

**STATE BAR OF MICHIGAN  
LITIGATION SECTION 2012-2013 ANNUAL REPORT**

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**Bar Year: 2012-2013**

**Section Name:** Litigation Section

**Mission Statement:** The Litigation Section provides education, information and analysis about issues of concern through meetings, seminars, the State Bar of Michigan web site, public service programs, publication of a newsletter, and social media. Membership in the Section is open to all members of the State Bar of Michigan.

**Officers and Council Members:**

Officer	Name	Address	Telephone	Email
Chair	Dari Craven Bargy	2825 Airview Boulevard Kalamazoo, MI 49002	269 389-7492	dari.bargy@stryker.com
Chair-Elect	M.J. Stephen Fox	7955 Autumn Woods Drive SE Ada, MI 49301	616 676-4300	foxlawfirm@aol.com
Secretary	Michael P. Donnelly	1 Woodward Avenue, Suite 1550 Detroit, MI 48226	313 237-7300	mdonnelly@fraserlawfirm.com
Treasurer	Marcy A. Tayler	1 Woodward Avenue, Suite 2400 Detroit, MI 48226	313 965-2863	marcy.tayler@kitch.com

Member	Term Expires	Member	Term Expires
David W. Centner, Voting Ex-Officio		Gary R. Peterson	2014
Thomas F. Cavalier, Voting Ex-Officio		Daniel P. Steele	2014
James D. VandeWyngaerde	2013	Michael J. Butler	2014
Honorable Donald A. Johnston	2013	Thaddeus E. Morgan	2014
Gary K. Springstead	2013	Albert J. Dib	2015
James M. Straub	2013	Daniel J. McGlynn	2015
Sherry D.O. Taylor	2013	Bernard C. Schaefer	2015
Michael P. Cooney	2014	Kristopher K. Hulliberger	2015

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***Council Meeting Schedule:*** Periodic council meetings are scheduled throughout the year in accordance with the following schedule:

Meeting Type	Date	Location
Council Meeting	November 8, 2012	Telephonic
Council Meeting	January 30, 2013	Telephonic
Council Meeting	March 14, 2013	Lansing, Michigan
Council Meeting	May 22, 2013	Telephonic
Litigation Summer Conference	July 26-27, 2013	Mackinaw Island, Michigan
Annual Meeting	September 19, 2013	Lansing, Michigan

**General Budget Information:** The Litigation Section remains very strong financially. As set forth in the most recent Treasurer's Report which is through March 31, 2013, the Section has total year-to-date revenues of \$55,540.00, with a total cash in account of approximately \$145,677.55. Total expenses for the year are projected to be approximately \$84,020.00. A copy of the most recent Treasurer's Report and the Section's Budget for the fiscal year are also attached. The Section's projected surplus/balance, after deducting the budgeted items for the year, is approximately \$88,141.71. Based on current projections, the Section should remain strong financially as it moves into the 2013-2014 fiscal year. The Section has invested a portion of its budget surplus in areas targeted to benefit the Section membership, including enhancement of programs, broadening communications streams to better inform Section members on developments in the law, and to assist those in need with legal assistance. As in past years, the Litigation Section made a significant donation to the State Bar Foundation/Access to Justice program. This year, the Litigation Section continued its support with a recently approved donation of \$12,000. We are pleased to report our continued commitment in support nonprofit programs throughout Michigan that provide civil legal services to low-income families facing immediate legal issues.

### **Events and/or Seminars:**

The Litigation Section continues to partner with ICLE to offer quality continuing legal education to Michigan attorneys. A listing of our 2012-2013 offerings is as follows:

Event or Seminar Title	Date	Location
Masters In Litigation Seminar	October 16, 2012	Plymouth, Michigan
Litigation Technology Seminar	March 11, 2013	Plymouth, Michigan
2013 Litigation Summer Conference	July 26-27, 2013	Mission Point Resort, Mackinaw Island, Michigan
Masters In Litigation Seminar	October 10, 2013	Plymouth, Michigan

The 2012 Fall Masters in Litigation seminar was entitled, The Lawyer's Winning Edge - What They Didn't Teach You in Law School featuring our popular return guests Lisa L. DeCaro and Leonard Matheo of Courtroom Performance, Inc. DeCaro and Matheo presented the common mistakes

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lawyers make in speaking and demonstrated why gestures and body language are critical in persuading your audience.

To continue the Section's enhanced trial skills programming, this year the Litigation Section was proud to debut the First Annual Litigation Technology Seminar. This inaugural conference was wildly popular and allowed participants to gain the skill and confidence needed to take a trial to the next level - taught by Paul Unger one of the nation's foremost litigation technology consultants.

The Section continues its tradition of hosting a quality summer conference at a Northern Michigan resort that is educational, motivational and family friendly. The conference also provides a unique opportunity for litigators and members of the judiciary from across the State of Michigan to socialize in a relaxed setting. This year, the Section awaits the return of ever-popular speaker, Robert Musante and his presentation, *Deposing the Artful Dodger – Master the Art of Deposition Cross-Examination*. Musante is one of the country's foremost teachers of deposition rules and tactics. This program teaches how to recognize and attack question-dodging and truth-dodging by even the most brilliant and wily of adverse witnesses.

Finally, our presenter for the 2013 Fall Masters in Litigation program is national jury trial consultant, Richard Gabriel. Mr. Gabriel will discuss the myths and truths about today's jurors and jury selection, including how to profile, select and communicate with your jury.

**Legislative issues:** The Litigation Section reviews proposed amendments and recent developments in court rules and legislation of interest to litigators. The Committee regularly reviews pending legislation and policy and provides comment and recommendations to the Litigation Section Council regarding whether or not the Section should take a public position on any given issue. Examples during the past year have included changes to the Michigan Rules of Court, developments and changes relating to the electronic filing in state court and proposed changes to the Michigan Rules of Professional Responsibility.

**Recommendations for next Council:** The Litigation Section is fortunate to have a strong foundation based upon active participation of its Council and committees. The Section has the following six (6) active committees: (1) Programs and Education, (2) Litigation Technology, (3) Publications and Social Media, (4) Legislative/Rules, (5) Nominating/Membership, and (6) Public Service. While the Section has remained strong for many years, we are constantly looking at ways to improve service to all members. This is evident from the newly-formed Litigation Technology committee, debuting its highly-attended First Annual Litigation Technology Seminar this year with great success. The Litigation Section continues to receive requests to join the Section's LinkedIn group, launched in 2012 and now nears 1,000 members! The Section is clearly responding to the demands of its members who seek to learn and grow in the technology age. The Section is currently evaluating ways to continually evolve both the committee level and Section level – including devising specific goals and objectives for long-term advancement to ensure we continue to answer the needs of our members.

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**Other Information:** The leadership of the Litigation Section is strong. I would like to thank the Executive Committee, Chair Elect M.J. Stephen Fox, Secretary Michael Donnelly, and Treasurer Marcy Taylor, for their dedication to the Section along with the Section's Council for their participation, guidance, and support.

*/s/ Dari Craven Bargy*

*Dari Craven Bargy*

*Chairperson*

*Litigation Section (2012-2013)*

*State Bar of Michigan*

STATE BAR OF MICHIGAN LITIGATION SECTION  
TREASURER'S REPORT

MARCH 31, 2013

1. For the three months ending March 31, 2013.

Beginning Fund Balance.....	\$ 96,709.74
YTD Revenue.....	\$ 55,540.00
Beginning Fund Balance plus Revenue.....	\$152,249.74
YTD Expenses.....	\$ 6,572.19
YTD Net Fund Balance.....	\$145,677.55

2. The State Bar of Michigan provided the Litigation Section financial report ending March 31, 2013. It is unaudited and attached hereto.
3. Since the last report submitted for the period ending December 31, 2012 additional expenses that have been incurred and approved include the following:  
\$51.65 (Telephone); \$105.00 (List Serv)

Dated: April 10, 2013

Very truly yours,  
Marcy A. Tayler, Treasurer  
Litigation Section  
State Bar of Michigan

## **Litigation Section FY 2012-2013 Budget**

### **REVENUES**

Member Dues	\$54,087.50
Student/Affiliate Dues	\$410.00
Other	\$0.00
<b>TOTAL REVENUES</b>	<b>\$54,497.50</b>
Cash Balance Forwarded	\$117,664.21
<b>TOTAL INCOME</b>	<b>\$172,161.71</b>

### **EXPENSES**

Summer Program	\$23,000.00
Masters Program (includes \$1000 reception)	\$12,000.00
Technology and Trial Seminar	\$7500.00
Annual Meeting	\$500.00
Newsletter	\$15,000.00
Mock Trial	\$5000.00
Legal Aid Contribution	\$12,000.00
Website/Social Media	\$4000.00
State Bar Leadership Conference	\$1800.00
Postage	\$1800.00
Listserv	\$420.00
Council Meetings	\$500.00
Telephone	\$500.00
Other	\$0.00
<b>TOTAL EXPENSES</b>	<b>\$84,020.00</b>

**YEAR END BALANCE**                      **\$88,141.71**