

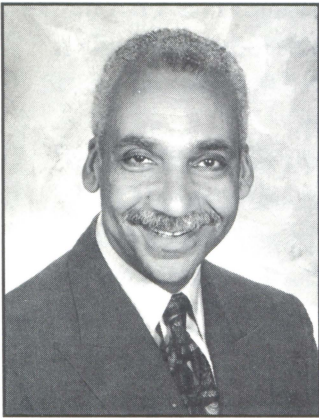


Federal Bar Association - Eastern District of Michigan Chapter - 40 years of service to our Federal Bench and Bar

State of the Court Luncheon

The Annual State of the Court luncheon will be held Wednesday, September 12, 2001 at the Pontchartrain Hotel, at 11:30 a.m., with lunch being served at 12:00 noon. After lunch, the Honorable Lawrence P. Zatkoff, Chief Judge of the United States District Court for the Eastern District of Michigan, will deliver his comments and observations on the state of the Court. The Chief Judge's presentation traditionally details changes to the bench and court administration, and recounts court filing statistics. In addition to Judge Zatkoff's address, the Pro Bono Committee of the Eastern District of Michigan Chapter will honor attorneys who participated in the Court's Pro Bono Program during the past year.

Tickets to the luncheon are available at \$25 per person for FBA members and \$27 per person for non-FBA members. For tickets, please contact our Program Chair, Grant Gilezan, telephone number (313) 568-6789; Dykema Gossett, PLLC, 400 Renaissance Center, Detroit, Michigan 48243-1668; or Barbara Radke at (313) 234-5210.



Saul Green

Saul Green

By Alan M. Gershel

**United States Attorney's
Office - Eastern District of
Michigan**

I am honored to have been asked to write an article about Saul Green's seven-year tenure as the United States Attorney for the Eastern District of Michigan. This daunting undertaking was made even more so by Saul's profound impact on the office. From an administrative standpoint, the office grew significantly. Saul appointed thirty-five new Assistant U.S. Attorneys (AUSA's). During his tenure, the percentage of minority AUSA's increased from 10% to 16% and the percentage of women AUSA's jumped from

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President's Column

Brian D. Figot, President

The State of the Chapter 2001, Part I: *The Process of Institutional Change, Inclusion and Communication*

The installation of FBA officers at the Annual Dinner is done without pomp or circumstance, and, thankfully, without long speeches. The luncheon program also operates on the principle that the president's remarks should be brief, so that the real purposes of the luncheon, i.e. the scheduled program and the eating of lunch, can be served. In lieu of long speeches, our Chapter limits the president's opportunity for comment to four newsletter columns over the course of one year. I can assure you that our Chapter has chosen the correct path, having observed the alternative on innumerable occasions (usually at a non-FBA function, while cramped behind a backdrop or poised behind a curtain with the other members of A (Habeas) Chorus Line, waiting while our after-dinner audience is bored to tears as a speaker waxes ineloquent, professes appreciation to everyone he or she has ever known, and generally wastes everybody's time and tries their patience).

As I have struggled to edit a column to the appropriate amount of newsletter space, however, the inherent problem with that path has become clear. There is so much to communicate, and so little space for the written word. I would like to write in much greater detail about the organizational philosophy — what we are and all the good things we are about. I would like to set forth and expand upon the innumerable benefits of membership and active involvement in the National FBA and this Chapter of the FBA. I would want to communicate to you details about the wealth of worthwhile activities which are undertaken

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Saul Green (cont'd)

29% to almost 38%. Saul also was very supportive in developing new programs to enhance the quality of work life for employees. He introduced flextime, flexiplace, compressed work schedules and created a telecommuting center in Ann Arbor, all of which were greatly received by the District's staff.

Although important, numbers only reveal a portion of Saul's legacy. Under Saul's direction, there were numerous and significant public corruption, organized crime, gang, environmental, civil rights, narcotic and white collar crime prosecutions. In addition, during his years, the Civil Division of the Office was aggressive in its pursuit of civil rights violations in housing and lending discrimination and in enforcing the accessibility requirements of the Americans with Disabilities Act. This District also was the first in the United States to initiate a pattern and practice investigation involving racial profiling by a municipal police department. Under Saul's direction, the District collected and returned over \$6 million in wrongfully obtained funds to the Medicare system. The Eastern District also experienced unprecedented coordination and cooperation among federal, state and local law enforcement agencies concerning the appropriate use of the forfeiture statutes. Monies collected from these forfeiture efforts were used to benefit our communities and to compensate victims of crime.

One of the more distinguishing components of Saul's leadership is the partnership he established between law enforcement and communities within the District. From the onset of his administration, he recognized that criminal prosecution and incarceration alone would not be enough to address the complex crime problems within our communities. His efforts resulted in an unprecedented partnership involving law enforcement, the private sector and community organizations. This collaboration has helped to make our communities safer and has laid the foundation for this partnership to continue for many years to come.

On behalf of the Eastern District of Michigan, I wish Saul well in his future endeavors and thank him for his tremendous effort and exemplary work over the past seven years.

Pro Bono Committee Plans Seminar

The Pro Bono Committee is pleased to announce that it will be conducting a seminar on "How to Handle a Prisoner's Civil Rights Case." The brown bag lunch seminar will be held, without charge, on October 16, 2001, from 11:00 a.m. to 1:30 p.m., in Room 115 of the Theodore Levin U.S. Courthouse in Detroit. Featured speakers include Judge Denise Page Hood, Judge Paul D. Borman, Magistrate Judge Paul J. Komives, Professor Erica Eisinger, Daniel E. Manville and Sheldon S. Toll. The seminar will explore the practical aspects of representing a prisoner and the latest doctrinal developments in prisoner civil rights law. Novices as well as seasoned practitioners are encouraged to attend. Please contact Mark Goldsmith, co-chair of the committee, at (313) 465-7396 to R.S.V.P. (by October 12, 2001, please) or for more information.

The Court

By Court Administrator Dave Weaver

In June, representatives of the FBA met with the district judges of the Eastern District of Michigan for an informal luncheon and discussion of topics of common interest. During the meeting, it was suggested that the Court submit an article for each issue of the FBA newsletter. Members of the Bench in attendance thought it was a good idea and it was agreed that I would submit the articles on behalf of the Court.

The U.S. District Court for the Eastern District of Michigan has had a busy and interesting year. Chief Judge Lawrence P. Zatkoff will be providing a detailed overview of activity in the Court in his State of the Court speech in September. As his speech will bring you up to date on the activities of the Court over the past year, I will keep this first article rather brief.

In future articles I will report on several projects including the electronic filing initiative under way in federal district, bankruptcy and appellate courts across the country and when to expect it in the Eastern District of Michigan. Please let me know what other information you might be interested in seeing in future articles by e-mailing me at mie_fba@ck6.uscourts.gov.

I will close this article by encouraging you to attend the upcoming FBA luncheon in September to hear Chief Judge Zatkoff's State of the Court speech.

Did You Know...

How many Eastern District Judges were appointed to the U.S. Supreme Court? Which judge had two daughters who also became federal district judges? What was the longest trial that ever took place in the Eastern District? What was it about? Did the "million dollar" courtroom on the seventh floor really cost one million dollars? How many different buildings housed the court? And, where were they located? What was the first case docketed after the court was established in 1836?

Don't know the answers to these thought-provoking questions? You would if you were a member of the Historical Society for the United States District Court for the Eastern District of Michigan because you would receive the Historical Society's newsletters. As FBA members you have a special low membership and subscription rate of only \$10.00 a year. Join by sending a check to Mike Lavoie, Butzel Long, 150 W. Jefferson Ave., Suite #900, Detroit, Michigan 48226.

Make it payable to Historical Society - U.S. District Court - E.D. Michigan. If you act quickly, in November you will start receiving the newsletter (along with the many other benefits) which will include an article on Judge Frank A. Picard. Excerpts from that article follow:

... "Zip" wanted to fly through the air in the big tent with his four brothers as one of the Flying Picards, and started learning the art of trapeze at the age of ten. His French-Canadian father, in the terminology of the lumber jacks who stayed at their Saginaw hotel, made it clear that circus life was not in his future. However that didn't stop Frank A. Picard from his desire for stardom as he became captain of the high school football team which won the state title in 1907 and, at 141 pounds, the star quarterback of Fielding H. Yost's 1910 and 1911 Univer-

sity of Michigan football teams. These years formed his strong spirit and aversion to criticism. When blamed for a fumble that led to a Cornell 6-0 win he responded quickly. He told everyone decisively, there's "[n]ot an ounce of truth to it." Not being able to forget the accusation, much later he wrote to a friend that he wanted to correct the record "while I'm alive so my children and grandchildren won't have to live it down."

... It was February 26, 1938. Frank and Ruth had just arrived by train in New York City. They were to embark that afternoon on the ship M. V. Britannic for a 21-day Caribbean cruise. The war in Europe was commanding everyone's attention. The newspapers were full of stories about spies and other such espionage.



Imposing a stern sentence during the communist trials in 1954.

During the cruise Judge Picard was keeping his children at home informed about his shipboard activities by writing daily letters. ... In his second letter he told of uncovering what he believed was a spy ring operating, for reasons he could not figure out, on a ship that, although stopping at several South American ports, was ultimately returning to New York. He told his

children he observed two foreigners, a German and Italian, from a vantage point where he was not seen passing notes on small pieces of paper. When the pieces of paper were dropped accidentally and unknowingly by one of the men he retrieved them. They appeared to be coded messages.

He told his children, writing from onboard the ship:

Now, I'm wondering if they saw us on the train. If they did then they must think I'm following them. Gosh, I hope they don't think I'm a "G" man because the first thing I know they'll be making spaghetti out of me ...

So far, as I said, these fellows don't even speak to each other, but they must meet some place some time to exchange information. This is an English boat you know

(cont'd on page 4)

Did You Know...(cont'd)

and perhaps they are planning against England. Germany, Japan and Italy are all peeved at England but the United States and England are standing together so it's logical to suppose they must be getting information about the U.S....

Probably his most famous case as a judge was one wherein he ruled, in 1957, that the \$6,000 spent by the United Auto Workers Union in a 1954 political campaign was not a "corrupt expenditure" under the Corrupt Practices Act. In another decision favorable to workers he held that workers were entitled to "portal-to-portal" compensation, a decision that cost the federal government more than four million dollars until Congress changed the law. . . . He had a flair for the dramatic and despised subversive doctrines and organizations. In 1954, in a case in which five men and one woman were convicted of being communists, he sentenced them to prison with the opportunity for a quick and significant reduction in time if they moved to Russia.

The only real disappointments for the judge came in the political arena. He ran for lieutenant governor on the Democratic ticket in 1920, but lost. Nominating petitions for governor in the 1936 election were circulated on his behalf by a coalition of veterans groups, but nothing came of it. He also ran for United States Senator in 1934. One Detroit newspaper described Frank Picard as the "most colorful candidate a Michigan senatorial race has seen in years." As a youngster who "had to be a fighter to survive, with self-respect, boyhood in Saginaw Valley in the lumber days," the papers predicted a strong showing against "Republican Senator Vandenberg in November." However, he lost again. . . .

Later in the judge's life, the Town Crier, Mark Beltaire, in the Detroit Free Press, described him as "a wondrously humorous, philosophical guy who enjoyed going to Briggs Stadium on warm afternoons and sitting in Nate Shapero's box when the crowds were thin and the battling on the field didn't amount to much." His philosophy was based on the words of Demosthenes when asked about oratory: "Action, action, and still more action," which he learned as a boy. From the time he awakens in the morning, and "begins splashing his bath and bouncing the soap against the ceiling so his muscles won't go stale," until late at night when sleep finally overtakes him, he is in action every minute. It was said that when studying law at Michigan Law School "he could read Blackstone, talk on the telephone, fill his pipe and

wash his hands, all at the same time." He never lingered over decisions. He made judgments, although thoughtful, quickly. "When he walks, it is with quick, space-eating strides. When he talks, the words fairly gush from him. When he shakes hands he exhibits the grip of a bricklayer. When he drinks — non-alcoholic beverages of course — he drains a glass before most persons have finished the first sip."

As you can tell from these excerpts from the November newsletter Judge Picard was a very interesting and diverse person. And we haven't even gotten into the dissertation he did on the "Trial of Jesus." For that you'll have to read the Historical Society's newsletter.

Immigration Seminar Warns of Law of Unintended Consequences

by Margaret Sind Raben

On August 14, 2001, the Chapter hosted a seminar on Immigration Law and Procedure. The Seminar was a reflection of the Chapter's concern for education, service to the Bar, and social justice, as it provided a useful introduction to immigration law, and, more particularly, provided a meaningful interface between immigration law and criminal defense.

The seminar opened and closed with remarks by the Hon. William Strasser, Immigration Judge, Executive Office of Immigration Review (EOIR), Newark, New Jersey. Judge Strasser's extensive experience in government service provided attendees with a broad perspective regarding the immigration practitioner's role in getting desired results. Judge Strasser explained the limited scope of asylum relief and the importance of making submissions "user friendly." In addition, Professor Andrew Moore, S.J., of the University of Detroit Mercy School of Law, outlined free websites which make immigration law, forms, instructions, and case law available at the tap of a finger, and identified commercial software for the legal practitioner. Professor Moore also identified various immigration-focused organizations.

For members of the criminal defense bar in attendance, especially those who very rarely deal with immigration law issues, the topic of most relevance was a panel discussion on the pitfalls of a guilty plea which might result in an alien client's removal from the United States. The panel members were the Hon. Elizabeth A. Hacker, Immigration Judge, EOIR, Detroit, Michigan; Marsha

Nettles, Esq., District Counsel Designate for the INS in Detroit; and Marshal E. Hyman, Esq., of Marshal E. Hyman & Associates in Troy, Michigan, an immigration law practitioner. Judge Hacker and Ms. Nettles discussed the legal analysis of a criminal conviction and the limited relief available to an alien who is convicted of certain crimes. For a criminal defense practitioner, the clear message is to determine the defendant's citizenship, which may not always be clear to persons who are not specialists in immigration law, and know which crimes will trigger removal proceedings. Having such knowledge enables a criminal defense attorney to address immigration consequences in the context of resolving the criminal case. For immigration law practitioners in attendance, the clear message was that non-citizen clients must be warned about the impact of criminal convictions on immigration status.

Hon. George Caram Steeh III U.S. District Judge, Eastern District of Michigan*

by Rosemary Wummel Gardey

**This article originally appeared in the March/April 2001 issue of The Federal Lawyer and is preprinted here with permission. The Federal Lawyer is printed 10 times a year, and provided without charge to FBA members.*

With a flash of his infectious and ubiquitous smile, Judge Steeh breezes into his packed courtroom with a rush of his heels, his law clerk struggling to keep up and open court before this unassuming man. The first Arab American federal district judge in the Eastern District of Michigan takes the bench before his presence may be formally announced, as he often does. Exuding quiet confidence, Judge Steeh instills an informal congenial atmosphere in his stately courtroom, an atmosphere perhaps more common in Macomb County Circuit Court, where he served as a circuit judge for eight years from 1990 to 1998, until President Clinton appointed him as U.S. District Judge for the Eastern District of Michigan on July 2, 1998. It is the creation of this relaxed atmosphere that not only fuels his widespread popularity among all facets of the federal bar, but serves as a catalyst for uninhibited and thoughtful argument. Quite often, this casual but dignified setting assists in bringing about the amicable pretrial resolution of disputes, even where settlement appeared impossible.

No matter the color or creed of those appearing here,

no matter what counsel clients may choose or have chosen for themselves, at whatever price or none at all (if the federal defender's office, for example, is involved), all stand equal before the law in this courtroom — everybody. And this truth is well-known. So prevalent and well-founded is the belief that Judge Steeh is even-handed that it is not unusual for civil plaintiffs and defendants to waive their right to a jury trial. So strong is this man's reputation for fairness that even those standing accused of crimes have waived a jury trial, despite Judge Steeh's reputation as a law and order judge and the continued support provided to him by the law enforcement community during his days as an elected circuit court judge.

Family Background

Judge Steeh is the second of five children and the first son born to Barbara Young and George C. Steeh Sr., for whom he was named. His father's parents, Dora and Caram Steeh, were Lebanese immigrants hailing from a small town in Turkey that was comprised of Arabic Christians. Caram and Dora Steeh owned a clothing store in Mt. Clemens, Mich., and were the first retailer in the area to give equal treatment to African Americans, extending credit to blacks and allowing black women to try on clothing in the fitting rooms. Judge Steeh's secretary of nearly 20 years, Josephine Chaffee, remembers years later when she helped the judge campaign for circuit judge that African-Americans were constantly telling him how much they liked the Steeh family, remembering how his grandparents had welcomed them to their store during a time of bitter segregation. His mother's parents could trace their ancestry back past the American Revolution to England. Unlike the Steeh family, the Youngs were Republicans, although their daughter and the judge's mother, Barbara, was a lifelong Democrat. His mother's father, Lee Young, was a professor at the University of Michigan and the mayor of the City of Ann Arbor.

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Judge Steeh (cont'd)

When Judge Steeh remembers his beloved mother, his eyes mist as he fondly recalls her tireless energy and how she was self-sacrificing to a fault. Before marrying his father, whom she met while he was an undergraduate at Michigan and she was home in Ann Arbor on a break, she was a student at Carlton College, a distinguished liberal arts college in Minnesota. Marriage and children intervened before she completed her degree, but years later she graduated from Oakland University. She was well loved in the community and known for her endless devotion to charity work. She volunteered on the school board, sang in the church choir, and gave aid to needy families and children. "She instilled in all of us a sense of the importance of public service," Judge Steeh says. Guests were common in the Steeh household and Mrs. Steeh always made everyone feel welcome.

Judge Steeh's father served in the state legislature for eight years, from 1954 until 1962, when he retired as a state senator. Judge Steeh remembers how much fun it was handing out ceramic donkeys in his father's campaigns and attending endless summer picnics. During his senate terms, Judge Steeh's father worked around the clock to fulfill the duties of his elected position, and to supplement his legislator's part-time salary by working at the law firm in order to support his five children. He drove to Lansing on Monday afternoons for the legislative session that began that evening and returned home on Thursdays after the session was over. From Thursday night until Monday afternoon, he worked full days and evenings at his law office, but he managed to slip home for dinner every night, squeeze in a short nap, and then return to the office where he worked until it was time for the 11 o'clock news. Life in the Steeh household was quite busy, but Sunday nights the family gathered around the television with bowls full of popcorn to watch *Bonanza* and *Have Gun, Will Travel*.

When the Judge was in sixth grade, he followed his father to Lansing during senate sessions to work as a page. He would pick up school assignments in Mt. Clemens on Monday and make the two-hour trek to Lansing with his Dad, where he would perform his daily page tasks and run personal errands for legislators. As a page, Steeh enjoyed the chance to hang out with his father in his office and to watch him argue on the senate floor with awe. He dreamed of his own ambitions for a political career. At the ripe old age of 12, the Judge

dormed in a rooming house where he learned how to get along with all different kinds of people.

Growing up, there was never any doubt that Judge Steeh would follow in his father's footsteps and become a lawyer. "From the time he was a little guy, he was going to be a lawyer. At age 8 he said he was going to be a lawyer, and he never wavered," his sister Judy Steeh, a writer in Ann Arbor, recalls fondly. To that end, there was no question that he would be trained at his father's alma mater, the University of Michigan and its law school, for, in his eyes, it was the only institution of higher learning that existed. Michigan football dominated the lives of the five Steeh children. They would pile into the station wagon for the trek to Ann Arbor on game day, often getting student tickets for as little as \$1 or waiting until half-time when admission was free.

Arab Heritage

Given that his grandparents were Lebanese immigrants, Judge Steeh especially enjoys conducting naturalization ceremonies, once traveling to the Detroit home of a 103-year-old Mexican immigrant to do so, and another time conducting a private ceremony for Sergei Federov so that the Red Wings forward could avoid publicity. When Judge Steeh took the federal bench in 1998, he began using his full middle name "Caram," rather than just the initial, to highlight his Lebanese background. Based on his judicial experience combined with his Lebanese heritage, Judge Steeh recently was invited to host a conference of Moroccan judges meeting in Rabat to assist in the current reform effort in that constitutional monarchy and former French Protectorate. The project was funded through the U.S. State Department as part of the Global Rule of Law Initiative by International Foundation for Election Systems (IFES) in Washington, D.C., which works to strengthen democratic institutions and governmental accountability around the world. Judge Steeh also serves as the president of the Arab-American Bar Association.

Early Career

After graduating from the University of Michigan Law School in 1973, Judge Steeh joined the Genesee County Prosecutor's Office in Flint where he served as an assistant prosecutor for seven years, never losing a case. Judge Steeh remembers that time as one of great personal satisfaction because "unlike private practice where as many times as not the client's objectives are not for the

fairest result in the case, in the prosecutor's office you could strive for the best and fairest outcome. You could fashion an appropriate outcome through negotiation, or dismiss a case if you had any doubts, or refuse to bargain if somebody really had to be put away. In the prosecutor's office, it was not just about fashioning an outcome that served the victim and the community at large, but finding a result that was best for the offender as well."

While at the prosecutor's office, the chief prosecutor, considered a radical liberal, was himself indicted for alleged embezzling. At the time, Judge Steeh, who highly esteemed and admired his boss, believed that the chief's political enemies were behind the prosecution. When the prosecutor was eventually convicted and the evidence left little doubt of his guilt, Judge Steeh learned not to accept things at face value and gained a healthy, but never cynical, sense of skepticism. "We all have the potential for good and evil," the judge reflects thoughtfully, "I recognize that those who have committed crimes are not all that different than those of us who have not; we all have the potential to do wrong, and most criminals have the capacity to do right. So I treat everybody with the same respect and those who have committed crimes deserve the same dignity."

In 1980, Republican Governor Milliken reached out across party lines to appoint Judge Steeh's father to the Macomb County District Court. His father continues to sit on that court as a visiting judge, even though he has reached the age of 81. The appointment left a hole in the three-attorney partnership of Neale, Steeh and Hader where his father had practiced for years, and Judge Steeh left the prosecutor's office to fill that void. At the law firm, Judge Steeh represented a wide spectrum of clients, from capital criminal defendants to family owned businesses.

Although Judge Steeh once aspired to follow his father to the legislature or even to run for governor, after the Nixon scandal he grew disillusioned. As political campaigns grew increasingly vicious and brutal personal attacks commonplace, he turned his attention to the judiciary where he felt public respect remained and campaigns maintained civility. Remembering back to his rewarding days as an assistant prosecutor, he believed a judgeship, like the position of prosecutor, would allow him to work for fairness and justice. So when Macomb County opened a second district judge slot, Judge Steeh ran for the position, beat out eight other candidates in the primary, and won the election by a two to one margin.

From 1989 to 1990, anybody appearing in Macomb County District Court was before a Judge Steeh, either senior or junior. While Judge Steeh and his father shared a docket, criminal defendants hoped for their case to be assigned to Judge Steeh's father, for although Judge Steeh considered himself quite lenient, he could never rival his father's legendary reputation for merciful treatment. Judge Steeh remembers how he would plead with his father to sentence repeat drunk drivers to at least some prison time, but his father chided him for his "toughness." Telling of the close bond between father and son, when his father celebrated his 80th birthday, Judge Steeh met with U-M football coach Lloyd Carr, and football legend Bo Schembechler, to film a video message to mark the special occasion.

In 1990, Governor Blanchard picked Judge Steeh for a vacancy on the Macomb County Circuit Court where he served until 1998, winning two elections, one in 1992, and another in 1995 where he was the top vote getter among seven competitors. He loved the challenge of planning and executing a campaign and the chance to meet with voters to talk about issues. While a circuit judge, he was well-regarded both for his intellectual abilities as a jurist and for his personal qualities. He was known then, as he is now, for exuding kindness and extending courtesies to the trial attorneys appearing before him. From his days at the law firm, he learned the vital role a judge could play in inspiring clients' confidence in their own lawyers which is so crucial to the pretrial resolution of disputes. *The Detroit News* rated him as one of the top judges in a poll released in 1995 and in 1996 the *Detroit Free Press* published an investigative report finding him to be one of the least reversed judges on the bench.

Commitment to his Community

It is Judge Steeh's continuing and persistent dedication to his fellow man, to his community, and to society as

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If you are interested in publishing an article on any topic of interest to the Federal Bench and Bar or have an item for the "News & Moves" section, please call Elisa Angeli, at 313/496-7635, or Michael Riordan, at 313/226-9602. New writers are always welcome.

Judge Steeh (cont'd)

a whole which have driven his tireless devotion to so many charitable causes, most notably perhaps the March of Dimes where he has served on the board of directors for the past 10 years. He is a champion of the victims of domestic violence, women and children alike, having helped found the Child Advocacy Center, and serving on the Macomb County Domestic Violence Coordinating Council. With a humility rare in one so greatly accomplished, Judge Steeh has viewed his promotion to the role of federal judge as an opportunity to perpetuate a lifetime of public service.

Judicial Philosophy

Although Judge Steeh has an impressive track record of being affirmed by the Sixth Circuit on appeal, in deciding any given case before him, his focus is not how his decision will be reviewed but how his decision will impact the parties appearing before him. He is concerned with doing the right thing for the individual case in light of the existing law. He deeply respects precedent, but in doing so, he looks beyond the mere holding of a particular case and considers the decision in light of its historical context, its factual underpinnings, and the policy interests at stake. He has an open mind which allows him to understand competing and complex viewpoints and to arrive at creative solutions to problems, often finding a resolution which neither side proposed. When asked to describe his judicial philosophy, the judge responds: "My philosophy is not to have a philosophy, but to fairly decide individual questions that are presented and to work through issues in a neutral problem-solving way. Obviously, you need to evaluate the ultimate outcome in light of your basic sense of fairness, but I try to defer focusing on the actual outcome until I've worked through the entire analysis in a critical manner."

Federal Judgeship

After taking the bench in 1998, Judge Steeh has continued to serve the public with the same steady fairness and cordial nature which won him widespread popularity as a state judge. He is a true Democrat with a BIG heart, but he consistently approaches his cases with a level head and an open mind. One case stands out. A former hourly worker was told that he had enough seniority to retire but after doing so, was told that a mistake had been made as he was a few months shy of the 30 years needed for him to retire. The employee hired

counsel from his small town, who lacked any experience in ERISA law and was not well prepared to defend the matter when the corporate defendant removed his "breach of contract" case to federal court. No matter plaintiff's counsel's lack of experience, Judge Steeh was able to draw on his own knowledge of the law to bring about a fair resolution.

Not only do attorneys enjoy practicing before Judge Steeh, but his staff loves working for this upbeat man. Telling of the strong bonds he forges wherever he goes, in addition to his secretary of nearly two decades, Judge Steeh brought Mark A. Miller, a Macomb County Circuit Court research attorney for nearly a decade, to be his law clerk, and dragged longtime friend and former court reporter of eight years, 64-year-old Harold Henry, out of retirement to follow him to federal court. A host of interns from several law schools, including, of course, the judge's alma mater, the University of Michigan, as well as from local law schools including Wayne State and the Detroit College of Law, have spent a semester in chambers and the judge carves out time to work with them personally on at least one project. Judge Steeh's advice to young lawyers is "do not be afraid to make changes in your work to find something you really enjoy doing. It is so easy to get trapped in work by the need to provide for your family. But the importance of how you spend your days is so great, it does not make sense to waste time on work you don't like."

Interests

Besides being a longtime Michigan football fan and season ticket holder, Judge Steeh also enjoys travel, golf, and antiquing. His antiquing hobby has filled every cranny of his home and basement, so his dual chambers in Ann Arbor and Detroit are the recipients of an assortment of personal treasures and pictures. His Ann Arbor chambers serve as a shrine to the University of Michigan football team, showcasing such prized regalia as signed photographs of Heisman trophy winner Charles Woodson. Also displayed proudly is the judge's historic collection of radios and camels. In Detroit, the bookshelves are adorned with a collection of chrome toasters, all of which still work, and the walls are covered with an eclectic collection of pictures. Hon. Bernard Friedman, U.S. District Judge for the Eastern District of Michigan, whose Detroit chambers are down the same corridor, cannot resist teasing Judge Steeh about the mirrored flamingo prints which grace the wall space over the drinking fountain.

Conclusion

No matter that Judge Steeh's commute from Mt. Clemens, his beloved hometown for most of his 53 years, to Ann Arbor may have stretched to three hours on a particular snowy morning, his brown eyes still sparkle with a youthful optimism, undeterred by a lifetime of experiences that might have led a lesser man to adopt the cynicism that has unfortunately become so prevalent in our society. Through his position as U.S. District Judge, Steeh is giving society a reason to lose that cynicism and to adopt his cheery vision of reality. By his example of civility, diplomacy, and ultimate fairness, he is brightening the world around him and restoring the people's faith in the integrity of the judicial system. He is one public servant who deserves and has rightfully earned the people's unwavering trust. The man's goodness radiates. You would have to be in his courtroom to believe it, but even those criminals he sentences for a very long time seem happy to be appearing before him. For good reason too.

Rosemary Wummel Gardey is an attorney in Miami. She clerked for Judge George Caram Steeh from 1998 to 2000.

The FBA Chapter Annual Dinner

On May 2, 2001, the Eastern District of Michigan Chapter held its Annual Dinner at the Detroit Athletic Club. This was the second year for the event at the DAC and all present proclaimed the dinner to be a rousing success. Over 225 members and guests attended, including seventeen judicial honorees. In addition, sixteen firms and corporations helped sponsor the festivities by purchasing tables and hosting the judicial honorees. The sponsors were: Ameritech; Barris Sott Denn & Draker; Barton Malow Company; Bodman Longley & Dahling; Butzel Long; Clark Hill; Dickinson Wright; Dykema Gossett; Foley & Lardner; Honigman Miller Schwartz & Cohn; Howard & Howard; Kelley Casey & Clarke; Miller Canfield Paddock & Stone; Pepper Hamilton LLP; Plunkett & Cooney; and Vercruysse Metz & Murray. The continued support of these firms and corporations is greatly appreciated and critical to the continued success of the event.

Keeping with tradition, entertainment was provided

by A (Habeas) Chorus Line, which gave a rousing and hilarious performance of its new review, "2001: A Spaced Odyssey," that included the troupe's unique take on "The Music Man." Expanding the fun, this year the Chapter also held a silent auction, with items ranging from a football signed by Lloyd Carr to bread home-baked by Larry Campbell, "himself." The proceeds of the silent auction went to the FBA Foundation. In addition, the event afforded the Chapter the opportunity to present Judge Patrick J. Duggan a gift – a rocking chair – to honor his long-standing commitment to the Chapter and his ascension to senior status. Perhaps most importantly, for the second year in a row, the Annual Dinner met its fund-raising target in support of the Foundation, with net proceeds just in excess of \$3,000.

The members of the Annual Dinner Committee for the last two years, Bruce Byrd and Kelly Schadel, have moved on to take over the FBA's Young Lawyers Division. Kudos to Bruce and Kelly for a job well done. Kristin Dighe and Laurie Michelson have graciously agreed to plan the 2002 dinner. We look forward to seeing you there.

Sixth Circuit Seeks Comments

The Sixth Circuit is asking for comments on a proposed rules change, the effect of which would be to eliminate the "proof brief" requirement. The full text of the proposed changes is available at <http://pacer.ca6.uscourts.gov/rules/proposedrulechanges.htm>.

Comments are due no later than November 15, 2001, and must be made in writing and sent to:

Clerk of the Court
United States Court of Appeals
for the Sixth Circuit
532 Potter Stewart U.S. Courthouse
100 E. Fifth Street
Cincinnati, OH 45202-3988

or by e-mail to: leonard.green@ca6.uscourts.gov

by the organization, including the luncheon programs, seminars, conferences and other opportunities we have to interact with and learn from our colleagues in the bar and on the bench; the courthouse tours and scholarships, through which we serve younger generations from grade school to law school; and the countless ways by which we serve the ends of justice generally and social justice in particular.

Most of all, I would want to tell you about the incredible number of extraordinary people with whom I have had the honor of working during my nearly 20 years of membership in this Chapter.

No doubt you have surmised at this point that I believe the Chapter is in fine shape in nearly every respect. In fact, I cannot think of a year where it could not be said "we are better off at this time this year than we were at the same point last year." Historically we have been, and we remain, a dynamic organization which is mindful of the need to continually assess who we are, what we are, what we do, and how we do it, so we can remain responsive to the changing needs, desires and expectations of our membership.

Focusing exclusively upon our Chapter's efforts over the past five years, on the local level, as has been chronicled in prior issues of this Newsletter, among other things, we have:

- Revitalized the luncheon series, as more and more members have attended and seen a series of engaging speakers and interesting — often controversial — programs;
- Co-sponsored two Bench-Bar Conferences which have each led to positive changes in the practice of law in this District. Presently, a third conference is in the planning stages;
- Contributed to the development of the Civility Principles which were approved by the United States District Court for the Eastern District of Michigan;
- Sponsored the first, and second, Passing of the Gavel ceremony, which commemorates the swearing-in of a new Chief Judge in the District;
- Undertaken a Social Justice Initiative, instituted a Social Justice Committee to study ways in which that Initiative may be implemented, and formed an ongoing relationship with Focus: HOPE;
- Commenced a mutually beneficial relationship with the Eastern District of Michigan Historical Society, which now co-sponsors our annual Rakow Luncheon;
- Contributed to the historical preservation process ourselves, through the formation of and financial contribution to a 501(c)(3) foundation which as-

sists in the development of judicial portraits; and

- Instituted an Action Plan, streamlined our committee structure, developed a budgetary process, and adopted a Mission Statement.

Why, then, in light of such notable accomplishments, have our membership numbers stagnated, even declined? Why are there so many non-members among the attorneys who practice in this District?

The answers, I believe, in large part lie in our limited ability to (1) "get the word out" more effectively, to a greater number of people, regarding the benefits of membership; and (2) establish a dialogue instead of a monologue, and thereby obtain critical feedback from non-members, former members, and disaffected members. The first problem arises from the limitations of traditional **communication**, to which I alluded at the outset. The second problem is one not just of communication, but also of **inclusion**. The goal is to improve our organizational performance in these two critical areas, while maintaining our progress in the areas where institutional change has already occurred.

Under the communications initiative which was begun last year, the Chapter already has studied the exciting possibilities of electronic communication, which can serve the dual ends of communication and inclusion in several ways. This summer, we obtained a grant from the National FBA for the development and implementation of a Chapter website and an e-mail system. Both are nearly ready to go on line. There will be more on these developments in the next issue.

You also will see substantive improvements in the Newsletter, starting with this issue and continuing through the year, and you will see the Newsletter in more than just your mailbox. Instead of being distributed to members only, it will be widely disseminated as a public expression of the Chapter's character, achievements, and plans. It will appear in Chambers, attorney conference rooms, law firm reception areas, and even in the law schools. When the website is up, it will be there too. In terms of inclusion, the Younger Lawyers Committee already is being revitalized, and looking to expand its reach to Younger (Almost) Lawyers by assisting the formation of law student associations. Soon you will **see, read** about, and hopefully **contribute** actively to other efforts directed toward inclusion, as the Chapter continues to look for ways to improve.

I look forward to fostering this new era of growth within our Chapter over the next year. Please let me know of any ideas that you may have on how we can become even more responsive to the needs of our membership and better serve the Eastern District of Michigan.

FBA Golf Outing A Success

Continuing one of the Chapter's longest running traditions, this year's annual Federal Bar Association Golf Outing was a smashing success. Under blue skies, eighteen foursomes tee'd off in a scramble format tournament at Boulder Point Golf Club, a newly designed course rated as one of Michigan's best public courses. The winning team of Clarence Pozza, Thomas Cranmer, David DuMouchel and Kirk Falvay, posted an impressive ten under par 62 on the challenging course. Speaking on the condition of anonymity, the dominating foursome's captain vowed that his team would repeat next year. Such a comment is sure to fuel friendly competitive fires for next year's outing.

In addition to the usual awards, prizes, and gourmet dinner, this year's tourney featured impressive hole-in-one prizes on each of the par three holes. In another special competition category, one almost-lucky golfer, with an eighty foot putt, came "within a whisker" of winning a \$5,000 prize in a "putt-off" sponsored by the Detroit Metropolitan Bar Association Foundation, which jointly participated in planning and organizing this year's event. Both the Federal Bar Association and the Detroit Metropolitan Bar Association Foundation thank the golfers and sponsors who helped make this year's outing a success.

Young Lawyers Division

One of the Federal Bar Association's goals for this year is to increase the interest, participation and membership in the Young Lawyers Division. In particular, the new YLD Committee Chairs, Kelly Schadel and Bruce Byrd, will be contacting the Michigan law schools in an effort to increase student membership. The immediate goal of this effort is to educate law students on the benefits of becoming an FBA member and to encourage them to join the student section. The ultimate goal is for these students to sustain their membership in the FBA after graduation from law school.

The Committee Chairs are presently scheduling informal presentations at the law schools. Depending on the interest the presentations generate, there may be efforts in the future to establish formal student organizations within each school with FBA Committee Chairs acting as law school liaisons. Other initiatives include sponsoring a workshop on interviewing and job search skills, developing a mentoring program, and holding a forum involving federal judges and attorneys to discuss the

(cont'd on page 12)

Calendar of Events

Executive Board Meeting

September 11, 2001

12:00 noon

Location: Second Floor Conference Room,
Theodore Levin U.S. Courthouse

State of the Court Luncheon

September 12, 2001

11:30 a.m.

Location: Crowne Plaza Pontchartrain Hotel
Contact: Grant P. Gilezan, Chapter Program Chair
(313) 568-6789 or ggilezan@dykema.com

National FBA Convention

September 13-16, 2001

Location: Tuscon, Arizona

Contact: Leslie Murray, FBA Director of Programs
(202) 785-1614 or lmurray@fedbar.org

Pro Bono Seminar

"How to Handle a Prisoner's Civil Rights Case"

October 16, 2001

11:00 a.m. to 1:30 p.m.

Location: Room 115, Theodore Levin U.S. Courthouse
Contact: Mark Goldsmith, Co-Chair, (313) 465-7396

Officers Meeting

November 6, 2001

9:00 a.m.

Location: TBD

Executive Board Meeting

November 8, 2001

12:00 noon

Location: Second Floor Conference Room,
Theodore Levin U.S. Courthouse

Rakow/Historical Society Luncheon

November 15, 2001

11:30 a.m.

Location: Crowne Plaza Pontchartrain Hotel
Contact: Grant P. Gilezan, Chapter Program Chair
(313) 568-6789 or ggilezan@dykema.com

New Lawyers Seminar

December 4-5, 2001

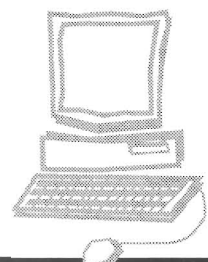
8:15 a.m.

Location: Theodore Levin, U.S. Courthouse Room 115
Contact: Dee Osterman (248) 548-3450

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If you have additional suggestions for increasing the membership of the Young Lawyers Division, or would like to become involved in the efforts to do so, please call Kelly Schadel at 313-393-7387 or Bruce Byrd at 313-223-8188.

Chapter Co-Hosts Social Security Disability Seminar/Bench-Bar Panel Discussion

In most years, the Golf Outing is the only event hosted by the Chapter between the Annual Dinner in May and the State of the Court Luncheon in September. This year, however, thanks to the initiative of Chapter Members, we had our fullest summer schedule in recent memory. The Chapter conducted two seminars on matters of federal law and practice, allowing for an early start on the yearly docket of events which promote professionalism and provide service to the Bench and Bar.

As a result of the extra efforts of Dona Tracey and Kent Cooper, on June 8, 2001, at the Theodore Levin U.S. Courthouse, the Chapter, in cooperation with the Social Security Section of the National FBA, the Chapter held its first event, a well-attended Seminar/Bench Bar Panel Discussion on Social Security issues.

Six panelists, including Assistant United States Attorney Peter Caplan, Gary Sultz from the SSA Office of General Counsel, and four area Administrative Law Judges from the Office of Hearings and Appeals ("OHA"), commented upon and discussed a wide range of issues. The items on the agenda included changes in the OHA, development of the record, expeditious processing of cases, the role and responsibilities of Administrative Law Judges and claimant representatives, appeals to the District Court, and ethics and professionalism.

Also in attendance were the Hon. Kathleen A. McGraw, Administrative Law Judge, Atlanta (Georgia) North OHA, the Hon. Tom Walters, Chief Administrative Law Judge in the Detroit office; Hon. Karen J. Goheen, also of the Detroit office; and Hon. Gerald Freedman and Hon. Melvyn Kalt, of the Oak Park, Michigan office.

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