. Moss at sheniquemoss@gmail.com.

I Know My Rights – Back to School BBQ from Flint to Detroit

By Roberta Sacharski and Mwanaisha A. Sims

Can my school search my locker? Do I have to wear a uniform at school? How can I protect myself from discrimination? Can I pray before school lunch? What should I say to a police officer? These are just some of the questions addressed at the recent “Back to School: Know your Rights” events hosted by the Young Lawyers Section. These events were geared toward middle school and high school-aged students and their families as they embark upon a new school year. Many students have questions about what their rights are under the law and often receive conflicting messages depending on their source of information (friends, parents, media, etc.). On August 20, 2015, this event was held at the Boys & Girls Club of Flint and on August 31, 2015, a similar event was held at the Coalition on Temporary Shelter (COTS) in Detroit.

Many community members and groups participated in making each event a success, including the local bar associations, the American Civil Liberties Union, The Disability Network, and PFLAG (Parents, Families and Friends of Lesbians and Gays). A special thanks to Amy Senier and Mark Fancher from the Detroit ACLU, Desiree Ferguson from the State Ap-

pellate Defender’s Office, and Regina Jemison from the National Conference of Black Lawyers who presented answers to many of the parents’ and students’ questions addressed at the COTS “Back to School: Know Your Rights” event.

Many topics were addressed, such as freedom of religion, students’ and parents’ rights with respect to school discipline, the right to be free from unreasonable searches and seizures, and freedom of speech. Each student participant received a free “I Know my Rights” drawstring backpack and school supplies. At both events, participants enjoyed a free picnic lunch. At the Boys & Girls Club of Flint, the kids enjoyed hotdogs and chips while listening to fun music and received informative handouts attempting to answer some of the questions students often have. At COTS, parents and students enjoyed the smoked flavor of Smokey G’s smokehouse.

Each event was attended by well over 100 students and their families and a good time was had by all. The Young Lawyers Section is confident this event will become a highly anticipated annual occasion.