

# Inter Alia

*Among Other Things*

Winter 2013

[www.michiganyounglawyers.com](http://www.michiganyounglawyers.com)

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## Letter from the Chair



Felicia O. Johnson

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“You must be the change you want to see in the world”

—Mahatma Gandhi

The constant flood of news stories of poverty, violence, financial crisis and natural disasters often makes me want to turn off my television and toss out the newspaper. But I do not. While it is difficult to fathom the shattering of innocence lives, children without enough to eat, families losing their homes and life savings, and the destruction of entire communities, these things are reality for many.

Usually when my sadness and frustration are about to overwhelm me, I hear a story about a police officer who buys a homeless man a pair of shoes, or a kid who donates the proceeds from his lemonade stand to help the city maintain neighborhood parks. These stories rejuvenate me with new hope and remind me that there are people in this world—some young, some old—who silently make a difference every day.

As young lawyers we have a unique set of skills that we can use to make meaningful differences in our communities. I hope that stories about injustices, families with no food or shelter, the spreading of blight, and the senseless violence plaguing our streets inspire you to get involved.

I invite you to partner with the Young Lawyers Section as it works to provide access to justice, defend the rights of the impoverished, mentor and educate youth, and lend a helping hand to those in need wherever they may be. Our communities will not improve if we all simply think changes are needed, but we never take action.

Together or alone; whether your efforts impact one or a multitude, in your home, on your job, or in the community, I encourage you to be the agent for change.

Sincerely yours,

*Felicia Johnson*

## “I am YLS”

By Mwanaisha A. Sims

The Young Lawyers Section’s “I am YLS” project is an effort to formally welcome young lawyers into the Young Lawyers Section (“YLS”) and provide information on the exciting activities of the YLS. The YLS council members want to take advantage of every opportunity that allows us to reach out to the newest members of the YLS community.

Even though every newly admitted member of the State Bar of Michigan is automatically a member to the YLS, many are not aware of their YLS membership. Welcoming young lawyers into the profession is essential to the success of the YLS.

Each county in Michigan sponsors a mass swearing-in ceremony for new lawyers being admitted to the State Bar. In 2011 and 2012, YLS council members attended various swearing-in ceremonies to congratulate and welcome the newest members of our profession. A pamphlet was also provided explaining the history, purpose, and mission of the YLS.

YLS council members were on site again for the February 2013 bar exam, passing out pencils, pens, ear plugs, and erasers. For the first time, the bar exam was held in two locations: the Lansing Center and the Kellogg Center. YLS council members were at both locations to show support for future young lawyers.

We had an overwhelming positive response from our future members at the February 2013 bar exam. I had the opportunity to speak with many of the test takers and their faces lit up when they learned that the YLS was there to support them.

You are YLS! Please participate in an upcoming YLS event in your area or contact the YLS if you are interested in planning an event.

*Mwanaisha A. Sims currently works as an assistant prosecuting attorney for the Wayne County Prosecutors Office and holds a seat on the State Bar of Michigan Young Lawyers Council, and the American Bar Association House of Delegates.*



## Legal Assistance for Disaster Victims

By Lori Smith and Andrea C. Irons

Imagine a disaster striking your area, leaving chaos in its wake. Your home is destroyed; there is no electricity, limited food and water, and no transportation. Along with your home being destroyed all of your important documents are gone. You can't contact your insurance company, you can't access your bank account, and you just don't know what to do. This is an unfortunate reality for victims of major disasters.

The Disaster Legal Services (DLS), provides legal services at no cost to qualifying victims for legal issues that arise from the disaster. The DLS is operated by the American Bar Association Young Lawyers Division (ABA YLD), with a memorandum of understanding from the Federal Emergency Management Agency (FEMA). The DLS is comprised of volunteer attorneys from across the country who provide pro bono services to the victims of the disaster. This may include dealing with insurance claims, bankruptcy issues, criminal matters, family law issues, unemployment benefits, title issues, or any other issue arising from the disaster. Since 2007, the DLS has responded to 103 declared disasters in 37 states, assisting over 100,000 victims.

The president must declare an area a major disaster and define the types of federal assis-

tance that will be available to those affected. FEMA will then make a determination if there is a need for DLS and will contact the ABA YLD to implement the program if necessary. Initial funding from FEMA is typically \$5,000, but this amount can vary based on the size of the disaster. The DLS establishes toll-free hotlines for the victims to call and speak with volunteer attorneys and in some disasters, recovery centers are staffed by volunteer attorneys to assist victims. The same standard of confidentiality applies to victims as would apply to retained clients. Calls on the toll-free hotline must be related to the disaster, must be from a low-income individual, and non-fee generating. If the issue is complicated the caller is referred to a pro bono attorney, who must make contact with him within 48 hours. Only attorneys who are licensed in the state where the hotline is set up are allowed to answer legal questions via the hotline. Volunteer attorneys who are not licensed in that state assist by completing intake sheets that are later sent to a state-licensed attorney.

If you are interesting in volunteering your services or learning more about this ABA YLD program, please check out [www.ambar.org/disasterhelp](http://www.ambar.org/disasterhelp) or [www.abanet.org/disaster](http://www.abanet.org/disaster).



## Prisons and Corrections Section Program

By Stephanie Farkas

On February 8, 2013, the Young Lawyers and the Prison and Corrections Sections of the State Bar of Michigan and the Michigan Corrections Association (MCA) teamed up to co-sponsor a seminar titled “Identification, Classification, and Treatment of the Mentally Ill Prisoner in the Michigan System and Representing Prisoners in Administrative Proceedings and the Courts” at the Tollgate Education Conference Center (MSU Extension) in Novi, Michigan. More than 80 individuals registered for the event, with all registered Young Lawyers Section members able to receive a free Prisons and Corrections Section membership through the 2013-2014 bar year.

The event was organized by Stephanie Farkas, YLS Executive Council member, as well as Prisons and Corrections Executive Council members John Shea, Michael Marutiak, Patricia Streeter, Avar Laws-Wright, and MCA Representative Michelle VanDusen. The program provided lawyers, advocates, students, and corrections officials with information regarding the identification, classification, and treatment of individuals with mental health issues in both the Michigan Department of Corrections and county jails, diversion programs, problems and concerns that arise with mentally ill inmates, and information on representing prisoners in parole and disciplinary proceedings and in civil litigation.

Speakers included Keith Barber, Michigan Legislative Corrections ombudsman; Undersheriff Jon Hess, Capt. Randy Demory, and John McKay, Kent County Sheriff’s Office; Mark Reinstein, Mental Health Association of Michigan; Natalie Holbrook, American Friends Service Committee, Ann Arbor; Raymond Ball, Michigan Corrections Association; Kathleen Schaefer, Professional Probation & Parole Consulting, Inc.; Stuart Friedman, Esq.; Paul Reingold, clinical professor of law, University of Michigan Clinical Law Program; and Dan Manville, Michigan State University associate clinical professor of law and director of the Civil Rights Clinic.

A special thanks to all involved and those who attended for making this such a successful event!

STATE BAR OF MICHIGAN

MEMBER **ADVISORY**

### **NOTICE TO MICHIGAN LAWYERS ABOUT FDIC INSURANCE CHANGE For IOLTA and Non-Interest-Bearing Accounts**

For the past two years, IOLTA accounts and non-interest-bearing accounts enjoyed unlimited FDIC insurance coverage pursuant to Section 343 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. That provision has a sunset date of December 31, 2012.

Because Congress adjourned without extending that coverage, as of January 1, 2013, FDIC insurance available to IOLTA accounts reverted to the same coverage client funds had before the temporary provision was put in place—\$250,000 per owner of the funds (client), per financial institution, assuming that the account is properly designated as a client trust account and proper accounting of each client's funds is maintained. The \$250,000 amount is not the cap on the total in the pooled IOLTA account; that cap applies to each individual client's funds in that institution (see item 2 at the FDIC link below). Client trust accounts, including IOLTA accounts, are interest-bearing accounts, but it is also worth noting that non-interest-bearing bank accounts will also have this same \$250,000 coverage limit.

Further information on FDIC insurance coverage for IOLTA and other accounts as of January 1, 2013, is at <http://www.fdic.gov/deposit/deposits/unlimited/expiration.html>.



## 2012 ABA YLD Fall Conference

By Shenique A. Moss

The 2012 American Bar Association Young Lawyers Division (ABA YLD) Fall Conference was held October 18-20, 2012 at the historic Francis Marion Hotel in the beautiful city of Charleston, South Carolina. More than 320 young attorneys from all across the country participated in this jam-packed weekend full of educational seminars and great networking and social activities.

The conference kicked off on Thursday afternoon with the ABA YLD council meeting. The ABA YLD council, which is the general and administrative authority of the division, discussed its agenda and initiatives for the new bar year. CLE seminars on “Local Perspectives from the Plaintiffs’ and Defense Bars” and “Navigating a Government Investigation: Tips and Best Practices for Dealing with Regulators” were also offered for attendees who arrived in town early Thursday afternoon. Thursday’s scheduled events ended with a first-time attendee reception and a first-time attendee orientation followed by a welcome reception at the Mad River Bar & Grille.

Friday morning started off with a well-attended plenary session featuring Charleston Mayor Joe Riley, the longest serving mayor in the United States. Mayor Riley, a former private attorney, discussed the local bar’s role in efforts to revitalize the city and preserve its historic and scenic charm. The Friday morning seminars, starting immediately after the plenary session, included topics such as “Ethics and Bankruptcy: Tips and Traps for New Lawyers and Non-Bankruptcy Practitioners,” “Young Lawyers as Elected Officials, Campaigning and Serving in Public Office,” “Best Practices of Building Your Own Law Firm,” “Getting Your Financial House in Order,” and “Transactional Drafting Basics,” to name a few. The ticketed luncheon featured South Carolina Supreme Court Chief Justice Jean H. Toal and Associate Justice Costa Pleicones. During their entertaining and informative presentation, the justices warned the nearly sold-out crowd of young attorneys of the dangers of posting certain comments and materials on social media sites and the effect that it could potentially have on their careers. The Friday night dinner dance was held at the South Carolina Aquarium which provided attendees with breathtaking views of the Charleston Harbor. After enjoying a surf and turf dinner, attendees danced the night away listening to a live cover band and explored the Aquarium’s world class exhibits, colorful landscapes, and various aquatic creatures.

Saturday morning started with a combined continental breakfast and Affiliate Showcase during which ABA YLD affiliates from around the country highlighted their recent projects. The conference’s programming continued with a new lawyer bootcamp series—“Filling the Gap: How to Boost Your Resume While Looking for a Job” and “How to Succeed at Your First Job” and CLE seminars on “E-Discovery” and “In the Cloud: Ethical Considerations of Cloud Computing & Virtual Law Practice.” Finally, for those conference attendees who did not leave immediately after the close of the conference, the Charleston host committee organized a great informal dinner at “Virginia’s on King” on Saturday evening.

The ABA Midyear Meeting was held in Dallas, Texas, February 7–9, 2013. These events provide an invaluable opportunity to network, earn CLE credits should you have bar membership in a state that requires them, and learn more about both the ABA and ABA YLD. Please visit [http://www.americanbar.org/groups/young\\_lawyers/about\\_us/affiliates/funding.html](http://www.americanbar.org/groups/young_lawyers/about_us/affiliates/funding.html) to learn if you qualify for funding assistance for future events.

## 2012 fall Young Lawyers Division Conference

By Kara Hart-Negrich

The 2012 fall Young Lawyers Division Conference took place in Charleston, SC from October 18-20. Held at the historic Francis Marion Hotel, sessions ranged from “Getting Your Financial House in Order” to “Perspectives from South Carolina’s High Court: Key Issues Facing the Legal Community.” While I attended the Trademark and Copyright session, “Best Practices for Working with Regulators,” and numerous other events during the conference, the Wellness Series’ yoga practice was what set this conference apart from others.

Taught by Tampa-based attorney (and certified yoga instructor) Cat DiPaolo, the Vinyasa class took place in one of the hotel’s conference rooms after a long day of programming. Ms. DiPaolo opened up to the class about the grounding effects the practice of yoga has had on her busy life. She was pleasantly surprised by the large number of people who attended the session, many of whom were new to the practice of yoga.

While some attendees actually brought yoga mats, those of us who travel without yoga gear made do with towels provided by the hotel. Calming music and the strenuous flow during the one and a half- hour class helped balance the more stressful events of the weekend.

My reason for writing an article about yoga rather than one of the other informative and career enhancing programs offered during the conference is not just that I took terrible notes, or that financial planning for young lawyers is anxiety inducing and dry (despite being important), it is that having this class offered is so refreshing. In a profession known for its stressful and demanding lifestyle, the actual acknowledgement that sometimes we need to unplug and let go, even if that is only possible for an hour and a half, is encouraging.

## SBM Launches 2013 Law Day Contest: More Than \$3,000 in Prizes Available

The State Bar of Michigan's second annual Law Day creative contest is now open for entries. Participants should submit a creative entry illustrating the 2013 Law Day Theme, "Michigan—Realizing the Dream: Equality for All," using content from one or more Michigan Legal Milestones.

The Michigan Legal Milestones program was created in 1986 to highlight the state's important cases, laws, and individuals. Bronze plaques commemorating the history of each of the 38 milestones have been placed throughout the state. Participants may utilize any Michigan Legal Milestone in their submission, but four suggested milestones to consider include "Murphy's Dissent," "One Person, One Vote," "Sojourner Truth," and the "Elliott-Larsen Civil Rights Act." Read more about the [Michigan Legal Milestones program](#).

To participate in the Law Day contest, contestants should tie one or more milestones to the 2013 theme in a creative project. Examples of creative projects include essays, debates, mock trials, podcasts, dramatic or musical plays, re-enactments, short documentaries, board games, video games, and more. Electronic submissions are highly encouraged.

Winning projects will most effectively illuminate or dramatize the significance of the Michigan Legal Milestone chosen, and explain how the subject of the milestone created a more equal playing field for all citizens. [View the winning entry from the 2012 Law Day contest](#), a re-enactment of the fourth Michigan Legal Milestone, the "Roosevelt-Newett Libel Trial."

Cash prizes will be awarded. The \$1,000 top prize will be awarded to one winner, up to two \$750 second-tiered prizes will be awarded, and up to three \$500 third-tiered prizes will be awarded. All winning submissions will be eligible for statewide recognition as a Michigan Model Law Day project and entry into the national-level American Bar Association Law Day awards competition.

Entries in the 2013 State Bar of Michigan Law Day creative contest are due by 5 p.m. on Friday, April 5, 2013. For more details about the contest rules and resources visit [SBM Law Day](#).

Questions can be directed to SBM Communications Specialist Samantha Meinke at (517) 346-6332 or [smeinke@mail.michbar.org](mailto:smeinke@mail.michbar.org).

# The American Bar Association's 2013 Dallas Midyear Meeting

## Impressions from a First Time Attendee

By Laura Marji

I recently had the opportunity to attend the ABA's 2013 Midyear Meeting in Dallas, Texas. As a young lawyer, this is the first ABA conference that I have attended. Not sure what to expect, I visited the ABA's website prior to leaving to get a sense of the structure of the conference and programs available. The website was a source of information, listing the sections that would be present at the conference, continuing legal education sessions that would be available, the speakers who would be leading the sessions, and luncheons and dinners planned. In addition to the ABA's programming, the Young Lawyers Division of the ABA also had scheduled programs available.

Upon arrival on Friday, I made my way to the conference held at the Hilton Anatole in Dallas. The Hilton is a 600,000-square-foot hotel, which accommodated the many meetings and presentations going on throughout the weekend. The first thing I noticed about the Hilton Anatole is its fantastic collection of art throughout the hotel, making it a pleasure to walk from one meeting to the next.

One of the first sessions I attended on Friday, and probably my favorite, was a roundtable discussion with other young lawyers from around the country. We spoke about events and programming that our local young lawyers groups host. We found funding to be a common issue for all of our states. As a result we shared fundraising ideas and strategies. By the end of the conversation, I had become acquainted with several young attorneys that I saw throughout the programming over the weekend.

I came to learn quickly that a highlight of the Young Lawyers Division programming is a Dinner Dance. The Dinner Dance was held at a historic building in downtown Dallas. The Dinner Dance started with a cocktail hour, which offered young lawyers a chance to mingle. This was followed by a semi-formal meal and a live DJ. It was refreshing to see the energy of the young lawyers group as they headed to the dance floor after dinner.

Prior to attending the ABA conference, I did not know about all of the opportunities to be active with the ABA. The Young Lawyers Division has 35 different committees, and membership in the committees is free. Speakers at the conference highlighted opportunities to volunteer

by carrying on the ABA's service projects locally. Attending the Dallas conference gave me the opportunity to attend legal sessions on various topics, learn more about the ABA's purpose, and meet other young lawyers from around the country.

For those young lawyers who would like to attend an ABA conference, the Young Lawyers Division has a scholarship program that will allow for partial funding to attend a fall conference, ABA midyear meeting, or spring conference. Details on how to apply can be found on the ABA's website, under Young Lawyers Division.



Michigan Delegates to the ABA Midyear Meeting

## Thinking Outside the Box: Diverse Perspectives on Bar Recruitment and Fundraising

By Jade J. Edwards

I had the privilege of attending the American Bar Association's Midyear Meeting as a delegate representing our wonderful state. The meeting took place February 6-11, 2013, in Dallas, TX. The event provided countless educational and networking opportunities, and I was able to meet with a number of bar leaders from across the country to collaborate and brainstorm about different methods of fundraising and member recruitment. The Commission on Racial and Ethnic Diversity in the Profession hosted a Diverse Bar Leaders Luncheon titled "Challenges and Opportunities for Diverse 21<sup>st</sup> Century Bar Leaders." The luncheon was a roundtable discussion format, with different bar leaders sharing their experiences and suggestions. Recruitment and participation seem to be a consistent problem for bar leaders. One idea that stood out was having "bring a guest" themes at meetings and events. Though it sounds simple, everyone agreed that the idea of each member bringing one guest takes away the pressure of the larger feat often presented to bar members of having to recruit more members generally. Bar members often feel that if they aren't able to recruit lots of new members then they shouldn't try at all. Imagine the difference in your organization if everyone brought just one new person as a guest. Ideally, it could double your membership! Additionally, we discussed outreach programs in colleges and universities. The focus of bar leadership is often in recruiting from practicing attorneys and law students, but not as frequently in undergraduate institutions where students find themselves making career decisions. Lastly, we were left with the challenge of customized recruitment, be it for the organization as a whole, or volunteers for a particular event. There was a consensus that the recruitment process should be a thought-

ful one, and that individuals appreciate knowing you have invited them to participate in something based on their particular interests and skill sets. For example, if you approach a colleague individually with an invitation like, "I know you're active with the Boys and Girls Club and support our local youth. I thought you would be a great person to work this youth day our bar association is having," then it would be much better received than a mass email.

Immediately following the luncheon I attended an Affiliate Roundtable hosted by the Young Lawyers Division. The roundtable had a similar theme, where we discussed recruitment and fundraising within the bar, something that new and seasoned attorney groups seem to struggle with consistently. We were reminded to be considerate of the varied interests of our constituencies when planning events. For example, there is a tendency to plan events at bars and restaurants. With young lawyers, that might be even more common. Many affiliate bar associations have experimented with a wider range of venues such as museums, bowling alleys, parks, etc. and have been successful in recruitment efforts. My local bar, the Genesee County Bar Association, has had excellent participation in what has become an annual event at the Flint Institute of Arts. We have a brief commentary by a local judge or other informed community member on a legal film, followed by the movie, and a light cocktail reception. In the past we have shown *Twelve Angry Men* and *To Kill a Mockingbird*, and the event has been very well attended. We will be holding the event again in May and are considering *The Verdict* and *Anatomy of a Murder* as possible film options. Changing venues can also serve the dual purpose of fundraising. Additionally, many have found fun-

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**Thinking Outside the Box**

Continued from page 8

draising success in having a legal-related sponsor at bar events. Organizations such as Westlaw, lawyers.com, and different accounting firms who wish to market to lawyers are often happy to pay a small fee for access. An information table, banner, or simply adding business cards to a welcome bag can result in easy funding for the bar association. Other young lawyers affiliates are completely independent of their state bar associations through CLE funding, where they receive a percentage of the CLE profits in exchange for having young lawyers work the seminars and/or providing access to mailing lists, which for young lawyers can be significant. This might not be as financially beneficial in Michigan since we do not have the same mandatory CLE as other states, but there are often local requirements that can be tapped into.

Overall the conference was very informative. One thing was very clear: the roundtable discussion format is a great way to compare notes and get great ideas from others. I had a great time and learned quite a bit meeting with other bar leaders from around the country.

**SAVE THE DATE: JUNE 8, 2013**



*THE STATE BAR OF MICHIGAN*

*YOUNG LAWYERS SECTION'S*

**6<sup>TH</sup> ANNUAL SUMMIT**

*GREEKTOWN CASINO-HOTEL, DETROIT, MI*

*The Summit presents a great opportunity to join fellow young lawyers at a wide variety of educational programs and networking events. Visit our website:*

*<http://www.michbar.org/younglawyers/>  
or [facebook.com/sbmyls](https://www.facebook.com/sbmyls)*

*for more information and links to registration forms in the coming months.*

## ABA YLD Young Lawyer Meet and Greet

**O**n February 21, the American Bar Association Young Lawyers Division (ABA YLD) sponsored a Young Lawyer Meet and Greet event at BlackFinn American Saloon in Royal Oak, Michigan. Newly admitted attorneys from across metro Detroit had the opportunity to socialize and network with ABA YLD ambassadors and other young professionals. Similar ABA YLD Young Lawyer Meet and Greets were simultaneously held in various cities across the nation.



## Men's Oasis Shelter Legal Presentation and Luncheon

On February 23, 2013, Detroit and Metro Detroit area attorneys volunteered at the Men's Oasis Shelter in Highland Park, Michigan, and gave legal presentations on a variety of issues, including child support, parenting time, DUI clean-up, alias clean-up, statute of limitations, traffic tickets, outstanding warrants, eligibility for public housing as a convicted felon, sex offender registry, and general criminal law questions. Volunteers also organized, prepared and served a balanced meal.

Many of the men at the at the Men's Oasis Shelter have few resources once they are released from prison. This program helps assist with the transition back into society.

The presentations were given in a relaxed atmosphere where the residents were able to feel comfortable and engage in dialogue with the attorneys and other residents of the shelter. Defense attorneys were on site to speak one-on-one with the residents at the shelter and answer questions.

At the end of the program, attendees expressed gratitude, some stating that they felt not only physically filled because of the meal but also spiritually because of the hospitality. One resident indicated that although many groups volunteer at the shelter, this was the first to uplift his spirits.

*Mwanaisha A. Sims currently works as an assistant prosecuting attorney for the Wayne County Prosecutors Office and holds a seat on the State Bar of Michigan Young Lawyers Council, and the American Bar Association House of Delegates.*

## The State Bar of Michigan Young Lawyers Section is now accepting nominations for the 2013 Regeana Myrick Outstanding Young Lawyer Award

In 1997, the State Bar of Michigan Young Lawyers Section ("YLS") renamed its "Outstanding Young Lawyer Award" in honor of Regeana Myrick, an Executive Council member of the YLS, who passed away in August of that year.

In addition to serving on the YLS Executive Council, Regeana was a dedicated member of many bar associations. Regeana was committed to education and public service. She is remembered by her family, friends and colleagues as a bright and charitable woman with many talents who was always mindful of those less fortunate than herself.

Please join the YLS in remembering Regeana Myrick this year at the 6th Annual Young Lawyers Summit on June 8, 2013 at the Greektown Casino-Hotel in Detroit, Michigan, where the "Outstanding Young Lawyer Award" will be presented to a young lawyer who embodies Regeana's selflessness and scholarly legacy.

Nominations must be received by April 26, 2013. The nomination form can be found at <http://www.michbar.org/younglawyers/oylaward.cfm>. For more information, please contact Hope Shovein at [hshovein@brookskushman.com](mailto:hshovein@brookskushman.com).

### Past award recipients include:

- 2012 - Michelle A. Carter
- 2011 - Michael St. John
- 2010 - David L. Campbell
- 2009 - Jade Edwards
- 2008 - Jonathan N. Jilek
- 2007 - Bridgette Sparkman
- 2006 - Marla A. Linderman
- 2005 - Erika S. Julien
- 2004 - Richard Bernstein
- 2003 - Erika Butler-Akinyemi