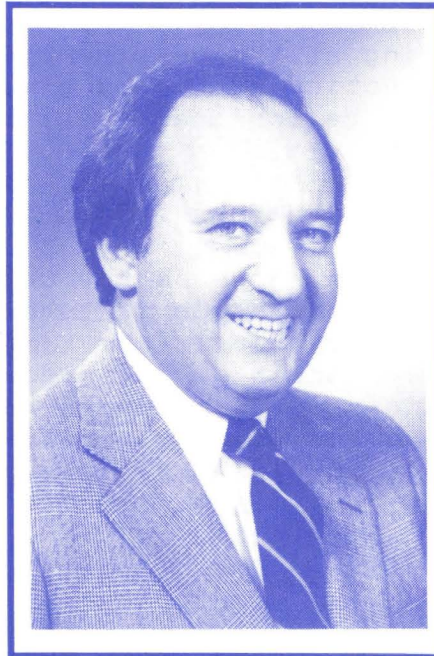




# DETROIT CHAPTER FEDERAL BAR ASSOCIATION NEWSLETTER

NOVEMBER 1992

## IMPEACHMENT OF FEDERAL JUDGES TO BE TOPIC AT RAKOW AWARDS LUNCHEON ON NOVEMBER 12, 1992



The Detroit Chapter is pleased to announce that Wayne State University Law Professor Robert Sedler will speak on the topic, "Impeachment and the Political Question Doctrine" at the November 12, 1992 Rakow Luncheon. Professor Sedler will analyze and discuss the legal issues presented in Hastings v U.S. and Nixon V. U.S., which concern the impeachment and conviction of two federal judges. Nixon is pending in the United States Supreme Court.

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 registration form in the newsletter (page 6), or calling Mark Brewer at 965-3464.

A highlight of the Rakow Luncheon is the presentation by the Chapter of awards to five outstanding senior year law students selected by the deans of the Michigan law schools. The Rakow Awards are made from a fund established with the Federal Bar Foundation in memory of the late Edward H. Rakow, a founding member of the Detroit Chapter. The Foundation is in need of additional funds to ensure that the Rakow Awards can be sustained at their current levels.

Your tax deductible contributions can be made to the Detroit Chapter/Federal Bar Foundation and mailed to the:

Detroit Chapter/FBA  
P.O.Box 71740  
Madison Heights, Mi. 48071

## PROPOSED BYLAW AMENDMENTS TO BE CONSIDERED AT NOVEMBER LUNCHEON MEETING

The Board of Directors unanimously approved recommending the following bylaws amendments. These proposed amendments do not reflect any substantive change but rather are for the purpose of making the Detroit Chapter's Bylaws consistent with actual practice. For purposes of considering these amendments, the November 12, 1992 luncheon meeting at the Westin Hotel shall be considered a special meeting and notice is hereby given that the following proposed amendments will be considered at that time.

### ARTICLE I - NAME AND CONSTITUTION

This organization shall be known as the Detroit Chapter of the Federal Bar Association. The Constitution of the Federal Bar Association as it may be amended, from time to time, is hereby adopted and incorporated herein by reference insofar as it may be applicable to the business of this Chapter and ~~shall prevail over these Bylaws in event of conflict therewith.~~ However, in the event of conflict, these Bylaws shall prevail over the Constitution of the Federal Bar Association.

### ARTICLE III - MEMBERSHIP

#### Section 3 - Application for Membership:

Application for membership in this Chapter shall be made on a form approved by the ~~National Council~~ Detroit Chapter of the Association. Each application must be accompanied by the dues and admission fees required by the Constitution and Bylaws of the Association and the Bylaws of the Chapter.

#### Section 6. Dues:

Dues owing to the ~~Federal Bar Association nationally and to the Detroit Chapter~~ shall be collected by the ~~respective~~ Treasurers of the ~~Federal Bar Association and the Detroit Chapter.~~ The Chapter share of National dues are automatically provided by Bylaw 2 of the Association at the rate of \$7.50 for senior members and \$3.00 for junior and retired members and such amounts shall be collected by the Treasurer of the Detroit Chapter. In accordance with the provision in that Bylaw, T~~he Detroit Chapter Treasurer shall collect~~ has an additional amount of annual dues in the amount of \$10.00 for senior members, and \$5.00 ~~\$10.00 for junior members (admitted to the bar less than 5 years), \$15.00 for regular members and \$50.00 for sustaining members.~~



## ARTICLE V - OFFICERS:

### Section 2.

Each officer elected shall assume the duties of his office on ~~July~~ June 1, shall hold office for one year and shall perform such duties as designated by the Executive Board. No member serving in the capacity of President or Vice President shall be eligible to succeed himself or herself in the respective office. The outgoing President shall remain a member of the Executive Board for a period of one year following the expiration of his or her term of office as President.

### Section 5. Elections:

The election of officers for all elective offices shall be by secret ballot or by voice vote. The election shall be held during the annual meeting. The officers elected shall commence their term of office on ~~July~~ June 1 of each year and shall hold office for one year ending ~~June~~ May 30.

COMMENT: THIS IS A NEW SECTION

### Section 8. Indemnification

The Chapter shall indemnify any person who is or was a director or officer of the Chapter, or who is or was serving at the request of the Executive Board of the Chapter as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise to the full extent permitted by the laws of the State of Michigan as in effect from time to time, and, upon resolution of the Executive Board of the Chapter, the Chapter may indemnify such other persons as designated from time to time by the Executive Board to the full extent permitted by the laws of the State of Michigan as in effect from time to time.

---

## SUSTAINING MEMBERS

The Detroit Chapter of the Federal Bar Association wishes to extend its appreciation to the following Sustaining Members for their extraordinary contributions toward the goals of the Detroit Chapter.

JOSEPH AVIV  
NORTON J. COHEN  
THOMAS W. CRANMER  
JOSEPH F. DILLON  
EUGENE DRIKER  
DAVID DUMOUCHEL  
ELAINE FIELDMAN  
JOSEPH A. GOLDEN  
HAROLD GUREWITZ  
ALAN C. HARNISCH  
NORMAN HYMAN  
DUANE F. ICE

LEONARD C. JAQUES  
PAUL H. JOHNSON  
HON. VIRGINIA MORGAN  
JEROME STEVEN O'CONNOR  
ARVIN J. PEARLMAN  
MARCUS PLOTKIN  
WAYNE F. PRATT  
MARGARET SIND RABEN  
CHARLES R. RUTHERFORD  
SHELDON S. TOLL  
RICHARD E. ZUCKERMAN



## **BANKRUPTCY COMMITTEE TO CO-SPONSOR SEMINAR ON CURRENT ISSUES IN BANKRUPTCY LAW AT U. OF M. LAW SCHOOL.**

On November 17 and 18, 1992, the Bankruptcy Committee will be co-sponsoring a conference discussing current bankruptcy questions. Of special interest is the panel discussion to be held on November 18, 1992, on the desirability of scraping Chapter 11. The panel will include Professor Michael Bradley and Michael Rosensweig, co-authors of the recent article "The untenable Case for Chapter 11", published in the March, 1992 volume of the Yale Law Journal. Rebutting their critique of Chapter 11 will be Prof. Lynn Lopucki. The conference will take place at the University of Michigan Law School. Both sessions will begin at 1:30 p.m. A cocktail party will follow the panel discussion on November 18. Bankruptcy Section members should look for a mailing on the conference in the next week. Nonmembers should call Julia Caroff at 237-4776.

## **BANKRUPTCY COMMITTEE HOSTS RECEPTION FOR BANKRUPTCY JUDGES**

The Bankruptcy Committee opened the 1992-1993 year with a reception for the Bankruptcy Judges of the Eastern District of Michigan in September, 1992. Judge Rhodes, Judge Spector and Judge Shapero were present. Over seventy practitioners attended the reception, which was hosted by Miller, Canfield, Paddock & Stone on the terrace of their offices located at 150 W. Jefferson Ave., Detroit Mi. The reception gave practitioners the opportunity to chat informally with the judges and to socialize outside the sometimes frenzied and contentious halls of the Bankruptcy Court.

Co-Chairs Julia Caroff, Assistant United States Attorney, and Michael Traison, of Miller, Canfield are planning a number of events that should be of interest to bankruptcy lawyers. On November 17 and 18, 1992, the Committee is co-sponsoring a conference on current bankruptcy questions with the University of Michigan Law School. Tentatively scheduled are a series of lunches, at which, one of the Bankruptcy judges will be the featured speaker.

---

## **GREATER REBATES SOUGHT FROM NATIONAL**

At the September Board of Directors meeting, the Board unanimously passed a resolution seeking a 25% rebate to the chapters of the dues paid to the Federal Bar Association. Presently, the Chapters receive back only 15% of the dues paid to the National FBA. Consequently, the Detroit Chapter is forced to charge \$15.00 in local dues in order to continue to sponsor our many activities. The following resolution will be presented on behalf of the Detroit Chapter at the 1993 National Council Meeting:

### **RESOLUTION**

WHEREAS the present fifteen percent dues rebate to the Chapters is an inequitable division of dues in relationship to the benefit and services the Chapter members receive from the Chapter

NOW, THEREFORE, BE IT RESOLVED that Bylaw Number 4, be amended to Read: "Twenty-Five percent (25%) of each member's and associate's dues, rounded upward to the next one-half dollar, shall be rebated to the Chapter that serves the location of the member's or associate's mailing address.

## NEW LAWYER'S SEMINAR SCHEDULE FOR DECEMBER 9TH & 10TH AT THE COURTHOUSE

The FBA-Detroit Chapter, will once again be holding a seminar for new lawyers. This seminar is intended to bridge the gap between law school and practice in federal and state courts. The seminar faculty consists of judicial officers, attorneys and court personnel, well qualified to present the various subjects. The seminar will cost \$65.00 for FBA members and \$80.00 for non-members which includes course materials, a reception, luncheon, and two days of lectures.

You should plan to attend this seminar or send the new associates in your firm. At \$65.00 for members, this seminar is a TRUE BARGAIN. Please fill out the registration form below. If you have any questions regarding the seminar you may contact Dee osterman at 548-3450.

### REGISTRATION FORM FBA NEW LAWYER'S SEMINAR

WHEN: December 9 & 10, 1992

LOCATION: Room 115  
Federal Bldg. & U.S. Courthouse  
231 W. Lafayette  
Detroit, MI 48226

MAKE CHECK PAYABLE TO: Federal Bar Association, Detroit Chapter

MAIL CHECK TO: New Lawyer's Seminar  
P. O. Box 71740  
Madison Heights, MI 48071

REGISTRATION FEE: \$65.00 member, \$80.00 non-members  
(includes reception on Wednesday and  
luncheon on Thursday)

NAME: \_\_\_\_\_ OFFICE PHONE NO.: \_\_\_\_\_

FIRM/AGENCY: \_\_\_\_\_

CITY/STATE/ZIP CODE: \_\_\_\_\_

- [ ] I am an FBA member \$65.00
- [ ] I am not an FBA member \$80.00
- [ ] I would like to join the \$65.00  
FBA so that I can receive \$35.00 membership fee  
the members' discount \$100.00 TOTAL for both

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



# EDWARD H. RAKOW SCHOLARSHIP AWARDS LUNCHEON RESERVATION FORM

WHEN: THURSDAY, NOVEMBER 12, 1992

WHERE: RIVERFRONT BALLROOM  
WESTIN HOTEL/RENAISSANCE CENTER/DETROIT

SPEAKER: ROBERT SEDLER - LAW, PROFESSOR - WAYNE STATE  
UNIVERSITY

RESERVATIONS FOR: \_\_\_\_\_ AT \$20 FOR FBA MEMBER

\_\_\_\_\_ AT \$24 FOR NON-MEMBER

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

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

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

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

TELEPHONE NO. \_\_\_\_\_

Please make check payable to: Detroit Chapter/FBA

FORWARD TO: Mark Brewer  
Sach, Waldman, O'Hare et al  
1000 Farmer  
Detroit, Mi. 48226-2834

Reservations can be made by phone in advance of the luncheon:  
(313)965-3464

DETROIT CHAPTER



Post Office Box 71740  
Madison Heights, Michigan 48071

PRESORTED  
First Class Mail  
U.S. Postage PAID  
Royal Oak, MI  
PERMIT #134

BRIAN D. FIGOT#  
74 E. Long Lake Road  
Bloomfield Hls., MI 48304



RECYCLED PAPER