



Federal Bar Association - Eastern District of Michigan Chapter - 39 years of service to our Federal Bench and Bar

## State of the Court Luncheon

The Federal Bar Association will host its annual State of the Court luncheon on September 26 at 11:30 p.m.. Eastern District of Michigan Chief Judge Lawrence P. Zatkoff will give the keynote speech, addressing the developments in the Court over the past year, the current state of the court, and the outlook for the future. This will be Chief Judge Zatkoff's second state of the court address since his elevation to Chief Judge in January, 1999. For more information on the luncheon, contact Julia Cardoff-Pidgeon at (313) 965-9725.

## Executive Board Meets

On July 12, 2000, FBA Eastern District of Michigan Chapter President Tom Porter presided over a meeting of the Executive Board. Porter announced three major initiatives for the year 2000. First, there will be a Social Justice Committee formed, which initially will deal with making the transition from the past relationship with Focus Hope in celebration of Martin Luther King, Jr. Day to an alternative. Second, the Chapter will work on developing a constructive and responsive answer to the request from the Court for assistance with *pro bono* recruitment. Finally, there will be a strong effort to coordinate the resources of the Membership and Communications Committees to increase Chapter membership, with an emphasis on member retention. This effort will include establishing effective electronic communications with members and enhancing communications support within the Chapter. The Executive Board also agreed to an adjustment in the current committee/section structure. This will include eliminating the "section" system, consolidating some committees, eliminating other committees,

and creating new committees. The new committee system establishes three committee groups: Event

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## President's Column

### SOCIAL JUSTICE AMONG MAJOR INITIATIVES PLANNED FOR YEAR

In the construction industry, where I work, planning is often the key to successful implementation. During the summer, your Chapter's Executive Board and Officers have participated in meetings to plan for the 2000-01 year. Although many successful Chapter activities continue with little change from year to year, these planning sessions have developed three special initiatives for this year. They are: Membership/Communications, Pro Bono assistance to the Federal Court, and Social Justice. This column concentrates on the Social Justice initiative.

The promotion of social justice is not just an appropriate role for our FBA Chapter, but, in my opinion, among our most important objectives. As lawyers and judges, we have a higher duty to assure that our justice system is fair to everyone, regardless of income, color, or social standing. Justice is administered not only within the four walls of our federal courthouse, however. Injustices in opportunities for economic prosperity and personal growth plague our communities. These social injustices are a proper concern of all lawyers and judges, and of this Chapter. Our sincere efforts to pursue solutions, through organized bar association activities, can go a long way toward overcoming the popular misconception that all members of our profession are money-grubbing cynics.

Our Chapter activities in the past have demonstrated a recognition of this important objective. One example is the prestigious Wade Hampton McCree award honoring champions of social justice. Additionally, we have co-sponsored for the past three years, with the Wolverine Bar Association, an event on Martin Luther King Day at the Focus: Hope campus in Detroit. Those of us who have attended were inspired each time by the speakers, the singers, and the memories of Dr. King's legacy.

I feel our Chapter is ready to take its Social

(cont'd on page 2)



Justice commitment to an even higher level. To this end, we are in the process of forming a Social Justice Committee, which will be a new standing committee of the Chapter. While we do not expect the Martin Luther King Day event will continue as in years past, we do expect our relationship with Focus: Hope to flourish through the activities of this new Committee. Several plans are under discussion, including participation in the annual Focus: Hope walk (Sunday October 8, 2000, 1:00 p.m. – mark your calendars!).

Some might wonder if building a relationship with a single social justice organization is appropriate for our bar organization. My vision, however, is that the Social Justice Committee will over time develop contacts with various organizations which can connect our members to worthwhile community activities. Focus: Hope is uniquely situated to serve as a starting point for these efforts. Relying heavily on inspired volunteerism and private support, it is a non-denominational organization that has demonstrated extraordinary effectiveness in advancing social justice in some of our most impoverished communities. For example, it offers underprivileged persons training in high-technology skills, leading to university degrees. It has received strong support from both sides of the political aisle, including members of our own federal bench. If anyone doubts whether this relationship is a strategic fit with our Chapter, I invite them to join me on a tour of the Focus: Hope campus. When I toured those facilities last spring with several fellow officers, we were truly inspired.

I have asked one of our highly effective past presidents, Dan Malone, to serve as a chair of this important, new Social Justice Committee; I am thrilled that he has accepted. I will be personally involved with this committee, but we need other committed persons to help define the mission and begin implementation. Please contact Dan or me if you are interested.

Those persons who may have interests in other FBA Chapter committees should likewise give me a call soon. We will particularly need fresh ideas and energy to address our two other major initiatives for the year: determining how we can tackle the Federal Court's call for support in its Pro Bono recruitment programs, and strengthening our links with our membership through effective electronic communications. More on those topics in future columns!

President,  
Thomas W.B. Porter

Committees, Outreach Committees, and Practice Committees. The committees are:

Event Committees

Annual Dinner  
Bench-Bar Conference  
Golf Outing  
New Lawyers Seminar  
McCree Award  
Gilman Award

Outreach Committees

Communications  
Courthouse Tours  
Membership  
*Pro Bono*  
Social Justice  
Younger Lawyers

Practice Committees

Bankruptcy  
Criminal Practice  
Federal Laws  
Government and Corporate  
Rules and Civil Practice

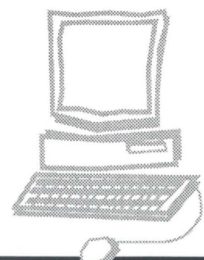
The new Federal Law Committee includes the former Intellectual Property, Labor & Employment, and Taxation Committees. The Newsletter Committee will be part of the new Communications Committee, along with the Chapter Website and other electronic communication issues. Race/Ethnic/Gender is included in the Social Justice Committee.

The Chapter is soliciting volunteers for all and leadership for some of these committees. If you would like to participate in any of these committees, interested in having

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input into the operations of the Chapter, or interested in impacting issues that affect the practicing in the Eastern District of Michigan, please contact Brian Figot at (313) 649-1900.

## Successful Annual Dinner

The FBA held its annual Dinner on May 4 at the Detroit Athletic Club. The event, attended by numerous members of the bench and bar, was once again a rousing success, thanks in part to *A (Habeas) Chorus Line's* production of "Dot.Comedy" (which is now the name of the CD, available through a cast member near you).

The Chapter honored outgoing president Mark Brewer for his leadership and service at the dinner, as our newly elected President, Thomas Porter presented him with a plaque. Also, Chapter elected the following officers at the dinner:

President:

Thomas H.W. Porter,  
Barton Malow company

President Elect:

Brian Figot,  
Jacob & Weingarten

Vice President:

Christine Dowhan-Bailey,  
U.S. Army Corps of Engineers

Secretary:

Dennis Clark,  
Plunkett & Cooney

Treasurer:

Dennis Barnes,  
Barris, Sott, Denn & Driker

Program Chair:

Julia Caroff-Pidgeon,  
Assistant U.S. Attorney

In addition, the Chapter also elected the Honorable John O'Meara, U.S. District Judge, the Honorable Donald A. Scheer, U.S. Magistrate Judge, Barbara E. Buchanan, Pepper Hamilton LLP, Grant P. Gilezan,

Dykema Gossett PLLC, and Karen Gibbs, Assistant U.S. Attorney, to three year terms on the Chapter's Executive Board.

## Michigan Supreme Court Retains, Amends Certification Rule

On June 16, the Michigan Supreme Court decided to retain Michigan Court Rule 7.305(B), which permits federal and other courts to certify a controlling, undecided question of Michigan law to the Michigan Supreme Court. In response to a proposal by the Representative Assembly of the State Bar of Michigan to add tribal courts as courts eligible to certify questions to the supreme court, the supreme court sought public comment on whether the certification rule exceeds the court's "judicial power" under article 6 of the Michigan Constitution. Both the Federal Bar Association and the United States District Court for the Eastern District of Michigan addressed letters to the supreme court, encouraging the court to retain the certification procedure. The court did so on June 16, over the dissent of Chief Justice Weaver and Justice Young. The court also adopted the proposed amendment which allows tribal courts to certify questions to the Michigan Supreme Court. The court's order, along with Chief Justice Weaver's dissent, can be found at 462 Mich. 1208, and the amended Rule 7.305 can be found at 462 Mich. xxv.

## FBA Practice Manuals

Whether you appear regularly in federal court, or only on a limited basis, this manual provides helpful information for your practice. The manual, in substantially similar format to its predecessor, contains updated profiles of the members of the bench, including the Bankruptcy and Magistrate Judges. In addition it contains valuable information on the Judge's chamber and courtroom practices on issues including the applicability of recent amendments to the Federal Rules of Civil Procedure, removal practices, standing orders, temporary restraining orders and preliminary injunctions, pretrial and status conferences, mediation, class actions, pleas and sentences, and trial.

For more information, contact Barb Radke at 313-234-5210.

## Officers 2000-2001

**President:** Thomas W.B. Porter  
Barton Malow & Company, Suite 800  
27777 Franklin Road  
Southfield, MI 48034  
Telephone: (248) 351-4610  
Fax: (248) 353-7188

**President-Elect:** Brian D. Figot  
Jacob & Weingarten, PC  
2301 W. Big Beaver Road, Suite 777  
Troy, MI 48084  
Telephone: (248) 649-1900  
Fax: (248) 649-2920

**Vice President:** Christine Dowhan-Bailey  
U.S. Army Corps of Engineers  
P.O. Box 1027  
Detroit, MI 48231-1027  
Telephone: (313) 226-6822  
Fax: (313) 226-3509

**Secretary:** Dennis J. Clark  
Plunkett & Cooney  
243 W. Congress, Suite 800  
Detroit, MI 48226-3260  
Telephone: (313) 983-4768  
Fax: (313) 983-4350

**Treasurer:** Dennis M. Barnes  
Barris, Sott, Denn & Driker

### Calendar Of Events

**State of the Court Luncheon**  
September 26, 2000  
11:30

Location: Crowne Plaza Pontchartrain Hotel  
Contact: *Julia Caroff-Pidgeon*  
(313) 965-9725

**Focus:Hope Walk**  
Sunday, October 8, 2000  
1:00 p.m.  
Contact: *Thomas W.B. Porter*  
(248) 351-4610

211 W. Fort Street  
15th Floor  
Detroit, MI 48226  
Telephone: (313) 965-9725  
Fax: (313) 965-5398

**Program Chair:** Julia Caroff-Pidgeon  
Assistant U.S. Attorney  
211 W. Fort Street  
15th Floor  
Detroit, MI 48226  
Telephone: (313) 965-9725  
Fax: (313) 965-5398

**Past President:** Mark Brewer  
MI Democratic Party Hart-Kennedy House  
606 Townsend  
Lansing, MI 48933  
Telephone: (517) 371-5410  
Fax: (517) 371-2056

**Executive Director:** Ms. Dee Osterman  
P. O. Box 71740  
Madison Heights, MI 48071  
Telephone: (248) 548-3450  
Fax: (248) 548-9563

## 2000-2001 FBA NEWSLETTER COMMITTEE

Brian D. Figot  
Jacob & Weingarten  
2301 W. Big Beaver Road, #777  
Troy, Michigan 48084  
Telephone: (248) 649-1900  
Fax: (248) 649-2920  
bfigot@aol.com

M Bryan Schneider – *Editor-in-Chief*  
231 W. Lafayette  
Detroit, Michigan 48226  
Telephone: (313) 234-5200  
Fax: (313) 234-5497  
bschneider@ck6.uscourts.gov



Kris Dighe  
U.S. Attorney's Office  
211 W. Fort Street, Suite 2001  
Detroit, Michigan 48226  
Telephone: (313) 226-9713  
Fax: (313) 226-2372  
Krishna.Dighe@usdoj.gov

Jody Sturtz Schaffer  
1200 N. Telegraph, Dept. 419  
Pontiac, Michigan 48341  
Telephone: (248) 858-0555  
Fax: (248) 858-1003  
jas@kgalow.com

William Altman  
31780 Telegraph Road, Suite 200  
Bingham Farms, Michigan 48025-3469  
Telephone: (248) 433-8710  
Fax: (248) 540-8059  
waltman@vmmlaw.com

Jane Grimes  
512 S. Washington, #328  
Royal Oak, Michigan 48067  
Telephone: (248) 310-3613  
Fax: (248) 399-1026  
janegrimes@usa.net

Elisa Angeli  
150 W. Jefferson, #2500  
Detroit, Michigan 48226  
Telephone: (313) 496-7635  
Fax: (313) 496-8454  
angeli@mcps.com

Susan Declerk  
231 W. Lafayette  
Detroit, Michigan 48226  
Telephone: (313) 234-5160  
Fax: (313) 234-5351  
sdeclerk@ck6.uscourts.gov

Christina Farinola  
231 W. Lafayette  
Detroit, Michigan 48226  
Telephone: (313) 234-5200  
Fax: (313) 234-5497  
cfarinola@ck6.uscourts.gov

John Mayer  
P.O. Box 2041  
Detroit, Michigan 48231  
Telephone: (810) 498-8781  
mayerjp@aol.com

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To make suggestions and comments about our Chapter's programs, please contact:

Thomas W.B. Porter  
Barton Malow Company  
27777 Franklin Road, Suite 800  
Southfield, MI 48034  
Phone: 248-351-4610  
Fax: 248-353-7188  
TPorter@BMC.com

If you change your address, please contact:

Dee Osterman, 248-548-3450

### **We Need You:**

In an effort to make the FBA Newsletter more informative and enjoyable, we are seeking articles or opinion pieces on topics affecting the federal bar and practice in the federal courts. If you are interested in submitting an article, or if you have any ideas on subjects on which others should write, let us know. Articles may be submitted and inquires addressed to Bryan Schneider at bschneider@ck6.uscourts.gov or (313) 234-5202.

Eastern District of Michigan Chapter, F.B.A.

P.O. Box 71740

Madison Heights, MI 48071

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*Special Thanks to our 1999-00 Newsletter Committee*

**BRIAN D. FIGOT** - Committee Co-Chair  
*Jacob & Weingarten*  
(248) 649-1900

**M BRYAN SCHNEIDER** - Committee Co-Chair  
*Law Clerk to U.S. Magistrate Judge*  
*Paul J. Komives*  
(313) 234-5200

**KRIS DIGHE** - Committee Co-Chair  
*Assistant United States Attorney*  
(313) 226-9713

**DENNIS M. BARNES**  
*Barris, Sott, Denn & Driker, PLLC*  
(313) 965-9725

**WILLIAM E. ALTMAN**  
*Vercruysse Metz & Murray*  
(248) 540-8019

**MATT LEITMAN**  
*Miro, Weiner & Kramer*  
(248) 646-2400

**BARBARA L. MCQUADE**  
*Assistant United States Attorney*  
(313) 226-9100

**STEPHEN F. PEREIRA**  
(810) 574-3893

**JODY L. STURTZ SCHAFFER**  
*Assistant Oakland County Corporation Counsel*  
(248) 858-0555

**ELISA ANGELI**  
*Miller Canfield Paddock & Stone*  
(313) 963-6420

**SUSAN DeCLERCQ**  
*Law Clerk to Honorable Avern Cohn*  
(313) 234-5160

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