

**JUDICIAL SECTION
STATE BAR OF MICHIGAN**

MINUTES

**June 12, 2020, 10:00 a.m.
Via Zoom Video-Conference**

1. Call to Order

The meeting was called to order at 10:02 a.m.

PRESENT: Judges Paul Stutesman, John Tomlinson, Carrie Fuca, Sue Dobrich, Monte Burmeister, Pat McGraw, Allie Maldonado, Jon VanAllsburg, Annette Berry, Martha Anderson, Ray Voet, Michelle Rick, Michelle Appel, Darlene O'Brien, Julie Reincke, Dorene Allen, Tom Slagle, Tim Kelly, Lisa Sullivan. Also present: Tom Boyd, Cami Pendell, Rob Mathis

- 2. SCAO Report:** Tom Boyd reported that nearly all Michigan courts have submitted Return to Full Capacity Plans. He was hopeful the moratorium on landlord-tenant eviction proceedings would be lifted soon, and he suggested that courts, which would like to begin jury trials, submit a plan to SCAO for approval. He reported that Grand Traverse intended to hold a jury trial at a school auditorium on June 23. He offered to send that County's plan to the Council for distribution. He also agreed to report back whether the court intended to live stream the proceedings. Finally, he indicated that the virtual jury pilot project would soon be releasing its recommendations. Judge Maldonado thanked SCAO for providing Zoom licenses to the Tribes. Judge VanAllsburg inquired whether live-streaming would remain mandatory once the courts re-opened. There was no clear directive in response to that question.
- 3. Supreme Court:** Cami Pendell reported that there would be significant budget shortfalls in fiscal years 2020 and 2021. The Legislature will only be in for abbreviated periods of time due to the elections, but there will most likely be a lame duck session.
- 4. Approval of the Minutes from the March 13, 2020 Meeting:** A motion to approve the minutes was made by Judge Berry and supported by Judge VanAllsburg. All in favor, motion carried.
- 5. Treasurer's Report:** Judge Tomlinson reported that the budget was carrying a surplus due to the limited travel for the March meeting and the Zoom attendance at the current meeting. Motion to approve the Treasurer's Report was made by Judge McGraw and supported by Judge Berry. All in favor, motion carried.

6. State Bar of Michigan: Janet Welch was unable to attend the meeting due to a conflict. Judge Sullivan reported that the SBM Representative Assembly approved the amendment to the Code of Judicial Conduct, but because there was significant opposition filed, a minority report was written and sent to the MI Supreme Court where it remains pending.

7. Court of Appeals: Judge Murray had a conflict and was unable to attend the meeting. No report.

8. Judicial Association Reports

a. Tribal Courts: Judge Maldonado indicated that the budget shortfalls have had a huge impact on the tribes. They have had a real struggle with increased criminal activity due to mental health issues. Also child welfare placements are difficult to secure under the current circumstances. She indicated the tribes were working on an emergency plan in the event of another pandemic.

b. MJA: Judge VanAllsburg reported that MJA was meeting monthly by Zoom. Its summer conference is cancelled, but it negotiated with the Grand Hotel to avoid penalty by offering to all judges the conference room rate during the time the conference would have been held. He indicated that the Association hired counsel to file an amicus brief in a criminal case in which the judge denied a motion filed by the prosecutor and defense counsel to dismiss the case. Judge VanAllsburg offered to share the briefs with Council and will send them to Judge Sullivan to distribute.

c. MDJA: Judge Kelly reported that MDJA was meeting monthly by Zoom. It, too, cancelled its conference in Bay City; however, it plans to conduct a virtual, abbreviated conference.

d. MPJA: Judge O'Brien reported that the Association's Board meets quarterly. June 29 is the next scheduled meeting. She indicated that, although the conference at the Homestead was cancelled, there will be an educational session via Zoom immediately after the next Board meeting available to the membership, and Judge Mack will be presenting. After the session, the annual business meeting will be held with the swearing in of new officers. She further reported that Judge Mack approached the Probate Judges about offering to assist other judges with their dockets by acting as a visiting judge via Zoom. Judges should contact their SCAO regional representative if they are willing to do so.

Some members of MJA inquired as to whether MPJA and/or MDJA were holding over officers as a result of the pandemic. Both associations indicated they were moving forward with their usual rotation.

9. Chair's Report: Judge Sullivan reported that MI Resolve was in 44 of 83 counties, and that the Chief Justice was encouraging judges to refer litigants to this free resource. She also indicated that the Chief Justice that the Supreme Court intended to convene a work group to discuss the privacy issues impacted by livestreaming.

10. Old Business: None

11. New Business: None.

12. Adjourn: A motion to adjourn was made by Judge O'Brien and supported by Judge VanAllsburg. All in favor, motion carried. The meeting was adjourned at 11:04 a.m.

NEXT MEETING DATE: SEPTEMBER 25, 2020 AT 10:00 a.m., ZOOM VIDEO-CONFERENCE

Respectfully submitted,

Hon. Lisa Sullivan, Chair for Judge Murkowski, Secretary
Judicial Council of the State Bar of Michigan