

State Bar of Michigan | 2016-2017 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.

Insurance and Indemnity Law Section

Chair

P57900 Adam B. Kutinsky
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Chair-Elect

P26294 Larry W. Bennett, Farmington Hills

Secretary

P40053 Augustine O. Igwe, Farmington Hills

Treasurer

P48742 Jason J. Liss, Farmington Hills

Council Member

Term Ending: 2017

P11668 Hal O. Carroll, Pinckney
P49966 Steven A. Hicks, Lansing
P25629 James K. Thome, Troy
P43771 Renee T. Vander Hagen, Southfield
P43808 Douglas Young, Southfield

Term Ending: 2018

P76249 Patrick D. Crandell, Southfield
P80481 Rabih Hamawi, Southfield
P59072 Laretta A. Pominville, Farmington Hills
P61904 Nicole E. Wilinski, Southfield

Commissioner Liaison

P39401 Dennis M. Barnes, Detroit

**STATE BAR OF MICHIGAN
SECTION ANNUAL REPORT**

Legislative issues:

We established a legislative liaison at the beginning of 2016.

Recommendations for next Council:

The council has good continuity between each new councils, so there is no need for recommendations here.

Other Information:

During the 2016 term, we amended our by-laws, participated in the 21st Century Task Force, began the process of establishing a law student scholarship, published 4 Journals, conducted a survey of membership concerning programs and publications, completed the establishment of a search-able database of members, and met 4 times. We met all of our goals for the year and the long term strategic plans in place with the bar.

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

Reset Form

e-mail form

Insurance and Indemnity Law Section

Minutes

of the Meeting of the Section Council

January 26, 2016

The meeting was called to order at 4:00 p.m. by Kathleen Lopilato, who confirmed that a quorum was present. The persons in attendance were:

Kathleen Lopilato
Hal O. Carroll
Yosef Klein (Section member – Guest)
Lauren Frederick (Section member – Guest)
Nicole Wilinski
Jason Liss
Augustine Igwe
Lauretta Pominville
Renee VanderHagen
Adam Kutinsky
Elaine Pohl
Doug Young
Jim Thome

The secretary being unavailable, Chair Lopilato requested that Hal Carroll record the minutes of the meeting.

Minutes of the previous meeting. Motion by Adam Kutinsky, second by Jason Liss, that the minutes of the previous meeting be approved. The motion carried unanimously.

TREASURER'S REPORT

Treasurer Igwe reported balances as follows:

December 31, 2015 \$44,398.36, an increase of \$1,413.93 compared to last year

December 31, 2014 \$42,984.93

Balance at end of fiscal year (September 30, 2015): \$32,359.72

MEMBERSHIP REPORT

Chair Lopilato reported the membership as follows:

Paid and current:	686
Unpaid	287 (new attorneys – free membership)
Unpaid (in arrears)	<u>62</u>
Total:	955

The chair also reported on the demographic distribution of the membership.

CHAIR REPORT

State Bar 21st Century Task Force. Ms. Lopilato and Mr. Igwe attended a State Bar function, the 21st Century Task Force, which focused on issues of the availability and affordability of legal services, and economic issues concerning the practice of law.

Young Lawyers Section “Summit.” The Young Lawyers Section annual “summit” will take place in Novi on June 3-4. It was agreed that we will again attend, on June 4. To supplement the “give-aways,” it was moved (Lauren Pominville) and seconded (Nicole Wilinski) that up to \$1000 be spent. The motion carried unanimously. The council also discussed the possibility of offering to present a program to the Young Lawyers Section. Various possible topics were discussed.

EDITOR’S REPORT

Current Issue: The current issue of the *Journal* will arrive in mailboxes this week.

April Issue: At present we have received one article, a primer on ERISA, by Kimberley Ruppel and K. Scott Hamilton. Michael Hale has also promised an article on reservations of rights.

NEW BUSINESS

Amendment of Bylaws. The advisability of amending the bylaws was discussed. Laretta Pominville volunteered to chair an ad hoc committee to explore the issue, including the relationship between amendments and the Section’s strategic plan. Nicole Wilinski, Renee VanderHagen, Elaine Pohl and Hal Carroll agreed to serve on the committee. A report will be presented at the next council meeting.

Membership Survey. The council discussed the question whether a survey should be conducted, to determine how the Section can better serve the needs and interests of its members.

Chair Lopilato will begin the design of a survey and circulate it for council members' comments and suggestions.

Proposed change to MCR 2.403. The council discussed a proposed change to MCR 2.403 to shorten the deadline for acceptance or rejection of a case evaluation award from 28 to 14 days. After discussion, there was a consensus that the Section need not comment on the proposed change.

Searchable Directory. The council discussed the Section's existing "searchable directory." The origin and progression of the searchable directory was discussed, as well as the fact that not many of the Section's members had registered for it. In addition, the State Bar's adoption of ZeekBeek may serve at least some of the same functions. It was moved (Kathleen Lopilato) and seconded (Jason Liss) that the searchable directory be terminated. The motion carried unanimously.

Donations to legal aid societies, and/or scholarships. Adam Kutinsky raised the question of the Section making donations to legal aid societies and/or establishing or contributing to a scholarship fund. The threshold question is whether donations of this type are permissible; Chair Lopilato will present the question to the State Bar and report at the next meeting.

Possible future programs. The council also discussed, as the subject matter for possible future programs, Insurance and Intellectual Property Law, and the Business Courts (in theory and in practice).

NEXT MEETING

Chair Lopilato announced that the next council meeting will take place on Tuesday, April 19 at 4:00, the location to be determined.

ADJOURN

It was moved (Nicole Wilinski) and seconded (Lauretta Pominville) that the meeting adjourn. The motion carried unanimously. At 5:35, the meeting adjourned.

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

April 25, 2016
39533 Woodward Avenue, Suite 200
Bloomfield Hills, MI 48304

1. The meeting was called to order at 4:00 p.m. by the Chair, Kathleen Lopilato, who confirmed that a quorum was present.

Present in person: Kathleen Lopilato
Adam Kutinsky
Larry Bennett
Hal Carroll
Jason Liss
Lauretta Pominville
James Thome
Doug Young

Present by phone: Elaine Pohl
Renee VanderHagen
Nicole Wilinski

The minutes of the last meeting were discussed. Adam Kutinsky moved that the minutes be approved. Jason Liss seconded the motion. The minutes were unanimously approved by vote.

2. TREASURER'S REPORT - The Chair presented the Treasurer's Report. The current balance is \$39,991.43.
3. MEMBERSHIP REPORT - The Chair reported there are 896 active members. This is a reduction from the number of members reported in January, 2016 and is likely related to deletion of individuals who were previously reported as "Unpaid (in arrears)".
4. CHAIR'S REPORT - This year's Bar Leadership Forum is on June 10-11, 2016 at the Grand Hotel on Mackinac Island. It was decided that Larry Bennett would attend. Other officers and/or council members may also attend. Forms for attendance must be submitted by May 10, 2016.
5. EDITOR'S REPORT - presented by Hal Carroll.

This month's Journal has been sent to the publisher for printing. It is anticipated that it will be mailed before May 1st. A PDF version of the Journal has already been

sent to those who requested the Journal in that format.

Hal requested that information concerning the Section's proposed program at the Annual Meeting be made available to him so that it may be included in the next edition of the Journal. Also to be included for publication in the Journal are the proposed Revised Bylaws.

The next issue of the Journal is scheduled for July.

6. PROGRAMS REPORT - presented by Adam Kutinsky

Adam discussed our participation in the University of Detroit Mercy Job Fair. The Section's program at the Annual Meeting was also discussed. The Annual Meeting is September 22, 2017 in Grand Rapids. The business meeting will run from 9:00 a.m. to 9:30 a.m. The Program will run from 9:30 to 11. The subject matter will be a revamp of the Section's prior Property Appraisal Program. Patrick King has agreed to appear. Adam will request that Bill Butler (appraiser); Don Balms (broker); and Alan Philbrick (defense attorney) also appear. Laretta Pominville and Larry Bennett agreed to help with the Program.

6. NEW BUSINESS

Proposed new bylaws prepared by Laretta Pominville; Hal Carroll; Elaine Pohl; Nicole Wilinski and Kathleen Lopilato were reviewed. Several revisions to the bylaws were agreed upon. The proposed revised bylaws are attached to these minutes and will be published in the Section's Journal as a prerequisite to adoption.

The Section will participate in the Young Lawyer's Summit at the Crown Plaza in Novi. The event is held on Saturday, June 4, 2017 from 8:30 to 5 p.m. Coverage will be provided as follows:

Doug Young	8:30 to 10:30
Renee VanderHagen	10:30 to 12:30
Hal Carroll	12:30 to 2:30
Laretta Pominville	2:30 to 5:00

7. It was agreed the next meeting will be on July 12, 2017 at 4 p.m. at Larry Bennett's office, 30445 Northwestern Hwy., Suite 250, Farmington Hills. The meeting was then adjourned at approximately 5:20 p.m.

Respectfully submitted,

Larry Bennett, Secretary

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

July 12, 2016
30445 Northwestern Hwy., Suite 250
Farmington Hills, MI 48334

1. The meeting was called to order at approximately 4:00 p.m. by the Chair, Kathleen Lopilato, who confirmed that a quorum was present.

Present in person: Hal Carroll
Larry Bennett
Jason Liss
Renee Vander Hagen
Augustine Igwe

Present by Phone: Kathleen Lopilato
James Thome
Doug Young
Nicole Wilinski
Kim Ruppel
Loretta Pomminville

2. CHAIR'S REPORT - The Section is close to being fully prepared for the annual meeting. The program is agreed upon: Commercial Property, From Start To Finish. The meeting space and the speakers have been finalized. The Chair also reported that the Section had more traffic than in the past at the Young Lawyer's Summit
3. TREASURER'S REPORT - The Chair presented the Treasurer's Report. The current balance is \$38,519.
4. MEMBERSHIP REPORT - The Chair reported there are approximately 900 members.
5. EDITOR'S REPORT - presented by Hal Carroll. The Journal continues to be well received. In the next issue, in addition to the regular articles, there will be announcements about the proposed by-law changes and the Annual Program. Hal discussed some interest in an article regarding potential immunity for self driving cars. Hal also mentioned exploring permission to reprint an article from Claims Management regarding How Marijuana's Rapid Growth is Affecting Insurance Coverage. The supplemental mailing list for the Journal has been updated to include all judges in the Circuit and Appellate Courts, as well as lawyers in House, Senate, and Executive Branch.
6. PROGRAMS REPORT - presented by the Chair. The next program, Commercial

Property from Start to Finish, will immediately follow the Annual Meeting.

7. OLD BUSINESS - It was agreed the vote on the new by laws at the annual meeting will occur before the election so that they are in effect at the time of the election.
8. NEW BUSINESS: None
9. ELECTIONS:

The following members are up for election at the annual meeting:

Lauretta Pominville
Jason Liss
Kim Ruppel
Nicole Wilinski
Barry Feldman

Kim Ruppel and Barry Feldman will not be running for reelection.

Jason Liss has agreed to serve as Treasurer.

The meeting was then adjourned at approximately 4:45 p.m.

Respectfully submitted,

/s/ Larry Bennett
Larry Bennett, Secretary

Summary of Revisions

Proposed Second Amended Bylaws

Article I – Name and Purposes

No changes proposed

Article II – Membership

Section 1 - deleted \$25.00 annual dues amount, and replaced by amount to be determined by Council

Section 4 - added new section allowing for gratis law student membership

Article III – Organizational Meeting

Deleted in its entirety

Article IV – Council (renumbered to Article III)

Section 1(a) - added Council member terms shall be 1 year

Section 1(b) - added limit to number of Council members to not more than 10

Section 2 - deleted section regarding two-year term limits

Section 3 - added that Council shall declare a Council position vacant if Council member misses three successive Council meetings

Article V – Officers (renumbered to Article IV)

Section 1 - added Officer terms shall be 1 year

Article VI – Duties of Officers (renumbered to Article V)

Section 3(b) - added Secretary duty to track Council member attendance or non-attendance at Council meetings

Section 3(d) - added Secretary duty to serve as Commissioner of Elections and keep written record of Council member terms

Section 4(c) - added Treasurer duty to submit proposed budget at annual meeting

Article VII – Duties and Powers of the Council (renumbered to Article VI)

- Section 3 - added section requiring Council members to actively participate in Committee or provide an article for publication in the quarterly publication

Article VIII – Committees (renumbered to Article VII)

- Section 1 - added requirement that committees meet no less than once per year and report to Council at the next Council meeting
- Section 2 - added Strategic Planning Committee to be formed the year prior to the expiration of the then current Strategic Plan
- Section 3 - added requirements that Program Committee present at least one educational program per calendar year, in addition to the annual meeting
- Section 6 - deleted Regulatory Law Committee
- Section 7 - deleted Indemnity Law Committee
- Section 8 - deleted Insurance Coverage Law Committee

Article IX – Meetings (renumbered to Article VIII)

- Section 1 - added requirement that Council meet not less than 4 times per calendar year, the dates of which shall be tentatively set at the annual meeting

Article X – Miscellaneous (renumbered to Article IX)

- Section 5 - added section allowing for formation of ad hoc or permanent committee concerning a Student Scholarship Program to be overseen by the Treasurer

Article XI – Amendments (renumbered to Article X)

- Section 1 - added language allowing for future amendment to the Bylaws by petition signed by not less than 18 members of the Section