COMMERCIAL LITIGATION COMMITTEE
ANNUAL REPORT PREPARED FOR THE
DECEMBER 3, 2011 MEETING

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).

We are happy to report that we have had a busy year, and a lot of success. First, on May 31, 2011, our Committee held a one-hour webinar regarding Joint Defense Agreements. We had more than 100 people sign up, 65 attended, and it was a great success. Second, on October 20, 2011 we jointly sponsored with the Small Business Forum, a program regarding proposed legislation, for Business Courts.

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).

We hold 3-4 meetings per year at which we discuss substantive issues, and report on each to the Council.

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

The Chair functions as the contact person, and responds to all who express an interest within 48 hours.

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;

We keep close track of the caselaw decisions that affect businesses and provide periodic updates.

We have provided input to the State Bar Civil Procedure and Courts Committee regarding proposed amendments to the several court rules governing service of process to businesses.

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

We have provided a lot of feedback and input to Mike Gadola, Governor Synder's Director of Legal Affairs, regarding the proposed business courts legislation.

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

We don't do any of this, but we could. I have not been aware of any opportunities to do so. If opportunities arise, I would be happy to make them known to our members.

(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).

I do not believe this applies to Commercial Litigation.

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

I succeeded Diane Akers about four years ago, and I plan to turn this Chair over to either my vice chair, Jay Vandewyngearde, or Doug Toering, in the next year, two at the most.

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).

Our main goal over the next years is to have at least one, and perhaps two more functions regarding the Business Courts, which will be the hot topic for 2012.