

**PRIVATELY HELD BUSINESSES FORUM**  
*{f/k/a Small Business Forum}*  
*A Committee of the State Bar of Michigan Business Law Section*

**ANNUAL REPORT PREPARED FOR THE DECEMBER 1, 2022 COUNCIL  
MEETING**

Please describe your committee's activities during the 2021-2022 year toward achievement of the goals outlined in the Section's Strategic Plan. Each question below corresponds to a specific Section of the Plan, a copy of which is attached and to which reference may be made for further guidance in providing responses. If the question is not applicable to your particular committee or directorship, please note as such.

1. Sponsorship of programs for Continuing Legal Education via a means accessible to Section Members, including holding at least one program yearly (Article I, 3, of the Strategic Plan).

- On January 20, 2022, the PHBF put on its 4<sup>th</sup> Symposium concerning business law. The 4th Annual Symposium, "The Business of the Law Firm," held last year at the Detroit Club, drew over 178 participants and attendees, with over 40 speakers presenting at the 7-hour program, raising \$50,450 in total sponsorships and ticket sales, which covered the costs of the program.
- In January 2023, the PHBF is presenting a remote program concerning the Corporate Transparency Act. A follow-up program is tentatively being planned on the same subject matter for Spring 2023.
- The 5<sup>th</sup> Annual Symposium, "The Art of the Practice", will be held in the Diego Rivera Room at the Detroit Institute of Arts on Thursday, February 16, 2023, from 6 - 8:00 p.m. The agenda for the program will include topics of discourse concerning "the arts" of, *inter alia*, building a business from the ground up; managing law firms; running a business court docket; responding to surprises in court; taking depositions of hostile witnesses; corporate oppression and fiduciary breach, creative writing and the philosophy of the law. The PHBF maintains a website for the Symposium with information concerning logistics, ticketing and registration, sponsorship, and archives of past Symposia: [www.bizsymposium.com](http://www.bizsymposium.com).

2. Addressing substantive legal issues for committee members, including holding regular committee meetings (at least once a year) and reporting on the meetings to the Council (Article I, 4).

- Each year, starting in 2022, the PHBF holds an Annual Meeting in the Springtime, when the goals and objectives and committees for the following year are established. The minutes of these meetings are transcribed and submitted to the

Section with the Committee's reports. With respect to addressing substantive legal issues, the PHBF conducts various programs, symposia and is creating a publication.

3. Promoting involvement in the committee and making the committee more responsive to members including the designation of a contact person (Article I, 5).

- Last year's membership initiative substantially increased the number of members and also consolidated and updated member information in a way that communications have become very efficient and organized among the 59 members of the Committee.

4. (A) monitoring and raising awareness of laws or developments in laws that affect Michigan businesses and, when appropriate, making recommendations for updates and improvements

- This year's Annual Meeting will have on the agenda the formation of a new committee called "The Monitoring and Reporting Committee" which will monitor developments in the law concerning privately held business and report on them to the Membership quarterly for the determination whether the PHBF takes a position on recommended action in response thereto.

(B) providing assistance to appropriate state government personnel with respect to business-related legislation and rule-making;

- One element of The Monitoring and Reporting Committee's responsibility will be to issue recommendations concerning privately held business to the legislative, judicial and executive branches of State government, as well as consider filing amicus briefs in cases where the interests of privately held business are substantially affected.

(C) as appropriate, providing amicus curiae briefs related to business-related issues being addressed by the courts, and

- See above, subsection (B).

(D) educating Michigan businesses, their owners and employees about changes to Michigan's laws in order to maintain Michigan's ability to attract and retain new business enterprises and enable existing businesses to remain competitive. (Article II, 1).

- The PHBF has non-lawyer members as well as encourages non-lawyer members to attend programs and symposia. In addition, elements of the PHBF pamphlet is going to incorporate articles and information designed to link the communities of business lawyers and the private enterprises that they represent and serve.

5. Please comment on your plan regarding succession (Article III, 5).

- At the Annual Meeting, officers and executive positions are established and approved. In the event of an emergency in leadership due to resignation, death, or incapacity, the PHBF would hold an immediate Special Meeting and seek nominations for replacements, as needed. At the present time, the PHBF is co-chaired by two Members.

6. Please list your Committee's goals and objectives for the next 12 to 24 months and whether you will require additional support from the Section to achieve these goals (Article III, 5).

- *Programs Committee.* The Programs Committee is chaired by Sharan Levine, and has the objective of putting on 2 virtual substantive, academic programs annually. This year, the focus will be on the Corporate Transparency Act and educating our members about the upcoming compliance requirements for small businesses with FenCEN. Depending on the response to the program, an additional program may be held on the same subject later in spring, or another substantive program for members will be offered. The programs are recorded, produced and catalogued in the PHBF Archives.
- *Symposium Committee.* The PHBF Symposium Committee puts on and produces a substantive program each year on business law, with multiple speakers, sponsorship and substantial attendance, last year reaching 178 participants and 40 speakers. This year's program is going to be on February 16, 2023 at 6:00 at the Detroit Institute of Arts. Information can be found at [www.bizsyposium.com](http://www.bizsyposium.com), the website for the program.
- *Publications Committee.* The Publications Committee is developing and will be publishing a regular pamphlet concerning pertinent and timely legal issues affecting privately held businesses. At the present time, the pamphlet is in its developmental phase, and it is expected to be first published February 16, 2023, concurrent with the 5<sup>th</sup> Annual Symposium.
- *Additional Support.* At the present time, no additional support is required.

Respectfully submitted,

/s/ Sharan Lee Levine

Levine & Levine  
136 E Michigan Ave Ste 1400  
Kalamazoo, MI 49007-3920  
(269) 382-0464  
[slevine@levine-levine.com](mailto:slevine@levine-levine.com)

Co-Chair of the Privately Held  
Businesses Forum

/s/ Mark C. Rossman

Rossman, P.C.  
2145 Crooks Road, Suite 220  
Troy, Michigan 48084-5539  
248.385-5481, ext. 103  
[mark@rossmanpc.com](mailto:mark@rossmanpc.com)

Co-Chair of the Privately Held  
Businesses Forum

**Report Date: November 23, 2022**