

**STATE BAR OF MICHIGAN  
BUSINESS LAW SECTION  
COUNCIL MINUTES  
December 4, 1999**

This meeting of the Council of the Business Law Section of the State Bar of Michigan was held at the Livonia Marriott, Livonia, Michigan on Saturday, December 4, 1999 at 10:00 a.m. pursuant to notice duly given.

I. Call to Order and Determination of Quorum. Section Chairperson, Jeffrey Ammon, called the meeting to order at 10:00 a.m. and determined with the other officers present that a quorum existed. A copy of Council members present is attached to these minutes.

II. Approval of Minutes of Meeting of September 15, 1999. Mr. Ammon called for a motion to approve the Minutes of the Council from September 15, 1999. Pursuant to motion duly made and seconded, the Minutes were unanimously approved.

III. Treasurer's Report. Mr. Damschroder reported that the section has a surplus of approximately \$236,132.00. Mr. Damschroder submitted a proposed budget allotting each committee with the same amount of money as last year unless otherwise requested within the next 30 days. Kelli Weiss, Section Administrator, will contact each committee chairperson to follow up on budget requirements. With the assumption that the committee budgets will remain the same as in 1998-1999, a motion was duly made, seconded and was unanimously approved. Both the Treasurer's Report and the approved budget are attached to these minutes.

IV. Chairperson's Report. Mr. Ammon reported that the State Bar of Michigan Annual Meeting coordinating committee would be meeting on December 17, 1999 and that he would be attending that meeting. Any Council members with programming ideas for the Annual Meeting should contact Elaine at the State Bar.

Mr. Ammon informed the council that the Administrative Law Section wants a liaison from the Business Law Section and asked that a Council member either volunteer or perhaps suggest another individual.

Mr. Ammon reported that a notebook will be put together for distribution to Council members with section related documents. Such documents may include rosters, bylaws, calendars, etc. Kelli Weiss will work on this project along with Daniel Minkus. Harvey Berman indicated that many of these documents may already exist in a notebook form and will contact Connie Gale regarding obtaining these documents.

Mr. Ammon advised Council members that the Taxation Section inquired if the Business Section had a formal record retention policy. Presently the Section does not have such a policy.

Mr. Ammon reported that the State Bar of Michigan has been giving quite a bit of attention to Multidisciplinary Practice and solicited discussion regarding how involved the Business Section should become in the issue. It was suggested by David Joswick that one Council member or committee keep the section informed as to the State Bar's continuing involvement in Multidisciplinary Practices. Mr. Joswick volunteered to act in this capacity.

Mr. Ammon led a discussion on how to best use the Section's monetary surplus by implementing the Business Law Section's "Strategic Plan" adopted in September, 1997. Discussion regarding a writing scholarship was held. Wayne State Law School has contacted the Section requesting a sponsorship for some type of writing contest it is conducting. Though the strategic plan encourages this type of scholarship, it was decided that the Section does not have enough information regarding the program to make a decision. A decision will be postponed until the officers obtain more information and contact the Intellectual Law Section.

Further discussion regarding using the Section's surplus. The Strategic Plan suggests that the section employ a professional coordinator. Ms. Weiss has already been employed in this capacity. Discussion also followed regarding using surplus funds for possible lobbying, symposiums, and distributing hard copies or CDs of updated legislation as it applies to Business Law. It was agreed that Michael Khoury would contact ICLE regarding cost and other things related to distribution of updated legislation and would report back at the next Council meeting.

V. Committee Reports.

- A. Agriculture Committee. A written report of this Committee is attached to these minutes.
- B. Commercial Litigation Committee. A written report of this Committee is attached to these minutes.
- C. Corporate Laws Committee. A written report of this Committee is attached to these minutes.
- D. Creditor's Rights Committee. A written report of this Committee is attached to these minutes.
- E. Financial Institutions Committee. A written report of this Committee is attached to these minutes.
- F. In-House Counsel Committee. A written report of this Committee is attached to these minutes. A survey of potential members of this Committee went out to ACCA members this past week. Results will be reported on at the next Council meeting.
- G. Legislative Review Committee. Mr. Damschroder reminded the council that this Committee is available to review and monitor new legislation.
- H. Non-Profit Corporations Committee. Jane Forces suggested that the Tax Section run a parallel committee with the Business section for tax exempt organizations.
- I. Program Committee. The section's Mid-year meeting is in the process of being finalized. A written report is attached to these minutes.
- J. Publications Committee. A written report of this Committee is attached to these minutes.
- K. Regulations of Securities Committee. No Report.
- L. Technology Committee. Michael Khoury reported that the section's web site needs it's information updated. All information including, Chairperson's letter to section, committee reports, legislative review information and section events be submitted to him in electronic form for posting on web site.
- M. Uniform Commercial Code. Jeffrey Ammon reported that after many years of excellent service as Committee chairperson, John Trentacosta, wishes to resign his position. Mr. Ammon asked council to consider possible replacements for Mr. Trentacosta.
- N. Unincorporated Enterprises Committee. A written report of this Committee is attached to these minutes.

VI. Ad Hoc Committee Reports. No reports.

VII. Liaison Reports. No. Reports.

VIII. Other Business and Announcements. Mr. Ammon announced that the next meeting of the Council will be on March 4, 2000, at the Livonia Marriott at 10:00 a.m.

IX. Adjournment. There being no further business to come before this meeting of the Council of the Business Law Section of the State Bar of Michigan, upon a motion made and seconded, and unanimously approved, the meeting was adjourned.

Respectfully submitted,

Tracy T. Larsen  
Secretary of the Section