

**STATE BAR OF MICHIGAN
INSURANCE AND INDEMNITY LAW SECTION**

MINUTES FROM COUNCIL MEETING

November 14, 2012, 2:30 p.m.
at Jaffe, Raitt, Heuer & Weiss, P.C.
27777 Franklin Rd, Ste. 2500, Southfield, MI

Present:

Lauretta Pominville
Kimberly Ruppel
Larry Bennett
Elaine Pohl
Kathleen Lopilato
Hal Carroll
Mark Cooper
Deb Hebert
Jim Thome
Adam Kutinsky
Dan Steele (tel)
Cathy Heise (tel)

CALL TO ORDER AND WELCOME – Elaine Pohl, Chair

APPROVAL OF MINUTES:

- Motion made by Hal Carroll and second by Mark Cooper for APPROVAL OF MINUTES, Annual Business Meeting September 20; Motion passed, minutes approved

TREASURER'S REPORT, Larry Bennett

- As of 9/30/12 our balance is \$25,553

MEMBERSHIP REPORT, Elaine Pohl

- We currently have 578 Members

CHAIR REPORT, Elaine Pohl

- Welcome to Barry Feldman
- Diversity Pledge was read to council for consideration and a motion was made by Kathleen Lopilato to adopt the pledge and it was unanimously adopted.

Organization of Committees: The continuing strategic plan of the council is to delegate work to the committee level; Amy Iannone respectfully resigned from membership

committee, which means that there is an opening on membership for interested members. The primary goal of the membership committee is a membership directory for section members.

Adam Kutinsky is chair of strategic planning and has submitted a 5 year strategic plan to the council with the assistance of Laretta Pominville.

Hal Carroll chairs the publication committee.

Kathleen Lopilato will chair the Program Committee.

EDITOR'S REPORT, Hal Carroll

- See attached report submitted by Hal Carroll. All members expressed their appreciation for the continued quality of the Journal.
- Hal made a motion, which was approved, to send out four e-blasts to members regarding the Journal.

COMMITTEE REPORTS

- No committee reports were given this day.

NEW BUSINESS

- Elaine will speak with Jeff Brown about the Google list sufficiency and the costs of e-blasts; the council prefers to save costs with something that is free, but open to considering other options.
- Schedule for meetings for year (tentative, open to input)
 - February 26, 2013, Lansing
 - June 4, 2013, Southfield
 - September—Annual Meeting and Program, Lansing
 - November 19, 2013, Southfield
- Begin process of continued strategic planning per state bar model

NEXT MEETING, Date February 26, 2013, 4:00 p.m., Lansing.

- Currently there are no Grand Rapids council members and only 1 Lansing member, so it is likely that meetings will remain in SE Detroit area for now.

Meeting adjourned

Insurance and Indemnity Law Section
Editor's Report
November 14, 2012

I. JANUARY ISSUE – THEME: BUSINESS COURTS

Due Date for the January issue is December 7, 2012.

We have a proposed theme: Business Courts

The new Business Courts are up and running, at least in theory.

Noreen Slank has suggested articles focusing on that topic and how it relates to insurance coverage and indemnity cases.

1. Noreen has volunteered an article on indemnity.
2. Mark Cooper and Hal Carroll can provide an article on how the Business Courts can serve as a vehicle for ADR tailored to the needs of insurance coverage and indemnity cases.
3. Cathy Heise has suggested a series on the “business” exclusions (j through n). She will take the lead on an overview article, and we will solicit contributors on specific exclusions in future issues.

Would anyone else like to contribute to a Business Court theme issue?

II. FUTURE USE OF E-BLASTS FOR THE JOURNAL

If the Council approves, I would like to send the occasional e-blast to the general membership suggesting topics for articles. It may draw more members in to contribute. I would estimate a frequency of at least quarterly, and perhaps twice a quarter, and will ask for approval to order them on that basis.

III. LIST OF TOPICS

To get articles, it helps to be able to suggest topics. So please see if you can add anything to the list below. I included two for which we already have authors. I would leave those out of the e-blast.

Remember our Section's dual purpose – (1) to exchange information among experienced attorneys and (2) to educate the members who join because they want to learn the basics.

Here is a starter list. Please see what else you can come up with.

1. Making and Enforcing the Bad Faith Claim (Barry Feldman has opted for this)
2. Professional Liability issues (Adam Kutinsky has volunteered for this)
3. Inland Marine Coverage – What is it for, how does it work?
4. The “Wrap-Around” Policy
5. Exhaustion of Policies: Horizontal or Vertical
6. The Separation of Insureds clause

IV. REGULAR FEATURES

The Journal also has regular features or “reports.”

1. No-Fault Report, by Ron Sangster
 2. Insurance Cases, by Deb Hebert
 3. ERISA report by Mike Shpiece and Kimberly Ruppel
 4. OFIR (Office of Financial and Insurance Regulation) report by Sarah Wohlford
 5. Insurance 101 by Hal Carroll [more of a column than a report]
- Any ideas for a new regular report or column?