

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

Date: July 19, 2017  
Time: 4:30 p.m.  
Location: Dawda Mann  
39533 Woodward Ave., Ste. 200  
Bloomfield Hills, MI 48304

Present:

In Person:  
Adam Kutinsky  
Larry Bennett  
Augustine Igwe  
Jason Liss  
Gail Stork  
Hal O'Caroll  
Rabih Hamawi

By Telephone:  
Loretta Pominville  
Jim Thome  
Nicole Wilinski  
Pat Crandall

1. CALL TO ORDER – 4:35 p.m. – Adam Kutinsky, Chairperson.
2. APPROVAL OF MINUTES – Larry Bennett moved to approve the May 10, 2017 minutes; Jason Liss seconded the motion; the motion passed unanimously.
3. TREASURER'S REPORT – Jason Liss, Treasurer.
  - Current account balance \$39,131.69;
  - 973 total current members (an increase of 32 members from last year), 750 of which are paid (an increase of 57 member over last year) and 223 unpaid (a decrease of 25 from last year).
4. CHAIR REPORT – Adam Kutinsky, Chairperson.
  - Larry Bennett and Laura Pominville gave a report regarding their attendance at the Bar Leadership forum on Mackinaw Island.
    - o Laura recounted her discussion with members of the Marijuana section and the possible overlap between our two sections; membership events discussed, reach out, etc., including possibly a trivia night; also her discussion with the Young Lawyers section and running a joint program;
    - o Larry added that the Marijuana section wanted to know if insurance can be issued, since it is still illegal under federal law; Larry also described the meetings he and Laura attended and ideas for expanding membership, including

contacting each new member personally, the effectiveness of use sending text messages versus email, and holding an outstate meeting.

- Adam raised the issue of No-Fault Insurance reform and volunteered to do a Chairperson piece addressing the issue, but also gauged the council's interest in putting on a program or forum on the topic or having a special edition of the journal devoted to the topic. Larry questioned what new input we could give, though he did raise the idea of making suggestions to the Legislature. Larry also thought we need to include the negligence section in our efforts. Adam clarified that the topic was not limited to No Fault reform, but all aspects of bad faith incorporating penalties for both sides of the equation.
- Laura raised the idea of having a law student perform the research as part of the scholarship project discussed in previous meetings. This led to a discussion about the proposed Scholarship Project.
- Adam moved for approval of the establishment of a scholarship for law students, and suggested a \$5,000 scholarship toward expenses or tuition, which could be offered through each of Michigan's law schools. Adam shared his prior contact with Wayne State's law school, where it was suggested that professors could match students. It was thought that the scholarship should be limited to 2<sup>nd</sup> and 3<sup>rd</sup> years students only and we may receive as many as 150 applications.
- Gus seconded Adam's motion, which then passed unanimously.
- Adam indicated that he will create a written outline.
- Rabih suggested that the scholarship should be tied to a % of the membership dues.
- Larry suggested making the scholarship an event akin to a moot court competition and that the law schools could identify potential participants.
- After a discussion of the surplus of funds in our account, Laura suggested that we make a designation as to how much should/must be spent on various programming, and even suggested the possibility of raising dues. There was no further discussion regarding these discussions.
- Nicole volunteered to move to the Treasurer's position. It was noted that a new council member would need to be recruited to fill her council position.

#### ANNUAL PROGRAM:

Larry discussed the topics to be presented.

#### COMMITTEE REPORTS:

PROGRAM COMMITTEE: Nothing to report.

MEMBERSHIP COMMITTEE: Rabih reported that he has been in contact with the staff at Inns at St. Johns as a possible location for a joint program with the Young Lawyers section to possibly occur during the first week of November. He got quotes of approximately \$65 per person and is estimating a total of 65 to 75 attendees. The topic for the joint program, targeted at young lawyers, is Basics of Legal Malpractice Policies: What's Covered, What's Not. Currently, not decisions have been made as to the speaker(s).

LEGISLATIVE COMMITTEE: Patrick reported that the Legislature has passed a revision to the Business Court Act to remove the amount in controversy and necessity of requesting monetary relief so that Declaratory actions can be heard. The bill is sitting on the Governor's desk for his signature.

EDITOR'S REPORT: Hal discussed the number of articles that had been submitted and that the current issue will be 36 pages instead of 24. He commented that Covenant is a big issue.

NEW BUSINESS: None.

Motion to adjourn made, seconded and approved at 6:00 p.m.

Respectfully submitted,

Augustine O. Igwe  
Secretary