

Inter Alia

Among Other Things

Summer 2015

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Letter from the Chair



Andrea Irons

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Summer is finally here. Hopefully, the temperatures will stay warm for a long time. I am writing this just getting back from the ABA YLD Spring Conference in Tampa, Florida. There were several great seminars and networking events offered. One of the sessions I attended was on ethics, which was a great refresher on the ABA Model Rules. As attorneys we always need to be mindful of the ethical rules we must adhere to. Other topics included Alternative Work Schedules, Ethical and Tax Implications of the Legalization of Marijuana, Legal Writing, the Magna Carta, Networking, Cyber Security, Financial Mistakes for Young Lawyers to Avoid, and Sports & Entertainment Law. I highly recommend you try to travel to one of these conferences; however, if you just can't afford it, you will have the opportunity to attend in 2016. It was announced at the conference that Detroit was chosen as the location for the ABA YLD Fall Conference, which will take place in October. Join our State Bar of Michigan Young Lawyers Facebook page and keep an eye on your email when it gets closer for more details. I hope to see everyone at the 8th Annual Summit this coming weekend.

—Andrea



YOUNG LAWYERS SECTION

8th Annual Summit Greektown Casino & Hotel 555 E. Lafayette, Detroit May 29-30, 2015



Event Schedule

Friday, May 29, 2015

5:00–6:30 p.m.	Registration
6:00–8:00 p.m.	Reception

Saturday, May 30, 2015

8:00 a.m.	Registration
8:30–9:30 a.m.	Breakfast
9:45–10:45 a.m.	Seminars
11:00–12:00 p.m.	Seminars
12:00–12:30 p.m.	Break to speak with vendors
12:30–2:00 p.m.	Lunch <ul style="list-style-type: none"> • Keynote Address by Justice Richard Bernstein • Presentation of Regeana Myrick Outstanding Young Lawyer Award
2:15–3:10 p.m.	Seminars
3:20–4:15 p.m.	Seminars
4:25–5:20 p.m.	Seminars
6:00–9:00 p.m.	Punch Bowl Social Reception

Seminar Topics

(Topics and speakers subject to change)

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| <p>How to Prepare Your Client for Mediation</p> <ul style="list-style-type: none"> • Adam Kutinsky <p>Deposition Skills</p> <ul style="list-style-type: none"> • Vernon Johnson, Johnson Law PLC <p>Tips and Tricks Voir Dire, Open & Closing Arguments</p> <ul style="list-style-type: none"> • Jerry Sabbota • Mitch Ribitwer <p>Direct & Cross Examination</p> <ul style="list-style-type: none"> • Steve Fishman • Norman Lippitt <p>Panel: Benefits of Networking & Leadership</p> <ul style="list-style-type: none"> • Shenique Moss • Julie Fershtman, past president, State Bar of Michigan, Foster Swift Collins & Smith PC • Cecil St. Pierre | <p>Overview of Drug and Veteran Specialty Courts</p> <ul style="list-style-type: none"> • Hon. Linda Davis, 41B District Court • Hon. Carrie Fuca, 41-B District Court • Hon. Kirsten Nielsen-Hartig, 52-4 District Court • Hon. Laura Mack, 29th District Court <p>Family Law Session</p> <p>Juvenile Abuse and Neglect Cases</p> <ul style="list-style-type: none"> • Shannon Smith <p>Research / Writing Topic</p> <ul style="list-style-type: none"> • Mark Cooney, Thomas M. Cooley Law School <p>Criminal Law Updates and Preliminary Exam Statute Changes</p> <ul style="list-style-type: none"> • Hon. Maureen McGinnis, 52-4 District Court • Emil Semaan |
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Hope to see you there! Limited onsite registration available.



Join the State Bar of Michigan Young Lawyers Facebook page for information on upcoming events!

State Bar of Michigan Young Lawyers Section Announces 2015 Regeana Myrick Outstanding Young Lawyer Award Recipient

The State Bar of Michigan Young Lawyers Section (“YLS”) has named attorney Takura Nyamfukudza as this year’s recipient of the Regeana Myrick Outstanding Young Lawyer Award. The award is presented annually to a Michigan young lawyer who has demonstrated an overwhelming commitment to public service, service to the bar, as well as exceptional leadership.

Mr. Nyamfukudza is an attorney with Alane & Chartier, P.L.C. in Lansing. He practices criminal defense, where he has provided representation in a wide array of cases, including traffic tickets, drunk driving, assault and battery, embezzlement, and criminal sexual conduct. He is a former recipient of the Rising Star Award presented by the Davis-Dunnings Bar Association, and was recently named to the “Top 5 under 35” list by the Ingham County Bar Association. He currently serves as treasurer and executive board member for the Davis-Dunnings Bar Association, as well as secretary of the Ingham County Bar Association’s Young Lawyers Section. Mr. Nyamfukudza has also performed an abundance of community service, volunteering his time to the Lansing Refugee Development Center, the Lansing Boys & Girls Club, and the Service to Soldiers program.

The Outstanding Young Lawyer Award is named in honor of Regeana Myrick, who was an active member of the YLS and also served on its executive council. From the time of her swearing-in to the bar to her untimely passing, Ms. Myrick exemplified the commitment to public service that the Outstanding Young Lawyer Award represents. She is remembered as a bright and charitable woman with many talents who was always mindful of those less fortunate than herself.

The Regeana Myrick Outstanding Young Lawyer Award will be presented on Saturday, May 30, 2015 as part of the 8th Annual Young Lawyers Summit at the Greektown Casino Hotel in Detroit, Michigan. Seminar topics will include mediation, depositions, legal writing and more. Those interested in attending the YLS Summit may find more information by visiting <http://connect.michbar.org/yls/home/> or by contacting Mark Jane at mark@skalaw.com.

Past Award Recipients Include:

2014 – Marilena David-Martin

2008 – Jonathan N. Jilek

2013 – Ronda L. Tate

2007 – Bridgette Sparkman

2012 – Michelle A. Carter

2006 – Marla Linderman

2011 – Michael St. John

2005 – Erika S. Julien

2010 – David L. Campbell

2004 – Richard Bernstein

2009 – Jade Edwards

2003 – Erika Butler-Akinyemi

Mock Trial Program

By Donald Rencher

On Saturday, March 7, 2015, the SBM YLS held its Second Annual “Diversity in the Legal Field” Mock Trial Competition at the University of Detroit Mercy School of Law. SBM YLS chose to follow up with another mock trial competition following its successful 2014 competition. SBM YLS believes exposing students to oral advocacy from a legal spectrum will create a strong and positive interest in the legal profession. The program also incorporated a two-hour panel discussion that included judges, two young lawyers, and two law students. Approximately 100 students from the Detroit Metro area ranging in age from 10 to 13 years old participated in the program. The program was a full-day event beginning at 8:30 am and ending at 5:00 pm.

SBM YLS hosted approximately 100 students, 2 law student volunteers, 15 chaperones, 10 SBM YLS volunteers, and 5 judges from the Detroit Metro area. The program included the following judge participation: Hon. Robert J. Colombo, Hon. Katherine L. Hansen, Hon. Qiana Denise Lillard, Hon. Cylenthia LaToye Miller, and Hon. Margaret Van Houten. All discussion topics were provided by the students who attended. The students that participated in the program were from George Crockett Academy and Hope of Detroit Academy. All students that participated in the program identified themselves as an underrepresented minority. Additionally, four of the five judges that participated were women and two of the five judges were African American. There was also a very diverse mix of SBM volunteers. SBM YLS believes that it is important for children to see judges, law students and young attorneys to whom they can relate.

Judge Lillard summed it up best. When asked by a raise of hands how many students knew an attorney, four raised their hands. When asked how many knew someone in jail, 100 percent of students raised their hands. SBM YLS is trying to change those statistics through this project.

In conjunction with the project, SBM YLS also held an Everyday Justice Instagram Competition. This was a month-long, statewide competition. High school students and junior high school students were instructed to take a picture of something that they believed illustrated injustice or justice. Each picture was to include captions that explained the picture. The winner of the Everyday Justice Instagram Competition received a \$25 gift card, copy of *To Kill a Mockingbird*, and a lunch with a leader in the legal profession.



Bringing Conscious Awareness to an Unconscious Concept: Implicit Bias

By Choi Portis

If you Google the term “implicit bias” it will return results that direct you to sites such as Ohio State University’s study on understanding implicit bias, Stanford University’s frequently asked questions on implicit bias, and Harvard University’s implicit association test. To put a definition to this term, Stanford University defines “implicit bias” as:

...a positive or negative mental attitude towards a person, thing, or group that a person holds at an unconscious level.

Historically in our country, it was widely accepted to show overt bias towards racial minorities. In 2015, the vestiges of those bigoted ideas of the past still hold true, only now, they are more “hidden.” They are hidden in boardrooms and courtrooms all over America. They come in the form of clients asking the black associate “are you the intern?” or “are you the paralegal?” I can speak to these issues because they have happened to me personally. While the individuals who made these comments to me may have had innocent intentions in asking, these are prime examples of implicit bias, because in the unconscious minds of these individuals, young black females aren’t attorneys, and have traditionally served as support staff in a law firm.

While attending the American Bar Association Mid-Year Conference, I had the opportunity to attend great programming sponsored by the ABA Young Lawyers Division. I found myself drawn to several of the diversity programs. The overarching theme of these programs was “implicit bias.” Two of these diversity programs were “roundtable discussions” which spurred a dialogue about implicit bias.

The discussion at the National Conference of Bar Presidents and Young Lawyers Division Plenary Session and Roundtable Discussion: Making Room at the Table, included a

very spirited conversation of young black attorneys such as myself. The conversation centered around several topics which included assimilation in the workplace and the “mental revolt” that some minorities face by trying to become something that is not “organic” which will result in a person becoming uncomfortable in the workplace and leaving; the blanket “diversity statement” by law firms who claim to be committed to diversity when they only employ one black associate who will essentially never make it to the partner track; retention of black associates in firms, and how the uncomfortable work atmosphere causes many associates to seek alternative employment opportunities either as in-house counsel, or outside of the profession altogether. The dialogue appeared to be productive, and provided talking points for those in attendance to continue to bring awareness to the issue of implicit bias.

The conversation at the Diversity Dialogue: Combating Implicit Bias in the Legal Profession stood out a little more. My table was a melting pot of different cultural experiences. The individuals included three white males, two black females (including myself), one white female, and an Asian male. We were charged with discussing a list of topics, which included:

- As attorneys, what can we do to bring awareness to our own individual implicit biases, and what can we do to change them?
- In a hypothetical scenario, during “a high stress situation,” a partner in a law firm is more likely to give an assignment to a white male associate, because white males tend to be more assertive.
- Does bringing awareness to implicit bias dilute the diversity movement?

I took a very active role in this conversation, commenting:

“We as humans are judgmental and

that will never change. Our profession, by nature, is adversarial and causes us to present biases towards the other side, whether implicit or not. It will take us as individuals to become consciously aware of the biases we hold, hold ourselves accountable for those biases, and develop ways to implement change so that they do not continue.”

I also brought the example of local bar associations to the table. Attorneys tend to join bar associations that are involved in causes they support, or are comprised of people who look like them. I encouraged my colleagues to step outside of their boxes, join a bar association that would take them outside of their “comfort zones” and venture into uncharted territory in order to bring awareness and address these issues of implicit bias.

My tablemate shared that my comment brought the issue of implicit bias full circle for her. She shared a story of how she was very apprehensive to accept a gay white male that joined her black female bar association. I said this might have been a life-changing decision for him to step outside his box and inject himself into a situation where he is now the minority. It may have been his attempt to address his own implicit biases.

Just as I have attempted to identify my own implicit biases and implement ways to change them, my challenge to each reader of this article is to self-reflect. I challenge each reader to identify your own implicit biases, and develop ways not only to bring awareness to the issue, but also to address your own implicit biases in order to make you a more conscious and forward thinking attorney.

Genesee County Young Lawyers Host Legal Writing Primer

By Jade Edwards

On April 22, the Genesee County Young Lawyers Division, with the support of the State Bar of Michigan Young Lawyers Section, held a legal writing session. The workshop was hosted by John Streby, a Genesee County attorney and author, who, unbeknownst to many of his colleagues, has two published books, *The Devil Won't Care* and *Rabbit Stew*. Attorney Streby spoke to a group

of young attorneys about how to submit persuasive legal writing and keep the judge interested without delving too much into the creative writing realm. He shared with the group his *12 Rules for Legal Writing*, which included some simple tips such as “avoiding clichés,” “beware of email” (meaning think carefully before you hit that send button), and “always provide a judge’s copy,” to some more detailed tips such as “avoid stating an insurmountable burden” and “use your legal writing to enhance credibility with judges.” The response from those in attendance was overwhelmingly positive and attorneys were able to take home useful handouts to help in their practices. Overall the advice was useful for young and old attorneys alike, and we should all utilize the guidance provided.



SBM Young Lawyers Section Co-Hosts Luncheon in Mt. Clemens

On February 25 the Young Lawyers Section co-hosted a luncheon with the Women Lawyers Association of Michigan—Macomb Region. The luncheon was held at the Bath City Bistro in Mt. Clemens. The featured speaker was WLAM—Macomb member Julie Gatti, immediate past president of the Macomb County Bar Association. Ms. Gatti has been honored as a SuperLawyer, and was honored by *Michigan Lawyers Weekly* as one of Michigan’s 2014 “Outstanding Women in the Law.” She shared personal stories and advice and led a group discussion on professional image, leadership, and maintaining life balance. Twenty-seven attendees had an opportunity to mingle following lunch.



All Young Attorneys Should Consider ABA Involvement

By Jade Edwards

The first thing I did when I got home from The ABA Midyear Meeting in Houston was get online to register for the Young Lawyers Spring Conference in Tampa, FL. I often find myself trying to explain why I “drank the Kool-Aid” as it’s called at these meetings, when discussing why I got involved with the American Bar Association three years ago. When I was in law school I was a member of the ABA Law Student Division, but had no clue what that actually meant beyond the activities within the school. Once I graduated, I didn’t hear much more about it than the very little that I already knew. There are many opportunities at the ABA meetings, be it networking, learning, community service, having fun, or whatever you are looking for at this stage in your career. The young lawyer conferences are more geared towards “us,” while the midyear and annual meetings are for beginner and veteran attorneys alike. I find it unfortunate that you often have to explain to Michigan attorneys why there is a benefit to attending educational seminars when we aren’t required to for CLE. Personally, I like to learn; I like to keep up with developments in my field; I especially enjoy engaging in thought-provoking discussions with other attorneys who might share my experiences in order to gain valuable insight. Even though it’s not a requirement, I don’t think one should have to be told to continue his education in a profession such as ours.

My first midyear meeting was in Texas, where they tend to not charge as much. There is no registration fee for the entire conference, and there are many free CLE opportunities. When I first attended in Dallas, many young attorneys signed up for valuable sessions on topics such as paying off student loans, starting a law practice, and general issues facing young attorneys. Those of course are very useful at this stage, but as someone whose days as a “young lawyer” are quickly diminishing, I also took the opportunity to dip into some other sessions hosted by other sections, the most valuable of which was a session on effective billing hosted by the Tort Trial and Insurance Practice Section. While I’m quite sure they were referencing billing numbers

I will likely not reach anytime soon, I learned helpful advice and gained a logical perspective that I still utilize to this day. Now I have a tendency to gravitate towards presentations by the Family Law Section or Solo, Small Firm and General Practice Division. In Houston, I was able to not only attend valuable educational sessions, but participate in discussions related to current events on topics such as “The School to Prison Pipeline—Problems and Solutions” and cybercrime. Community service is also important to me, and each year the ABA Young Lawyers Division selects a topic of importance to address in the community throughout the year. This year the focus was Project Street Youth, which was especially interesting to those who are passionate about issues facing children, and focused on homeless youth. On top of volunteer opportunities, the young lawyers collected toiletries from each host hotel to donate to groups that help homeless youth.

I would never have been exposed to these opportunities if I hadn’t become active first in my local bar, then my state bar, and now the ABA, where I have seized several leadership opportunities that have come my way. Also, though there are practical ways to save on travel, such as carpooling and sharing rooms, the more active you become with the ABA, the more aware you become of funding opportunities which can partially assist with the cost of making the trip. If you want more information, a good start would be <http://www.americanbar.org/groups/young-lawyers.html>, where you can find out about opportunities in the Young Lawyers Division of the ABA and almost endless educational opportunities. I would also encourage you to make the trip to Chicago for all or a portion of the ABA Annual Meeting July 30–August 4, 2015. Chicago is just a train, bus, or car ride away for us Michiganders and I’ve often been able to find inexpensive rooms on Hotwire or Priceline. Information on the Annual Meeting is available at <http://www.americanbar.org/calendar/annual.html>. Give it a try. I think you’ll *drink the Kool-Aid* too.

Quizzo

By Ryan Zemke

The SBM YLS Section recently hosted a Quizzo challenge between the local bar associations from Wayne, Oakland, and Macomb counties. The 248/586/313 Challenge is an annual tradition which pits participants from each county against each other in a battle for the Dequindre Cup, while increasing camaraderie between bar associations and providing networking opportunities for participants involved. The reigning champion from the previous year selects the competition for the current year. This year, Macomb County (586) selected a trivia event called Quizzo. The event was hosted at the Dragonmead Brewery in Warren on Monday, May 23. Over 30 participants were divided among four teams to solve riddles and trivia involving a wide variety of topics. The event came down to the final round and was decided by only a few points, but the team representing Oakland County (248) emerged victorious. Watch for announcements next spring regarding the next installment of this annual event and come join the fun.

