



# DETROIT CHAPTER FEDERAL BAR ASSOCIATION NEWSLETTER

JANUARY, 1991

## CHIEF JUDGE MERRITT TO SPEAK AT RAKOW LUNCHEON

The Detroit Chapter of the Federal Bar Association, is pleased to announce that the Honorable Gilbert S. Merritt will be the guest speaker at the February 13, 1991, Rakow Luncheon. The luncheon will be held in the Riverfront Ballroom at the Renaissance Center. Tickets for the luncheon, which begins with a reception at 11:30 a.m., can be obtained by returning the accompanying form. Judge Merritt, the chief Judge of the United States Court of Appeals for the Sixth Circuit, received his undergraduate degree in 1957 from Yale University, his J.D. in 1960 from Vanderbilt University in 1960, and his LL.M. in 1962 from Harvard University. Judge Merritt is a member of the Order of the Coif.

Judge Merritt was appointed to the Sixth Circuit by President Carter in 1977. Before being appointed to the bench, Judge Merritt had a long and illustrious legal career that encompassed private practice, government practice, and academia.

From 1960 to 1961, Judge Merritt was an assistant dean, and instructor at the Vanderbilt Law School. He left to work at the Nashville, Tennessee law firm of Boulton, Hunt, Cummings & Conners. From 1963 until 1966, Judge Merritt was an associate metropolitan attorney in Nashville and from 1966 to 1969, Judge Merritt was the United States Attorney for the Middle District of Tennessee. From 1969 until 1977, Judge Merritt was a partner in the Nashville law firm of Gullett, Steele, Sanford, Robinson & Merritt. Judge Merritt also served as an associate professor, at the Van-

derbilt Law School in 1969 and 1970 and a lecturer from 1962 to 1969, and from 1971 to 1977.

As a private attorney in Nashville, Judge Merritt argued for the expanded desegregation of the Nashville School system. In 1974, he obtained a ruling, holding that the Nixon Administration's policy against federal funding for bussing, to implement school desegregation was unconstitutional.

Since being appointed to the Sixth Circuit in 1977, Judge Merritt had authored a number of noteworthy opinions.

Judge Merritt was the author of *Garner v Memphis Police Dept.*, 710 F.2d 240 (1983), in which the Sixth Circuit declared Tennessee's fleeing felon statute unconstitutional. In 1984, Judge Merritt authored *Dow Chemical Company v United States*, 749 F.2d 307 (1984), in which Judge Merritt held that Dow Chemical's expectation of privacy did not encompass expectations to be free from aerial surveillance, unlike its ground level privacy, which was elaborately guarded. The United States Supreme Court affirmed both rulings.

## SHANTY CREEK CONFERENCE SUMMARY

Reports of the discussions held at the Shanty Creek workshops for Michigan federal judges and practitioners from November 2-4, 1990, can be obtained from U.S. Magistrate Virginia Morgan at 226-4082.



## CONGRESSMAN CROCKETT, HON. DENNIS ARCHER CHOSEN FOR MCCREE AWARD



GEORGE W. CROCKETT, Jr.  
Member, United States  
House of Representatives



DENNIS W. ARCHER  
Justice  
Michigan Supreme Court

Congressman George W. Crockett, Jr., and Justice Dennis W. Archer were named the first recipients of the Wade McCree Award, on December 6, 1990, for the Advancement of Social Justice for their significant contributions to our community. Thanks to Co-Chairs Deborah Gordon and Mark Granzotto for assembling their impressive committees (consisting of Chief Judge Julian Cook, Doris McCree, Wade McCree III, Kathleen McCree Lewis, Otis Smith and Magistrate Steven Pepe). The committee received scores of nominations in its community outreach effort.

Dr. Jeffrey Sachs, Galen Stone Professor of Economics at Harvard and currently an adviser on transition to a market economy to Poland, flew from Europe to speak to the membership on this occasion.

Professor Sachs was introduced by his father, Theodore Sachs. He furnished the membership with firsthand insights into the current political and economic conditions in Poland, and highlighted how tenuous is the transition to a market economy. The Association, is proud to have hosted Dr. Sachs, and wishes him every success in his crucial mission.

## PRO BONO ATTORNEYS SOUGHT

Are you a new lawyer, eager for courtroom experience? Are you an experience lawyer who feels the urge "to give something back"? Are you a lawyer looking for a way to satisfy the State Bar's new recommended pro bono standards?

We have just the thing for all of you - - volunteer for the Eastern District's Pro Bono Civil Assignment Panel handling prisoner civil rights and employment discrimination cases in which the plaintiff has filed in propria persona.

These cases frequently raise meritorious issues, but without counsel to prepare them for trial or settlement, they are difficult to resolve and justice may not be done. Nor is it fair that only a few members of the bar in the Eastern District step forward to assist the Court with these cases - - all members of the bar should offer some of their time and expertise to help handle these cases.

The Eastern District has sought to make taking these cases as easy as possible: up to \$500.00 in expenses are reimbursable; pro bono court reporter services may be available; professional liability insurance of \$1,000,000.00 has been obtained for all pro bono attorneys and their firms; educational materials and consultation with attorneys knowledgeable in the field are available; and pro bono attorneys are not expected to handle appeals, if any.

The Federal Bar Association will be holding a recognition luncheon this spring honoring the attorneys and the firms who participate in this worthwhile program.

Interested?

Complete and return the accompanying application form.



## LABOR/ EMPLOYMENT SECTION SEMINAR ON JANUARY 17, 1991 REGARDING OLDER WORKERS BENEFIT PROTECTION ACT.

The Labor/Employment section of the F.B.A. Detroit Chapter is sponsoring a luncheon seminar followed by two speakers whose topic will be the Older Workers Benefit Protection Act.

The event will take place on January 17, 1991, Thursday, at noon, at the Pontchartrain Wine Cellars, featuring John Runyan and Donald A. Van Suilichem representing labor and management. The presentation, will start approximately 12:45 p.m., concluding by 1:30 p.m.

COST: \$15 FBA Members  
\$20 NoN-Members

CHOICE OF ENTREE:  
VEAL MARENGO  
CHICKEN CORDON BLEU  
WHITEFISH

Reservations may be made by calling Dee Osterman at (313)548-3450. For further information, contact Kent Cooper at (313)223-7843 - Labor/Employment Section Chair.

## OHIO AWARDS CLE CREDIT FOR DISTRICT COURT CONFERENCE

The Ohio Supreme Court has decided to award 4.5 credit hours for any Ohio attorneys who attended the U.S. District Court Judicial Conference at Shanty Creek on November 2-3, 1990. This was done after the conference was completed. If you are a member of the Ohio Bar, please follow the ordinary procedures to obtain CLE credit. If you have any questions, telephone Maura D. Corrigan at (313) 983-4947.

## HISTORIAN SOUGHT

The U.S. District Court is seeking a volunteer to assist the court in its first attempt to compile a comprehensive history of the U.S. District Court for the Eastern District of Michigan. If you are interested, or know of someone who might assist in this endeavor, contact Maura Corrigan at 983-4947.

## MARK YOUR CALENDARS! FRIDAY, MAY 10, 1991 - FIRST ANNUAL DINNER-AUCTION

Does a sail on Lake St. Clair interest you? How about a week at Maura Corrigan and Joe Grano's seaside retreat, on the coast of Maine, or lunch, at the LaFayette Coney Island, with one of its most prominent patrons?

If you have an interest in any of the above, or countless other items of "value", you will want to attend the Detroit Chapter's First Annual Dinner-Auction on Friday, May 10, 1991, at the Hotel Pontchartrain in Detroit. Present plans include both a "silent" and live auction. Proceeds will benefit the Federal Bar Foundation of Detroit, which funds the Edward H. Rakow Scholarships awarded annually to an outstanding student at each of Michigan's five law schools.

Denise Langford-Morris and John Runyan, Co-Chairs for the event, are currently seeking donors for the live and silent auctions. Tax deductible donations could include a night at your firm's box at the Palace of Auburn Hills or tickets to the Pistons, Tigers or Red Wings. If you know of restaurants, hotels, or retailers who might want to make a tax-deductible donation to the worthwhile cause, Denise or John would also like to hear from you.

Make sure to mark your calendars now for an evening of fun and excitement.

## DONATIONS SOUGHT FOR MCCREE PRATT PORTRAIT COMMITTEE

The portrait of Judge McCree, is nearly completed and should be ready for unveiling in early spring. The portrait of Judge Pratt has been commissioned but is not yet near completion.

We ask your financial help! If you can assist, send your check to Dee Osterman, P.O. Box 71740, Madison Heights, Mi. 48071



**IF YOU KNOW OF SOMEONE WHO HAS NOT  
RENEWED THEIR 1990-91 MEMBERSHIP, PLEASE  
FORWARD**

**DUES STATEMENT**

**MEMBERSHIP INFORMATION**

Name \_\_\_\_\_ State Bar No. \_\_\_\_\_ Year Admitted to Bar \_\_\_\_\_

Business Address: \_\_\_\_\_ Home Address: \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Phone \_\_\_\_\_

Government Employee Yes \_\_\_\_\_ No \_\_\_\_\_ Court or Agency \_\_\_\_\_

\_\_\_\_\_ Renewal \_\_\_\_\_ New Member Referred by: \_\_\_\_\_

Preferred location for mailings/phone contacts: \_\_\_\_\_ Business \_\_\_\_\_ Home \_\_\_\_\_

**DUES INFORMATION**

The Chapter Dues are supplemental to annual dues paid to the National Federal Bar Association. Local dues are for the period from October 1 thru September 30.

Regular member \$15.00 \_\_\_\_\_

Sustaining member \$50.00 \_\_\_\_\_

Admitted to Bar less than 5 years \$ 5.00 \_\_\_\_\_

(Make check payable to Detroit Chapter, Federal Bar Association)

**SECTION AND COMMITTEE PREFERENCE**

I would like to participate in the following Sections and Committees:

**Sections:**

\_\_\_\_\_ Bankruptcy

\_\_\_\_\_ Civil Practice

\_\_\_\_\_ Criminal Practice

\_\_\_\_\_ Government Practice

\_\_\_\_\_ Labor/Employment Discrimination

\_\_\_\_\_ Taxation

\_\_\_\_\_ Younger Lawyers

**Committees:**

\_\_\_\_\_ Courthouse Tours

\_\_\_\_\_ Dinner Dance

\_\_\_\_\_ Golf/Tennis Outing

\_\_\_\_\_ Holiday Party

\_\_\_\_\_ Membership

\_\_\_\_\_ New Lawyers Seminars

\_\_\_\_\_ Newsletter

\_\_\_\_\_ Pro Bono

\_\_\_\_\_ Program (Arrangements/Speakers)

\_\_\_\_\_ Trial Advocacy Workshop

**RETURN THIS STATEMENT WITH YOUR DUES PAYMENT**

Detroit Chapter, F.B.A. • P.O. BOX 71740 • MADISON HEIGHTS, MICHIGAN 48071



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

PRO BONO CIVIL ASSIGNMENT PANEL APPLICATION

Attorney  
Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

I agree to accept assignment of the following cases:

\_\_\_\_\_ Prisoner civil rights complaints

\_\_\_\_\_ Employment discrimination complaints

Set forth any other availability for participation (e.g., acting as expert advisor for participants, providing sample briefs or forms, availability to speak at training seminars, etc.):  
\_\_\_\_\_  
\_\_\_\_\_

Set forth any limitations for participation (e.g., conflict of interest, number of cases to be handled per year, etc.):  
\_\_\_\_\_  
\_\_\_\_\_

Return completed application to:

John P. Mayer, Court Executive  
704 U.S. Courthouse  
Detroit, MI 48226

# RAKOW LUNCHEON LUNCHEON RESERVATION FORM

## LUNCHEON                      RESERVATION

WEDNESDAY, FEBRUARY 13, 1991 - RIVERFRONT BALLROOM  
DETROIT WESTIN HOTEL

SPEAKER: CHIEF JUDGE GILBERT S. MERRITT

RESERVATIONS FOR: \_\_\_\_\_ at \$20 for FBA Member

\_\_\_\_\_ at \$22 for Non-Member

AMOUNT ENCLOSED: \_\_\_\_\_

NAME: \_\_\_\_\_

FIRM NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE NO. \_\_\_\_\_

Please make checks payable to: DETROIT CHAPTER - FBA

FORWARD TO: Thomas Cranmer, Esq.  
Miro, Miro & Weiner  
500 N. Woodward Avenue  
Bloomfield Hills, MI 48013  
Phone: 646-2400

DETROIT CHAPTER



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