

The Mentor

THE NEWSLETTER OF THE STATE BAR OF MICHIGAN'S
MASTER LAWYERS SECTION



"The voice of trust through experience."

Summer 2014

FROM THE CHAIR

First Electronic Edition of *The Mentor*

Welcome to the first electronic edition of *The Mentor*. The last time you received *The Mentor* was the winter of 2010. We have just survived an old fashioned Michigan winter and it is time to resume publication of *The Mentor*.

It is an honor to serve as the third chair of the Master Lawyers Section. The Master Lawyers Section was launched at the State Bar's 2010 Annual Meeting. If you are an active, inactive or emeritus SBM member in good standing, age 60 or above, or have 30 years of practice, you are automatically a member of the section. **Membership is free of charge for those who qualify.** Active, inactive, and emeritus SBM members of good standing who have reached age 50 or have completed 20 years of membership in the Bar may join the section for \$25 annually.

The section has over 15,000 members. I wish that I could say "over 15,000 members **STRONG.**" We know that many of you wonder why you receive electronic mailings from the Master Lawyers Section. Our goal is to get as many of you active in the section as possible. There is something for everyone. In the future, this chair would like the section to have a volunteer coordinator so that all of those who volunteer can become active. Please see the section web site for volunteer opportunities.

We hold a summer conference (please see the conference brochure and registration form included in this issue). The section helps with the 50-Year Member Recognition Luncheon at the September State Bar Annual Meeting. We are working with other sections of the bar promoting mentoring, pro bono, transitioning and succession of practice information, Law Day, and Constitution Day to name a few.

We are communicating with each other by e-blasts, our website at <http://www.michbar.org/masterssection/>, *The Mentor*, and articles in the "Section Briefs" section of the *Michigan Bar Journal*. Our goal is to publish *The Mentor* quarterly with the next issue coming out in August. We encourage you to submit articles to Roberta Gubbins at rmgubbins@hotmail.com.

My term is nearly finished. This chair has and is enjoying working with the council and section members these past two years. It has been a time of looking at where we were, where we are and where we may grow in carrying out the purposes of the section.

—Mary Ellen Crusoe Byrne, Chair

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2013-2014

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Letter from the Editor

Dear member of the Master Lawyers Section,

The Mentor wants to hear from you.

The Mentor, the e-newsletter of the Master Lawyers Section, is, after a long hiatus, being published again. The newsletter will publish the latest news, feature articles, commentaries and editorials from you, our members. We will publish quarterly, Spring, Summer, Fall and Winter.

First of all, we plan to have a Members Only section where you can tell fellow members about the latest events in your life such as a recent move, honors or awards received, articles published, appointment to boards, volunteer work, wedding anniversary or birthday. If it was important to you, we want to hear about it.

Second, we are seeking articles from you. What should you write about, you ask.

We lawyers have eager, inquiring minds. We were born curious and, even as the years pass, we remain curious. Which means, quite frankly, that we will read just about anything brought to our attention. So...

- Tell us about your most recent trip, along with photos if you have some,
- Write a review of a favorite restaurant, book or movie,
- Give us your thoughts on a recent case that you were part of or simply find interesting,
- If you are transitioning or have moved on to a new phase of life, tell us about it-- how you did it and what's good about it,
- Comment on recent legislation,
- If you have a hobby, show us your latest effort and tell us how you did it,
- Let us know what you like about retirement, if, indeed, you have retired, or....

The Mentor will reflect you and your world. It will have the usual information about seminars and events of interest and our chair will contribute a column, however, the major emphasis is on you, our members.

My name is Roberta Gubbins and I am the new Editor of *The Mentor*. If you have questions about your article, please call Roberta at (734-255-9119) or e-mail (rmgubbins@hotmail.com).

Best,

Roberta

P.S. Techie stuff. Please submit your articles in a word format. Stories should be no more than 1000 words. Please send pictures as separate attachments, in jpeg format and in full size-- thumbnails are too small.



Roberta M. Gubbins, Editor

Lacey Holsworth: Let's Remember Her. But Let's Not Stop There.

By Ronald D. Richards, Jr.

They say cancer hits one in two American men and one in three American women. Those are mere stats—until the diagnosis affects you or your family. May is National Brain Tumor Awareness Month. I encourage you to be aware—but don't stop there.

Many know of Lacey Holsworth's battle with cancer. I never met her. But I know that her life was way too short. Her image, toughness, and impact will hopefully last lifetimes. Lacey Holsworth unfortunately passed away on April 8, 2014, from cancer (neuroblastoma, a fetal-nerve cell cancer). Neuroblastoma is a type of cancer that starts in the early form of nerve cells. It is often categorized as a type of brain cancer. These cancerous tumors start in the "sympathetic nervous system."¹ The "sympathetic nervous system" consists of the brain, spinal cord, and the nerves that reach out from them to all areas of the body.² Though often taken for granted once we pass high school biology class, the nervous system is essential for thinking, sensing, and moving, among other things. Part of the nervous system also controls body functions we normally give little thought to, such as heart rate, breathing, blood pressure, and digestion.

On April 9, MSU Coach Tom Izzo gave an emotional speech to hundreds of students who gathered at MSU's famous "Rock" to pay tribute to "Princess Lacey." For decades, students have used the "Rock" as their own sounding board. Fraternities paint on it to advertise. Sports fans paint on it before games. MSU students guard it from being "painted over." At least as early as the April 9 gathering, the Rock was painted all white with the words "MSU loves Princess Lacey" on it. As of a jog around it on April 18, it remained that way—unusual only because the Rock is normally painted over multiple times per week. It is a remarkable tribute to a remarkable little girl.

Lacey's unique bond with the Michigan State University basketball team captured the heart of the team, then the University, then the state of Michigan, and then the country—generating coverage on television's "Today" and "Good Morning, America." And it generated articles in national publications such as *USA Today*, *cbsports.com*, and the

Huffington Post. On April 17, many remembered Princess Lacey at an emotional event in Michigan State's Breslin Center. Remembering Lacey is important. It is appropriate. I encourage it. But please don't stop there.

Dick Vitale isn't stopping there. To honor Lacey, "Dickie V" has created a grant for cancer research in Lacey's name to help other kids battling cancer.³ I applaud Mr. Vitale's efforts.

Most of us are not in a position to do what Mr. Vitale has done. But I encourage all of us to do something. Cancer researchers have found many of the major environmental factors that contribute to cancer, including smoking for lung cancer and sunlight for skin cancer. But discovering more subtle cancer risks has been harder. And yet many researchers have concluded that mounting evidence shows that our environment is playing a bigger role in the story of cancer than previously thought.⁴ Consider the following:

- Our country's main law that governs chemical policy—the Toxic Substances Control Act (TSCA)—is viewed by many as flawed and in need of fundamental reform. Under the TSCA, there is no requirement that a chemical company demonstrate that its products are safe before it may sell them. So the Food and Drug Administration (FDA) and the Environmental Protection Agency (EPA) often lack information about the chemicals used in consumer products, including foods. As an example:
- In 2010, Kellogg's recalled 28 million boxes of Corn Pops, Honey Smacks, Froot Loops, and Apple Jacks after people noticed an "off-taste and odor in the food." Kellogg's initially did not identify the specific cause, but information later suggested that the problem arose from a chemical called "2-methylnaphthalene," which was said to



Ronald D. Richards, Jr.



possibly have accidentally leached into the cereal from the packaging liner. Methylanthalene is a component of crude oil and coal tar and may also be formed “as a pyrolytic byproduct from the combustion of tobacco, wood, petroleum-based fuels and coal” (EPA 2003). The chemical allegedly caused many eaters to experience nausea and diarrhea. Despite years of trying to obtain it from the industry, the FDA and the EPA still claim to lack enough data on this chemical to know exactly what risks exposure to this substance might carry.⁵

- Remarkably, since its passage in 1976, the TSCA has not been significantly amended. In April 2013, the Chemicals Safety Improvement Act was introduced with strong bipartisan support. The Safe Chemicals Act was also introduced recently, aiming to also reform the TSCA. If passed, these two bills would provide regulators with more information on these chemicals and would require industry to prove a chemical will not harm human health before it can be used in a product.
- Many believe that there is no rigorous toxicological testing of a chemical before it can be marketed and sold in the United States. The federal EPA regulates legal limits on the amount of a specific chemical that we can be exposed to⁶ (e.g., ammonia, formaldehyde (solution)). But that totally overlooks the fact that we are all exposed to trace amounts of many chemicals (contaminants), not just one at a time. So even if we are exposed to

less than the legal limit of one chemical, we are rarely, if ever, exposed to a single chemical at one time.⁷

- Of the 80,000 synthetic chemicals now used, only about 2 percent have been tested to see if they have carcinogenicity (have a carcinogen). Since 1976, five out of 80,000 have been banned. That means 98 percent have not even been tested. To state the obvious, you can't regulate what you don't test.
- A 2007 study the American Cancer Society published identified 216 chemicals known to cause breast cancer in animals. Of those, 73 are found in food or things we buy. Thirty-five of those chemicals are air pollutants. And 29 are produced in this country in large amounts every year.⁸
- President Nixon declared the “war on cancer” in 1971. But childhood cancer has increased steadily since 1975.⁹ Cancers among teenagers and young adults are also more prevalent.¹⁰

We can't all do what “Dickie V” has done. But at the very least, we can all push our respective lawmaker representatives to change our outdated and, in my view, ineffective chemicals policy. One way to do that is to encourage your representatives to amend the TSCA, and monitor their votes on matters related to these issues.

Endnotes

- 1 American Cancer Society website, <http://www.cancer.org/cancer/neuroblastoma/detailedguide/neuroblastoma-what-is-neuroblastoma> (visited April 20, 2014).
- 2 *Id.*
- 3 <http://dickvitalonline.com/v-foundation/lacey-holsworth-grant.html> (visited April 20, 2014)
- 4 “Living Downstream, An Ecologist’s Personal Investigation of Cancer and the Environment,” Second Edition, by Sandra Steingraber (2010), pp. xxi.
- 5 <http://www.ewg.org/research/kelloggs-cereal-recall-health-risks-packaging> (last visited 4-25-14).
- 6 40 CFR Part 68, including 40 CFR 68.130.
- 7 “Living Downstream, An Ecologist’s Personal Investigation of Cancer and the Environment,” Second Edition, by Sandra Steingraber (2010), pp. xii-xiii.
- 8 *Ibid*, pp. xiii.
- 9 *Ibid*, pp. xxiv.
- 10 *Ibid*, pp. xxiv.

2014



Master Lawyers Section Summer Conference



AUGUST 8–10, 2014

DOHERTY HOTEL | 604 North McEwan, Clare, MI (989) 386-3441

Friday, August 8

- 3:00 pm Hotel Check-In at Doherty Hotel (early check-in may be available if rooms are ready)
- 3:25pm–3:30pm **Welcome**—*Mary Ellen Crusoe Byrne, Master Lawyers Section Chair*
- 3:30pm–5:00pm **Retirement Income and Benefits**
 As retirement approaches, knowing what you are entitled to, how to get what you have earned, and how to save on your own becomes even more important than it already was. This presentation focuses on the practical aspects of retirement income and benefits, including:
- How you can save for retirement on your own and what are the tax implications.
 - Social Security, including when you can receive it, how to initiate payments and what are the impacts of taking it early or late.
 - Medicare and its many parts, learn what is optional, what it costs, what the benefits and differences are and how to integrate it with your other income and benefits.
 - Employer retirement plans and how and when benefits are available along with when additional contributions can be made.
 - Retiree health benefits and the implications of new court cases, the Affordable Care Act (ACA) and COBRA among others.
- Speaker: *Charles M. Russman, Bodman PLC*
- 5:30 pm–6:30pm Welcome Reception at Doherty Hotel
- 6:30 pm Dinner on your own, group reservation at Doherty Hotel Restaurant

Saturday, August 9

- 8:15am–9:15am Group Breakfast
- 9:15am–10:30am **The Power of Pro Bono**
 Learn about the State Bar's Voluntary Pro Bono Standard and the many opportunities for members of the Master Lawyers Section to use their significant legal skills and resources to assure that the justice system is fair for all. Get ready to be inspired!
- Speakers: *Darling Garcia, Elder Law of Michigan*
Robert Mathis, State Bar of Michigan
Jill Nylander, Legal Services of Eastern Michigan
- 10:30am–10:45am Break
- 10:45am–11:45pm **Tips for Addressing Health Care Changes Affecting You and Your Clients**
 Baby Boomers who are retiring by the millions and their parents are affected by the attempt to rein in health care cost. Learn about some of these changes and what you and your clients can do to mitigate adverse impacts. This session will teach you about the importance of discharge conferences from hospitals and nursing homes, the home care that Medicare can provide, valuable tips on how to get benefits, what actions to take, and what pitfalls to avoid.
- Speaker: *J. David Kerr, Kerr Law Firm PLLC*
- 11:45pm Adjourn for the afternoon
- 1:00pm Lunch at Ginkgo Tree Inn or Golf at Buck's Run (optional)
- 6:30pm–7:30pm Cocktail Reception at Buck's Run
- 7:30pm Dinner on your own, group reservation at The Quarry Grill at Buck's Run

Sunday, August 10

8:30am–9:30am	Group Breakfast
8:30am–9:30am	Master Lawyers Section Council Meeting
9:30am–11:00am	<p>Transitioning to Working Less: Toward a Graceful Retirement</p> <p>Many attorneys derive great satisfaction and self-esteem from the practice of law and are hesitant to retire. Panelists will discuss the psychological, biological, and financial transitions that occur as legal professionals grow older. The various processes of change will be described and strategies to smooth the transition will be shared.</p> <p>Speakers: <i>Ruthmarie Shea, Ruthmarie Shea Esq.</i> <i>Tish Vincent, State Bar of Michigan Lawyers and Judges Assistance Program (LJAP)</i></p>
11:00am	Adjourn and Check Out

Optional Activities

Optional activities are not included in conference registration fee.
 Directions to optional venues will be provided at breakfast on Saturday.

Friday Morning Golf (course and time to be determined)

Join your colleagues for a round of golf on Friday morning before the conference starts! Please indicate your interest by RSVP on the registration form. (Thursday night room reservations available).

Saturday Lunch at the Ginkgo Tree Inn

Enjoy a delicious lunch in a lovely private setting only two blocks from the heart of downtown Mt. Pleasant. Lunch will feature gourmet soup, salad, and sandwiches for \$16.95 per person (+ tax/tip). The Ginkgo Tree Inn also features a full bar for your afternoon refreshment. After lunch stroll to Mt. Pleasant's downtown ArtWalk Central, visit the Soaring Eagle Casino, splash around the Soaring Eagle Water Park, enjoy the Ziiibiwing Cultural Center, or take a self-guided tour of Clare County's Amish businesses and community. Please RSVP for lunch on the registration form.

Saturday Afternoon Golf at Buck's Run

This award-winning golf course is mid-Michigan's premier golfing destination. The Jerry Matthews designed course hosts 18 challenging, yet playable holes, artfully sculpted fairways and tee boxes, soft sand bunkers, and more. The course also features river frontage, picturesque lakes, and natural wetlands coming into play on numerous holes. Please RSVP on the registration form.

Saturday Dinner at The Quarry Grill

After the evening reception, join us for a private dinner at The Quarry Grill at Buck's Run. Reservations will be made for a group dining experience. Please RSVP on the registration form.

Overnight accommodations

For overnight accommodations, contact the Doherty Hotel at (800) 525-4115 and indicate that you are with the Master Lawyers Section of the State Bar of Michigan. You must reserve your room by July 22, 2014, to ensure the discounted group rate. Room rates begin at \$79 up to \$115 + taxes.

2014 Master Lawyers Section Summer Conference

August 8–10, 2014 | Doherty Hotel, Clare, MI
Register online at www.michbar.org/mastersection or
Complete this form and return no later than August 1, 2014

Regular and Early Bird registration includes two hosted receptions, speaker presentations, and two group breakfasts. Registration fee does not include hotel accommodation, golf fees, lunches, or dinners. Completing this form will NOT reserve a hotel room – you must make reservations directly with the Doherty Hotel by July 22, 2014 to receive the discounted rate.

P#: _____ Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-Mail: _____

Name of spouse/guests: _____

Conference Registration	
<i>All guests, including spouses and children, must be registered to attend any function.</i>	
Attendee Registration Fee	_____ x \$125.00 = \$ _____
Attendee Early Bird Registration (before July 26)	_____ x \$100.00 = \$ _____
Spouse/Guest or Children	_____ x \$75.00 = \$ _____
Total Amount Due	= \$ _____

Please RSVP for these optional activities:			
Fri. Morning Golf (course and time TBD)	No _____	Yes _____	If yes, # Attending _____
Sat. Lunch at the Ginkgo Tree Restaurant	No _____	Yes _____	If yes, # Attending _____
Sat. Afternoon Golf at Buck's Run	No _____	Yes _____	If yes, # Attending _____
Sat. Dinner at The Quarry Grill	No _____	Yes _____	If yes, # Attending _____

Please bill my: _____ Mastercard _____ Visa for \$ _____

Debit/Credit card #: _____ Exp. Date: _____

Signature: _____

Print name as embossed on card: _____

Cancellations must be received at least 48 business hours prior to the start of the event in writing (ATTN: Tina Bellinger) by e-mail: tbellinger@mail.michbar.org, fax: 517-372-5921 or by U.S. mail: 306 Townsend St., Lansing, MI 48933. No refunds will be made for requests received after 3:00 p.m. August 6. Refunds are subject to a \$20 cancellation fee and will be issued in the same form payment was made. Allow two weeks for processing.

Overnight accommodations: Contact the Doherty Hotel at (800) 525-4115 and indicate that you are with the Master Lawyers Section of the State Bar of Michigan. You must reserve your room by July 22, 2014, to ensure the discounted group rate. Room rates begin at \$79 up to \$115 plus taxes.

For questions about the conference contact Amy Castner at (517) 346-6322 or acastner@mail.michbar.org.

**Please fax completed form with credit card information to (517) 372-5921 or mail with a check to:
 State Bar of Michigan, 306 Townsend St., Lansing, MI 48933, Attn: Finance Department**

The Power of Pro Bono

By Robert Mathis, JD, MPA

The civil justice system belongs to all citizens, regardless of economic status. It must be accessible to all of us in order for it to be the fair and just cornerstone of an orderly society. Michigan attorneys have a long tradition of responding to the needs of low-income people who cannot afford to pay for legal help in civil matters. In fact, the first legal aid office in Michigan was established over 100 years ago (in 1909) in Detroit and still exists today as the Legal Aid and Defender Association.

Michigan's poverty population eligible for free legal aid continues to increase from year to year, with more than 25 percent of children living in poverty.

Lawyers have great things to offer in the way of pro bono service at every stage of their career. New lawyers have enthusiasm and a desire to earn client and courtroom experience. Mid-career lawyers are proud to “give back.” More seasoned lawyers have the wisdom and experience to skillfully handle particularly challenging matters. For the retired or transitioning lawyer, a keen desire to stay involved in the profession can be fulfilled through pro bono service.

The need for pro bono assistance is greater now than ever in recent history. Michigan's dire economy has increased the need for legal help. Michigan's poverty population eligible for free legal aid continues to increase from year to year, with more than 25 percent of children living in poverty. Michigan also remains among the top 10 states with the highest number of foreclosures and highest unemployment rate.

Unfortunately, even with the increasing need for legal services, legal aid programs are faced with the ongoing threat of funding cuts. Even at current funding levels, nonprofit legal aid programs must turn away nearly half of all persons who request their help. Studies have shown that no more than 20 percent of the legal

needs of the poor are being met, including basics needs like family safety, housing, health, and economic security. But, in spite of these bleak statistics, there is still hope.

The Pro Bono Initiative (PBI) supports a number of opportunities for members of the legal community to give their time, resources, and expertise to help those that are unable to afford an attorney because their income is at or less than 200 percent of the federal poverty guidelines. Through pro bono, many of the legal needs of Michigan's citizens can be met by members of the Master Lawyers Section using their wisdom and experience to assure that the justice system is fair for all.



Robert Mathis

Michigan Voluntary Pro Bono Standard

The Michigan Voluntary Standard begins with the statement that “all active members of the State Bar of Michigan should participate in the direct delivery of pro bono legal services to the poor” Therefore, at the State Bar we ask our members to give back to their communities by providing legal services to the poor as only lawyers are qualified to do. Every year each member is asked to take three cases, donate 30 hours, or contribute \$300 (\$500 for those whose income allows) to the Access to Justice (ATJ) Fund.

Since 1997, the ATJ Fund has raised well over \$11 million to support a statewide network of nonprofit legal aid programs. The ATJ Campaign is a partnership of the State Bar of Michigan, the Michigan State Bar Foundation, and Michigan's nonprofit civil legal aid programs to increase resources for civil legal aid for the poor in Michigan.

The most recent SBM pro bono report indicates that Michigan lawyers take seriously their obligation to

provide significant pro bono legal services and contribute financially to legal aid programs. Of the attorneys surveyed, 66 percent reported doing some pro bono work, 30 percent reported making donations to legal aid programs, and many reported doing both. They reported doing so for a broad range of reasons including personal satisfaction, assuring access to justice, and connecting with local legal aid programs.

The Pro Bono Initiative Promotes Pro Bono in Many Ways

The PBI is tasked with the mission of supporting and encouraging lawyers' efforts to comply with the Voluntary Pro Bono Standard by performing pro bono legal services and by making donations to organizations providing free legal services to the poor. To carry out its mission, the PBI proudly supports numerous programs that promote pro bono, including the following programs. For more information on any of these or other PBI programs, please visit the SBM website or contact Robert Mathis, SBM Pro Bono Service Counsel.

A Lawyer Helps

The State Bar's "A Lawyer Helps" program highlights the good work of many Michigan attorneys. "A Lawyer Helps" focuses first on the legal profession's priority of pro bono—free legal help for the poor and financial donations to help nonprofit legal aid agencies. But "A Lawyer Helps" also honors lawyers who additionally volunteer time to other efforts that benefit their communities. Consider submitting a story idea to "A Layer Helps" today.

Circle of Excellence

The Circle of Excellence (COE) recognizes law firms that fully meet the SBM's Voluntary Pro Bono Standard. The COE has two levels: the Excellence Level, which is determined on an aggregate firm basis using a 30-hour or \$300 standard, and the Leadership Level, which is determined on an aggregate firm basis using a 30-hour or \$500 standard.

John W. Cummiskey Award

The Cummiskey Award is given each year to foster awareness of the need for involvement of the private bar in delivering legal services to the poor, by giving public recognition each year to a Michigan lawyer who has made a significant pro bono contribution

to this effort. The award is established in the name of John W. Cummiskey of Grand Rapids, a leading advocate and activist in the cause of making legal services available to all, without regard to economic status. The PBI is pleased to announce that the 2014 Cummiskey Award will be presented to Susan Kornfield of the Bodman law firm.

October is Pro Bono Month

The sixth October Pro Bono Month celebration is slated for 2014. Last year, there were more than 50 events throughout Michigan during the Pro Bono Month season. As we get closer to October, check out the Pro Bono Month website for a list of upcoming Pro Bono Month events, talking points, a sample speech, and many other resources.

Spring Pro Bono Workshop

The recent 2014 workshop attracted more than 55 participants, including pro bono attorneys and representatives from various legal aid organizations. This year's workshop was once again an excellent opportunity for participants to network and learn, with a primary focus on providing legal services providers with the tools they need to recruit pro bono attorneys and to successfully and efficiently manage their pro bono programs.

Pro Bono Manual

The PBI is proud to offer the fifth edition of the Pro Bono Manual. The first edition was published as a paperback in 1995. The fifth edition moves us to an electronic, web-based interface, with user-friendly navigation, and the inclusion of hyperlinks to many pro bono resources. The manual can be quickly accessed on the SBM website. In addition to the change in presentation, the manual incorporates many of the remarkable recent pro bono developments in Michigan. The manual also offers a list of pro bono opportunities, with a search-by-county function. Check out the pro bono opportunities that are available across the state and learn how to connect with these opportunities.

Veterans Resources Workgroup

The new Veterans Resources Workgroup was formed by the PBI to work with the increasing

number of organizations being formed throughout Michigan that assist veterans. The workgroup will help address the growing unmet legal needs of Michigan's veterans and service members and offer strategies for increasing accessibility to these programs and services.

Michigan Litigation Assistance Partnership Project (MI-LAPP)

2014 has proven to be another successful year for MI-LAPP. The PBI originally formed MI-LAPP in order to meet the needs of low-income clients and engage willing volunteers to assist them. In all of MI-LAPP's work, the clients' needs are at the heart of its efforts. SBM staff appreciates and honors the time donated by volunteer attorneys. MI-LAPP currently consists of three programs, briefly described below, and is currently looking into additional programs in order to better meet the needs of low-income clients and volunteer attorneys wishing to get involved in pro bono.

Qualified Domestic Relations Order (QDRO) Program

Through a panel of QDRO professionals, the program is able to refer QDROs to volunteer drafters for completion. Without the program, many low-income individuals would be unable to obtain a QDRO, possibly preventing them from receiving retirement benefits (money) that they are legally entitled to receive. The benefits received can be used to pay for housing, food, medical care, and many other basic living expenses.

Tax Pro Bono Referral Panel Program

The SBM Taxation Section and PBI have stepped in to help address the critical needs of low-income individuals in controversy with the IRS. The program's pro bono attorneys represent individuals who earn up to 200 percent of the federal poverty level. None of the people referred to the program can afford to hire a private tax attorney to represent them in their matters. They also tend to be confused about and overwhelmed by their own tax situations, terrified of the IRS, and extremely grateful for professional assistance.

Malpractice Insurance for Pro Bono Program

Carrying professional liability malpractice insurance is a best business practice but not mandatory for Michigan lawyers. Some lawyers cannot afford to maintain malpractice insurance coverage—a reality for many just entering practice on their own, those transitioning toward or in retirement, and many others. Lawyers in certain settings—including law schools—do not generally have access to coverage. But through the State Bar's Malpractice Insurance for Pro Bono Program, lawyers without malpractice insurance coverage can apply for coverage, removing a perceived barrier to assisting pro bono clients.¹

Michigan's Legal Services Programs Need Help

In general, most pro bono programs are not directly sponsored by the PBI. On the local level, legal aid programs, specialty bar associations, state and local advocacy organizations, and law school clinics sponsor most of the programs.

You can find information on pro bono programs in your area by checking out the recently updated Pro Bono Manual, which, as discussed above, has a new search-by-county feature that allows attorneys to find pro bono opportunities. To find a pro bono opportunity in your county, select the "[D]iscover pro bono opportunities in your county" option. In the drop-down menu, highlight the appropriate county, and then click on "submit." All of the programs in the selected county that have notified the PBI of available pro bono opportunities will be provided, along with contact information and the areas of law in which the organization provides assistance.

Conclusion

As initially stated in the beginning of this article, the civil justice system belongs to all citizens, regardless of economic status, and it must be accessible to all of us in order for it to be the fair and just cornerstone of an orderly society. Pro bono clearly has tremendous value for the indigent individuals and communities needing access to the justice system.

But, in addition to the value of pro bono to low-income clients and communities, there are also substantial benefits for the lawyers who provide these services. New lawyers have the opportunity to gain valuable experi-

ence by handling matters that involve issues of great importance to indigent clients. Senior attorneys also have the opportunity to play the role of mentor for new attorneys who are providing pro bono services. Senior attorneys are also very well suited to provide their wisdom and experience in providing pro bono services to clients and legal services organizations to assure that the justice system is fair for all.

About the Author

Robert Mathis, J.D., M.P.A., Pro Bono Service Counsel, State Bar of Michigan Robert is pro bono service counsel for the State Bar of Michigan (SBM) and staff liaison to the SBM Pro Bono Initiative and the Standing Committee on Domestic Violence. He works directly with legal aid providers to coordinate statewide initiatives and build pro bono relationships with law firms, corporations,

law schools, and bar associations. Prior to joining the SBM staff, Robert was the managing attorney of Legal Services of South Central Michigan's Battle Creek office and a staff attorney for Elder Law of Michigan's Legal Hotline for Michigan Seniors program.

Robert graduated cum laude from the College of Charleston. He earned his juris doctor cum laude from the Thomas M. Cooley Law School and a master of public administration from Western Michigan University.

Endnote

- 1 While it is not expected to be an issue, retired attorneys with malpractice insurance tail coverage may be precluded by that coverage from participating in this program, so check with your insurance carrier for specific information regarding your existing policy.

New Member Directory Mobile App

Do you need to locate information about a State Bar member and all you have handy is your smartphone?

Download the new SBM Directory App and you'll have everything you need at your fingertips. Our new mobile directory includes direct access to the SBM online member directory, a directory of Michigan and U.S. legislators, and links to the latest digital issues of the *Michigan Bar Journal*, *e-Journal*, and SBMBlog. The app also has a text alert feature allowing members to sign up for member alerts, dues notice information, special event news, and e-Journal alerts (get the holding and a link to the full text of major court decisions within hours of the decision).

Download the new app for your [iPhone](#) or [Android](#) device by searching in iTunes or GooglePlay for State Bar of Michigan. The app is also available for the iPad.

Download the mobile directory today!



Annual Business Meeting & Program

This event is offered in conjunction with the State Bar's Annual Meeting

Friday, September 19, 2014

9:00–11:15 a.m.

DeVos Place, Grand Rapids

Registration is requested to allow for proper facilities planning.
Visit the Bar's [Annual Meeting](#) page for more details.

Planning Ahead – A Succession Road Map

This session will provide you with the information required to implement a succession plan and the tools to help you do it.

The Practice Management Resource Center has developed a succession planning handbook for Michigan attorneys. This handbook will provide you with tools so that you, your staff, your family, other attorneys, judges, and clients can have predictability and calm in the event of personal crisis.

Speaker: *Diane Ebersole, State Bar of Michigan – Practice Management Resource Center, Lansing*