

State Bar of Michigan
Workers' Compensation Section Council Winter Meeting

Date: December 10, 2021

Location: In-Person with Zoom option

<u>Member</u>	<u>Present</u>	<u>Not Present</u>
Jayson Chizick, chairperson	X	
Phil Frame, vice chairperson	X	
Matt Conklin, secretary	X	
Rick Lovernick, treasurer	X	
Jessica Stark	X	
John Tomasik	X	
Dan Zolkowski	X	
Jacob Bender	X	
Alicia Birach	X	
Sean Shearer	X	
Danial Hebert	X	
Sam Larrabee		X
Ben Veldkamp	X	

Meeting Minutes

1. Call to Order

-welcome by Chairperson Chizick

2. Report of the Secretary (Conklin)

-minutes are posted on the State Bar section webpage
-members can contact the Secretary if information missing
-please consider joining the section council, email the secretary for more information

3. Treasurer's report (Lovernick)

-financially the section is in good shape
-the State Bar closely monitors our financial activities
-the section council is very careful how it spends the section's funds
-income outpaces expenses
-no issues to report

4. WDCA Director report, Director Nolish

- General Rule cleared final hurdle
- The Office of the Great Seal will affix “the seal” and the Rules become effective immediately
- other rule sets went into effect in November
- Please sign up for FTS
- No review of statistics but filings remain down
- The magistrates can implement the rules as they see fit; however, each magistrate must follow the rules. Discussion deferred to Chief Magistrate McMurray’s presentation

5. WDCAC report, Chair Royal

- The WDCAC moved, please note the new mailing address
- Please use the full title on mailing to ensure delivery, there are multiple “appellate commissions” at the new location
- FTS now accepted; sign up instructions on the website
- Stats: 13 appeals for the year but 4 new in November; 36 pending appeals in total
- Chair Royal noted that Director Nolish thinks FTS is really good

6. BOM report, Chief Magistrate McMurray

- Gov. Whitmer appointed Marvin Baisel; he will take over former Magistrate DeGraw’s docket
- New board rules effective November 12 and automatically rescinded MAHS rules
- New rules cover ALL cases in litigation
- Detailed review of the Joint and Final Pre-Trial Conference; read excerpts from a memo sent to all the magistrates
- Highlighted that Rule 13 does not apply to a case if no JFPTC
- If there is a JFPTC, Rule 13 applies however, surveillance reports and video do not need to be disclosed and plaintiff job logs do not need to be disclosed

7. Rule Highlights—presentation by Member Shearer

8. Legislative update by Member Stark

- Two bills involving first responders moving through the legislature

9. Presentation by Dr. Swords

- Presentation slide deck available upon request; email Vice Chair Frame: framep@michigan.gov

10. Joint Presentation by Molly Ranns-Lawyers and Judges Assistance Program and Katie Stanley-practicing attorney and mindfulness

- Review of LJAP resources and services; all services are confidential
- Ms. Stanley highlighted the benefits of mindfulness and emotional intelligence; think about what will matter in six minutes, six months, six years

11. Case Law Update by Member Bender

- handout prepared
- willing to share presentation material
- email request to jbender@cooperandbenderpc.com

12. Adjournment

50 members in attendance
35 members by Zoom (approx.)