



FBAnewsletter

Spring 2012

Federal Bar Association - Eastern District of Michigan Chapter - 54 years of service to our Federal Bench and Bar

Mukasey to Address Gilman Luncheon on May 9th



*Margaret
Sind Raben
Award
Recipient*

Chapter members are once again in for a very special treat at this year's Leonard R. Gilman Award Luncheon. The Luncheon will be held on Wednesday, May 9th at 11:30 a.m. in the Woodward Ballroom at the Westin Book Cadillac Hotel. The keynote speaker will be Judge Michael B. Mukasey, a former U.S. District Judge and the 81st Attorney General of the United States.

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Law Day 2012: No Courts, No Justice, No Freedom

On May 1, 2012, the Court, the Chapter, and the United States Attorney's Office will host an open house at the Courthouse to celebrate Law Day. The event will occur between 11:00 a.m. and 2:00 p.m. The theme for this year's celebration is *Law Day 2012: No Courts, No Justice, No Freedom*. Participants will include local federal and state law enforcement agencies, members of the federal judiciary and other invited guests. Courthouse tours will be scheduled.

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Book Club to Meet on May 2nd

The next selection for the Chapter's Book Club is *Defending Jacob*, a novel by William Landay that is currently moving up *The New York Times* bestseller list. This is the Book Club's first fiction selection. A blend of

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President's Column

Michael J. Riordan

An FBA Newsletter Column About the FBA Newsletter

There is a circle in the lower right corner of this page which contains the words "WINNER, 9 Years, National FBA Outstanding Newsletter Award." Those words, of course, are a testament to the excellence of the Chapter's Newsletter and its impressive streak of nine consecutive awards.

To put the nine-straight outstanding newsletter awards in perspective, no other chapter in the Country has come close to matching the streak, which has been analogized to the most durable streak in the history of sports – Joe DiMaggio's fifty-six game hitting streak. Like the Yankee Clipper's feat, our Newsletter's streak probably never will be equaled. To whom is this streak of excellence owed? It is the result of years of dedication and hard work of the many members who have written and edited our Newsletter during our Chapter's fifty-four year history.

Our website, www.fbamich.org, under the "Newsletter" link, allows access to Newsletters as far back as twenty-nine years ago. The first Newsletter that can be accessed is the January 31, 1983 edition, edited by now-retired AUSA Geneva Halliday and now-retired ALJ Ellen G. Rittman. That Newsletter consisted of two typewritten pages and it is headlined by an announcement for the annual Rakow Scholarship Luncheon, with featured speaker Judge Cornelia G. Kennedy, to be held at the Renaissance Center's Riverfront Ballroom. The luncheon had an admission price of \$14 per person (which, adjusted for inflation, is \$32 in today's dollars!).

The 1983 Newsletter also has an announcement for an "Effective Criminal Appellate Advocacy" seminar for the "Federal Defenders Panel." Attorneys Arthur Tarnow and Miriam Siefer were the seminar's featured speakers. The brief, one paragraph announcement included that "Seminar Chair, Paul Borman says that the program is open, space permitting with no charge." The two-hour evening seminar was held in the Courthouse's jury assembly room.

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**WINNER
9 YEARS
National FBA
Outstanding
Newsletter
Award**

President's Column (continued)

Flipping fast-forward to the most recent edition of the Newsletter, the twelve page, glossy, professionally produced, Winter 2012 issue, co-edited by Christina Farinola and Andrew Lieveuse, contains fourteen lengthy articles and fifteen color pictures featuring scores of federal practitioners, judges and court personnel at numerous Chapter events.

The evolution of the Newsletter tracks the evolution of the Chapter over the past twenty-nine years. Contributors to Chapter events and the Newsletter, like now-Judges Arthur J. Tarnow and Paul D. Borman from the January 1983 edition, have gone from hosting and instructing at seminars in the Courthouse to actually holding court there. And, of course, Miriam Siefer has gone on to become Chief Federal Defender and chair of the Chapter's Social Justice Committee. Likewise, a quick browse through the 110 or so Newsletters linked on the website provides a fascinating glimpse of the Chapter over the years and a snapshot of the many members who have contributed to its phenomenal success.

In January 1989, the Newsletter expanded to six pages of mimeograph-style blue-on-white print that continued for the next five years. The January 1991 Newsletter, with nine articles, featured the recap of the inaugural Wade Hampton McCree, Jr. Award and had two black & white photos -- one of then-Michigan Supreme Court Justice Dennis W. Archer and the other of the late Congressman George W. Crockett, Jr. -- the first recipients of that prestigious award. There also is a notice for the "First Annual Dinner-Auction" scheduled for May Day of that year. Among the interesting items that were to be auctioned was "a week at Maura Corrigan's and Joe Grano's seaside retreat, on the coast of Maine, or lunch at the Lafayette Coney Island."

The mimeograph machine was retired in time for the 1994-1995 Chapter year, with a fresh, glossy new look, edited by now-Michigan Supreme Court Justice Mary Beth Kelly. Those Newsletters featured eight pages of articles, news and views. Among the lead stories for that edition were "Judicious Thoughts from Chief Judge Julian A. Cook, Jr." and announcements of the appointments of Judges Paul D. Borman, Denise Page Hood and John Corbett O'Meara. After five more years passed, the newsletter took on the look that endures to this issue.

In spring 2001, the Chapter adopted a mission statement and the Newsletter's lead article was about the McCree Luncheon which was to feature a "Discussion on *Bush v. Gore*." Since that time, the Newsletter has expanded in size and, from time to time, has included new features such as crossword puzzles based on persons, places and things familiar to Chapter members; the "Counselor of Civility," which offers advice on civility in federal practice; "Tidbits and Trivia" on Chapter history; and "Focus on An FBA Member," which highlights judges, court personnel and practitioners in the District.

But, the must-read issue for anyone interested in the history of our Chapter is the Winter 2007 "Golden 50th Anniversary Commemorative Issue," that includes articles typeset in gold. The thirty-two page issue re-caps the Chapter's activities decade by decade. That issue, without a doubt, is the magnum opus in a stellar repertoire of Chapter Newsletters.

I invite you to relive the history of the Eastern District through the Chapter's Newsletters. It is a fun, informative and nostalgic journey. It will be even more fun and nostalgic, twenty-nine years from now, to look back at the issues from 2012 through 2041 to see where our Chapter evolves from today. My prediction is that great things are in store for all of us over the next three decades.

Book Club (from page 1)

legal thriller and family drama, the book tells the story of Andy Barber, an assistant district attorney whose teenage son is accused of a classmate's murder.

The book is getting great reviews that compare Landay to Scott Turow. Landay will join us by video conference at the Book Club meeting on May 2nd at noon in Room 722 of the Courthouse. Pick up or download the book today.

The Book Club is designed to build relationships between the Bench and Bar through an informal but elevated dialogue. Attendance is free for FBA members; \$5 for non-members. To order lunch or for more details, contact Andrew Doctoroff (adoctoroff@honigman.com) or Erica Fitzgerald (efitzgerald@bsdd.com).

Meet the Magistrate Judges

The Chapter's Labor and Employment Law Committee is hosting a "Meet the Magistrate Judges Panel" on Friday, May 11th, in Room 115 of the Courthouse. The program is open to all Chapter members as well as anyone who practices in federal court.

The Panel will be moderated by Magistrate Judge Mona K. Majzoub and will include the Court's two most recent Magistrate Judge appointees, Laurie J. Michelson, who took the bench in February 2011, and David R. Grand, who was sworn in this past January. The Magistrate Judges will discuss their thoughts on various topics including: discovery, motion practice, settlement & trial, and other subjects. This is an excellent opportunity for attorneys to meet Magistrate Judges, and to hear firsthand their thoughts on topics of interest to litigators.

The program runs from 11:30 a.m. to 12:45 p.m. It begins with a box lunch that is included in the registration fee. Registration is \$25.00 for FBA members, \$35 for non-members.

If you are interested in attending, please register on or before Monday, May 7th. You can download a registration form

for mailing or register online at www.fbamich.org For further information, email fbamich@fbamich.org or call Gregory Murray at 248-540-7024.

Gilman Luncheon *(from page 1)*

Attorney Margaret Sind Raben of Gurewitz & Raben PLC will receive the Gilman Award. The Gilman Award is given annually to an outstanding practitioner of criminal law who exemplifies the excellence, professionalism, and commitment to public service of Len Gilman, who was U.S. Attorney for the Eastern District of Michigan at the time of his death in 1985. The selection is made by prior recipients of the Award, many of whom served with and knew Len.

Tickets are \$25 for FBA members and \$30 for non-members. For more information and to register for the Luncheon, visit the Chapter website or contact Program Chair Kimberly Altman at 313-234-5163.

Announcing the Bench/Bar Social and Golf Outing

On May 21st, the Chapter will host a Bench/Bar Social and Golf Outing at Plum Hollow Country Club in Southfield. The event is strictly social and will provide an afternoon of fun and camaraderie for golfers and non-golfers alike.

For the Golfers: The event will start at 11:00 a.m. After a short refreshment break, your second nine holes will be a “five-some,” with your group accompanied by one of the judges on the Eastern District Bench.

For all: Non-golf activities are being planned.

Dinner will begin at 6:00 p.m. The price for foursomes is \$525. Dinner-only tickets also will be available. More details will be forthcoming – check the Chapter website at www.fbamich.org, or the e-Blast. For further information or to participate as a sponsor of this event, please call Joseph Sullivan (248-489-6098), Matt Lund (248-359-7370), or Thomas Esordi (734-231-7178).

Mediation/Facilitation Seminar

On March 19th, the Chapter’s Complex Commercial Litigation Committee hosted a seminar discussing mediation/facilitation and trial of complex federal cases. The seminar was held in the Courthouse and consisted of two panel discussions.

The first panel included Chief Judge Gerald E. Rosen, Magistrate Judge Mark A. Randon and Judge Layn R. Phillips. Judge Phillips traveled from Newport Beach, California to participate in the seminar. He is the former U.S. Attorney for Oklahoma where he also served as a U.S. District Judge in Oklahoma City. After this service, he returned to private practice, and he now travels nationwide acting as a mediator in high-stakes civil litigation. The first panel, moderated by Michael Palizzi and Brad Darling, covered a broad range of topics such as: effective settlement techniques; how to write effective mediation summaries; special considerations for settling class action litigation; how and when to involve private mediators in litigation; how magistrate judges can serve as effective facilitators; and the impact of insurance coverage on settlement of complex cases.

The second panel was comprised of Judges Arthur J. Tarnow, Denise Page Hood and John Corbett O’Meara. This panel, moderated by Gary Faria and Jeff Sadowski, discussed various issues that arise during trials of complex cases, such as: jury instructions; how judges view *Daubert* motions and motions *in limine*; and the differences between jury trials and bench trials.

The discussion gave practitioners insight into how these judges think attorneys can most effectively present complex cases in federal court. A lively question and answer session commenced at the conclusion of the moderated discussion.

Following the panel discussions, a cocktail reception was held at the Westin Book Cadillac Hotel. The seminar was well-attended and feedback indicates that the attendees found the discussion extremely valuable. The Complex Commercial Litigation Committee is in the planning stages for a summer 2012 seminar – keep watching the Chapter eBlasts for the latest updates.



Chief Judge Gerald E. Rosen, Judge Layn R. Phillips and Magistrate Judge Mark A. Randon.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

Chapter Membership Drive Makes Progress Toward Goal

As many members know, the Membership Committee has set a goal of signing up at least 200 new members. To help meet this goal, the Committee held two membership “phone-a-thons” in recent months, on December 8, 2011, and February 2, 2012.

In addition to encouraging professional colleagues to join the National FBA and our Chapter, the drive is focusing on signing up current National members who are not also Chapter members and newly admitted attorneys, and making sure that the new lawyers renew their memberships. Keep your eyes open for future membership drive events as we continue toward our goal.

Special thanks goes to the following members of the Committee for their continued efforts in making the membership drive a success: Jeff Appel, Tom McNeill, Brian Figot, Dan Sharkey, Jennifer Newby, and Nicole Wotlinski. Also, the Chapter thanks Committee Co-Chairs Michelle Alamo and Kevin Fanning for their leadership.

Diversity Committee Hosts “Special Day” for Local Law Students

On March 8th, the Chapter’s Diversity Committee hosted a “Special Day” at the Courthouse for local law students. The event was very well attended, drawing about 30 law students from Cooley Law School, University of Detroit Mercy School of Law, and Wayne State University Law School. The students began the day with a Courthouse tour guided by resident tour expert Barb Radke. The students then observed trials in two high-profile criminal cases – the Hutaree case in Judge Victoria A. Roberts’s courtroom and a drug conspiracy case in Judge Marianne O. Battani’s courtroom.

Next, a lunch-panel discussion was held with Judge Denise Page Hood, Magistrate Judge Laurie J. Michelson, career law clerk Jennifer McManus, and attorney Stanley Pitts. The students and panelists engaged in a lively discussion, covering a

broad range of topics such as how to maintain a healthy work/life balance, what the panelists “wished they knew” in law school, the duties of magistrate judges, the value of federal court internships, the role of judicial law clerks, and how to effectively practice in federal court. Following lunch, the students observed a dispositive motion hearing before Magistrate Judge Mark A. Randon.

Special thanks to attorneys Emma Chen, Catherine Dobrowitsky, and Shanta McMullan for making this “Special Day” such a successful event!

The Chapter Celebrates Our Diversity

On March 15th, the Chapter once again demonstrated its commitment to diversity and advanced its efforts to collaborate with other special purpose bar associations that share its commitment. That afternoon, the Chapter’s Diversity Committee and State Bar of Michigan Diversity and Inclusion Advisory Committee (DIAC) jointly hosted a Diversity Summit at the International Center in Detroit.

Judge Victoria A. Roberts and Dean John Nussbaumer, members of our Chapter’s Diversity Committee and co-chairs of the DIAC, opened the discussion by informing attendees of the distressingly low numbers of minority law students and law school graduates in Michigan, as compared to the national average and to other professions. One point of optimism was that a significant percentage of law firms have expressed an interest in participating in programs aimed at improving the diversity of the legal profession.

SBM Director of Diversity Greg Conyers then spoke about the State Bar’s continuing efforts to encourage collaborative diversity programming among the various special purpose bar associations. Finally, with Diversity Committee Co-Chair Elizabeth Stafford moderating, each of the 12 bar associations represented at the



Panel Discussion



Front Row: Elizabeth Stafford, Julie Fershtman and Gregory Conyers. Back row: James Rosenfeld, Peter Alter, Elisa Angeli Palizzi, Michael Riordan, Judge Katherine L. Hansen, Emma Chen, Diane Paulsen, Stephanie D. Jones, Diana Shkreli, Lawrence Garcia, Peter Falkenstein, Gail Pamukov-Miller, Elizabeth Jolliffe and Kristin Murphy.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.



Judge Charlene M. Elder, Judge Connie Marie Kelley, Congressman John Conyers, Judge Craig S. Strong, Judge Kathleen M. McCarthy, Judge Lawrence Stuart Talon and Judge Katherine L. Hansen.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

Summit shared the background of their associations and the members they served, and described their diversity efforts.

After the work at the Summit was complete, it was time for fun and frolic. The Chapter was one



Peter Alter, Julie Fershtman, Judge Lawrence Stuart Talon and Elizabeth Jolliffe.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.



Catherine O'Meara, Judge Timothy M. Kenny, Susan Reed, Bill Winters and Julie Fershtman.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

of twenty-five area bar associations to co-sponsor the Celebrating Our Diverse Bar event at Fishbone's. This was the third year the event was held, and its ever-growing popularity resulted in it being sold out a week before the celebration.

The crowd of judges, lawyers and law students enjoyed culinary treats such as fried alligator, and sipped on spirits while enjoying lively conversations. SBM President Julie I. Fershtman greeted the attendees, and urged each to sign the State Bar's Diversity and Inclusion Pledge. Special thanks are due to Elisa Angeli Palizzi and Brian Figot for their leadership and hard work in organizing the event each of the three years the celebration has been held.

The Chapter's Diversity Committee urges you to sign the State Bar of Michigan's Pledge to Achieve Diversity and Inclusion in the Legal Profession in Michigan. The pledge reflects our collective belief "that diversity and inclusion are core values of the legal profession, and that these values require a sustained commitment to strategies of inclusion." Please read the full pledge and its commentary at <http://michbar.org/diversity/pledge.cfm>, and add your name and law firm to the growing list of signatories.

Trial Practice and Mentoring Program "Lawyers, Guns and Money"

Was the mysterious gunshot death of attorney John Dixon in an enclosed room an accident or suicide? That question played out repeatedly in courtrooms throughout the Levin Courthouse in mid-February. After a hiatus in 2011, in February 2012 the Chapter conducted its third Trial Advocacy and Mentoring Program geared primarily for newer lawyers, but which this

year also welcomed several experienced practitioners who sought to expand their skill set into the arena of trial practice.

Thirty lawyers signed up for the intensive trial experience, which began with an introductory session the evening of Thursday, February 9th, followed by a two-day mock trial on February 13th and 14th, with a closing reception for the leaders and participants. The introductory session included presentations on opening statements, the examination of witnesses, and closing arguments by a distinguished group of team leaders including Thomas Cranmer, Dennis Haffey, Ed Kronk, Kathleen Lang, Powell Miller, Thomas O'Brien, Bill Winsten, and Mark Chutkow.

Program participants then gained hands-on experience in fundamental trial skills working in conjunction with

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"Lawyers, Guns and Money"

(from page 5)

accomplished trial attorneys before federal judges. At issue in the mock trials was an insurance dispute over whether the gunshot death of an attorney was an accident, or a suicide motivated by his financial and other problems. As described by one participant, the problem included "ample evidence that could be used by either side to create an interesting theory/theme . . . not a single opening/closing/examination was the same."

District Judges Denise Page Hood, Sean F. Cox, and Mark A. Goldsmith, and Magistrate Judges Michael J. Hluchaniuk and Laurie J. Michelson presided over the trials and offered valuable feedback to the attorneys. Feedback from both judges and team leaders was commended by participants as "specific and constructive," "encouraging," and "detailed and thorough."

The program chairs were Judge Robert H. Cleland and attorneys Kelly Walters and Frank Ortiz. Overall the program was consistently applauded as affording "good practical experience" and building confidence in newer attorneys under the direction of some of the finest local attorneys and judges.



From Court Administrator Dave Weaver

The U.S. District Court for the Eastern District of Michigan has a number of standing Committees.

The Committees are chaired by District Judges and are staffed by members of the Clerk's Office, Probation Department, and Pretrial Services Agency, depending on the mission of the Committee. The Chief Judge, in conjunction with the Committee chairs, determines what issues require review by a specific Committee. The Committee will decide what, if any, action will be recommended to the full Bench.

One of the Court's more active Committees is the Pro Bono Committee chaired by Judge Denise Page Hood. The Committee membership includes Judge Paul D. Borman, Judge Arthur J. Tarnow and Judge Victoria A. Roberts. The Committee works closely with the FBA Pro Bono Committee, currently co-chaired by Patrice Arend, Sherry O'Neal Taylor and John Nussbaumer, Assistant Dean, Thomas M. Cooley Law School. The two Committees often collaborate on Pro Bono Seminars involving attorneys, judges and, at times, pro se litigants. Currently, a seminar is being planned to address foreclosure-related cases filed in federal court.

At a recent meeting, the Pro Bono Committee reviewed and discussed various pro bono outreach initiatives undertaken by Michigan bar associations, law firms and law schools, including newsletters and informative booklets. The Committee decided it should pursue similar initiatives to bolster interest and participation in the Court's pro bono program. As a first step, I volunteered to share information about the Committee and its work in this article, to be followed by articles written by Committee members for subsequent issues.

Pro bono representation is a critical function of the Bench and Bar, and the Pro Bono Committee is continually seeking volunteer attorneys for the Court's Pro Bono Civil Assignment Panel. Assignments are made to handle prisoner civil rights cases, employment discrimination cases foreclosure-related cases, and other cases in which the plaintiff is pro se. The Court often determines that meritorious issues arise in these cases and understands that having attorneys willing to accept case assignments will help resolve difficult issues and ensure that justice is done. Pro bono assignments also can provide volunteer attorneys with real-world litigation and courtroom experience.

In addition to the upcoming foreclosure seminar I mentioned above, the Committee continues to pursue a number of other initiatives. At the Court's Annual Law Day program, the Committee, in conjunction with the FBA Pro Bono Committee, conducts an "Ask the Lawyer" program. The event in May 2011 saw 30 attorney volunteers from a wide range of practice areas assisting 80 individuals over a two-hour period. There is another excellent opportunity for attorneys to volunteer at this year's Ask the Lawyer program on May 1.

Another exciting project is the implementation of "E-Pro Se". This is an online tool originally developed by the U.S. District Court for the Eastern District of Missouri that aids pro se filers in preparing their complaints and related paper work. This interactive program guides the pro se litigant through a series of questions and answers, ultimately producing the forms and information the Court needs to initiate the case. E-Pro Se will be advantageous to the pro se litigant in that all of the pro se litigant's necessary information is collected and provided to the Clerk's Office which will ensure the matter is processed as quickly as possible.

E-Pro Se will be available at a kiosk in the lobby of the Clerk's Office in Detroit for walk-up pro se filers and will be available for use via the Court's website for those individuals that have access to a computer and the Internet. Kiosk access will eventually be made available at the Court's other locations.

If you are a practicing attorney in the Eastern District and have not volunteered for the Court's Pro Bono Assignment Panel, I encourage you to do so. Educational materials and peer assistance are available. The Court is also able to provide up to \$2,000 in expenses and

reimbursable costs, and, with substantial documentation, additional reimbursement can be ordered by the Court. Volunteer attorneys are also provided with professional liability insurance in cooperation with the Detroit Metropolitan Bar Association.

If you are interested in additional information, would like a Pro Bono Civil Assignment Panel application or would be willing to volunteer to participate in this year's Ask The Lawyer Program on Law Day, please do not hesitate to contact me via email at: david_weaver@mied.uscourts.gov.

Bankruptcy Luncheon

On March 21st, the Chapter's Bankruptcy Committee and the Debtor Creditor Rights Committee of the Business Law Section of the State Bar of Michigan co-hosted a luncheon featuring a new book entitled *The Ponzi Book*, which was co-authored by Bankruptcy Judge Steven W. Rhodes. Over 140 bankruptcy professionals, trustees, receivers, bankers and turnaround professionals attended the luncheon.

The assembled group honored the bankruptcy attorneys who had participated in pro bono representation of indigent debtors in the last year, as well as the firm of Stevenson & Bullock for hosting a fundraiser for the Access to Bankruptcy Court fund that provides funding to represent indigent debtors. Judge Rhodes dazzled the audience by highlighting chapters of his treatise on the quirky elements of litigating recoveries in Ponzi scheme cases and the developing state of the law among the circuits on the reach of trustees and receivers to recover transfers. The book is destined to become a must-have for any professional seeking to recover assets in Ponzi cases.



*Bankruptcy Judge
Steven W. Rhodes*

*Photo by John Meiu, courtesy of Detroit
Legal News Publishing LLC.*

from David Horrocks, a senior archivist at the Library. Horrocks gave an outstanding presentation on President Ford's path to the White House.

Students next heard from Chapter member Terrance Thompson, who himself grew up in Washtenaw County and, like the students, spent his earliest years in Ypsilanti. He shared with students personal stories about his unstable and challenging youth that eventually led to his decision to drop out of high school. He spoke of his later epiphany causing him to return to school to complete his education where he excelled, eventually leading to a position with Senator Debbie Stabenow on Capitol Hill, law school, a job at a prominent Detroit law firm, and eventually his current position as an Assistant U.S. Attorney. Thompson spoke about the long way he has come from his directionless youth, and he encouraged the students that anyone can overcome adversity.

Thompson's presentation was followed by a number of break-out sessions on different kinds of federal careers. Students had the opportunity to hear from Ann Arbor FBI Agent Sean Nicol, U.S. Air Marshal Joe Doucet, Cooley Law School professor and former Criminal Division Chief at the U.S. Attorney's Office Alan Gershel, federal corporate lawyers Michael Brady and Mark Aiello, and assistant Federal Defender Andrew Densemo.

Students enjoyed lunch with Cooley law students who were on hand as guides throughout the day. After lunch, former AUSA and Cooley Law School professor Pat Corbett and Senior Cyber Security Engineer Mark Lachniet gave a final presentation on cyber-related crimes and cyber-security.

The Federal Youth Law Day was a true community partnership. Feedback from Ypsilanti High School confirmed that the students found the program very interesting, inspiring and informative.

Federal Youth Law Day

On February 28th, ninety students from Ypsilanti High School were the beneficiaries of Federal Youth Law Day held at the Gerald R. Ford Presidential Library in Ann Arbor. The Chapter co-sponsored this event along with the Thomas M. Cooley Law School, the Ford Library, and a few businesses.

The Library graciously donated its space for the day-long event. The program opened with a welcome from Elaine Didier, the Library's Executive Director, and a keynote address by U.S. Attorney Barbara McQuade. McQuade's inspiring comments were followed by remarks

Judge Steeh Holds Hearings at U of M

On March 8th, the Chapter Law Student Initiative and the University of Michigan Law School hosted a motion day at the Law School. Judge George Caram Steeh

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Judge George Caram Steeh

Judge Steeh Hearings *(from page 7)*

held hearings on four dispositive motions. There were a total of over 200 law school students in attendance throughout the morning session, and they were treated to very interesting oral arguments.

Judge Steeh also spent time speaking with the students and answering their questions. He explained how he and his staff prepare for each motion hearing. He also emphasized to the students that motion hearings can be important, in that they can oftentimes assist him in analyzing the issues presented. He also cautioned that while it is essential to be well-prepared for oral argument, it is equally important to think through the arguments that will be raised in the motion papers to ensure that all critical issues are properly preserved.

The Chapter would like to thank Judge Steeh for graciously agreeing to conduct these motion hearings at the Law School, and Professors Len Niehoff and Richard Friedman for helping coordinate the motion day and ensuring its success.

Court History Published

On March 15th, about forty of the faithful gathered in the Feikens Conference Center (Room 722 of the Courthouse) to receive and acknowledge the publication of *The United States District Court for the Eastern District of Michigan: People, Law and Politics* by David Gardner Chardavoyne.

Court Historical Society President Mike Lavoie welcomed all and introduced Jane Hoehner, Director of the Wayne State University Press. She thanked the Society and provided a brief description of the gestation of the book, which she called a “proud addition” to the Press’s already impressive lineup of regional historical works.

Judge Avern Cohn, godfather to the book project—as indeed he is to the Society itself—reminisced about the long road from conception to publication. He acknowledged President Lavoie’s and the Society’s support and complimented the author’s diligence in completing his task once undertaken—three years is nearly lightning speed for a project of this magnitude.

Then, the author, David Gardner Chardavoyne, himself spoke—moved and movingly—about the place of the project in his life. His thanks to Judge Cohn, the Society and his family were heartfelt.

The book may be purchased from WSU Press through its website <http://wsupress.wayne.edu/>.



Judge Avern Cohn and court history author, David Gardner Chardavoyne.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

Judicial Externship Program Provides Opportunities

by Jennifer L. Newby

As Justice O’Connor observed in *Grutter v. Bollinger*, “[j]ust as growing up in a particular region or having particular professional experiences is likely to affect an individual’s views, so too is one’s own, unique experience of being a racial minority in a society, like our own, in

which race unfortunately still matters.” The Court went on in *Grutter* to recognize that diversity has substantial benefits that are important and laudable. Beyond the law school setting discussed in *Grutter*, diversity also benefits those in practice.

Having a workforce of people with different experiences and cultures increases the number of viewpoints and ideas from which everyone learns. Further, in the increasingly global legal market, clients demand that their law firms reflect the same diversity represented in the marketplace.

The Wolverine Bar Association has long been a champion of diversity in the legal profession. It welcomes non-minority members, though it is primarily an association of African American lawyers dedicated to providing networking and support services for minority practitioners and students.



Jane Hoehner, David Gardner Chardavoyne, Judge Avern Cohn and Michael Lavoie.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

In the early 2000s, Judge Victoria A. Roberts noticed a clear lack of diversity among the ranks of judicial law clerks. Judge Roberts recalls several local articles discussing the lack of diversity in judicial law clerks and noting that with few exceptions only minority judges hired minority law clerks. Some judges remarked that they did not know where to find qualified minority candidates.

Set upon increasing the diversity of judicial law clerks, in 2001 Judge Roberts partnered with the Wolverine Bar Association to found the Judicial Externship Program (JEP). By partnering with the Wolverine Bar Association, Judge Roberts and the JEP have access to a pool of minority law students.

Those students interested in participating in the JEP must submit a written application, resume, cover letter, writing sample, and at least two letters of recommendation. Judge Roberts and the JEP chairperson, currently Krystal Johnson, handle the screening and placement process. Johnson, a former intern for Chief Judge Gerald E. Rosen and former law clerk for Judge Roberts, focuses on students' writing skills and community involvement when selecting applicants for participation in the JEP.

The top candidates for the JEP are interviewed by either Judge Roberts or Johnson. Qualified candidates are placed with participating judges in the Eastern District of Michigan, Sixth Circuit and the Michigan Supreme Court for summer externships. Students receive a modest stipend or school credit if their institution allows.

The value to students participating in the JEP is immeasurable. Students are given practical experience in research and writing, exposure to judges and a resume builder. Externing also gives the students exposure to the duties and responsibilities of being a judicial law clerk and life from behind the bench. By participating in the JEP, minority students may be encouraged to seek judicial clerkships. This can increase the students' job prospects, because law clerks are often valued by firms.

Accepting a JEP extern also provides benefits to the judge. As Judge Roberts explains, working with individuals "from different backgrounds and experiences in the same place has value, people are not as different as you think." Judge Sean F. Cox has participated in the JEP since joining the federal bench in 2006. In the summer of 2011, Judge Cox had Dan Moore, a second year law student at Howard University, as a JEP extern. Judge Cox said that Dan "was incredibly hardworking and his work product was excellent. Everyone in our chambers enjoyed having him with us." Besides experience, Dan also gained a mentor. Judge Cox and Dan stay in touch, and Dan visits Judge Cox when he is in town.

Also as part of its service to law students, the Wolverine Bar Association operates a Summer Clerkship Program (SCP) that screens minority candidates for placement in Michigan law firms for summer externships. To further

increase students' exposure to the legal field, for the last two years, the Wolverine Bar Association and Judge Roberts have offered students a program combining the JEP and SCP, where students spend six weeks with a law firm and four weeks with a judge.

E. Powell Miller of the Powell Miller firm has recently agreed to accept a placement from the JEP-SCP combination program. When asked why his firm decided to participate, Miller responded that he fully supports having a diverse bar and wants to do his part to promote diversity. Other firms and organizations participating in the JEP-SCP combined program include Barris Sott, Bodman, Butzel Long, Dickinson Wright, DTE Energy, Dykema Gossett, Harvey Kruse, Honigman, Miller Canfield, Pitt McGhee, Plunkett Cooney, and the United States Attorney's Office for the Eastern District of Michigan.

The JEP has been successful in its mission to increase the clerkship opportunities for minority lawyers. Judges Nancy G. Edmunds, Paul D. Borman, Julian Abele Cook, Jr., and Denise Page Hood have all hired former JEP participants as law clerks. Other judges consider participation in the JEP as a plus when reviewing resumes for clerkships.

The continued success of the JEP is due in part to the participation and support of the legal community. If your firm or chambers is interested in accepting placement of a JEP-SCP extern, please contact Judge Roberts' assistant, Linda Vertriest, at 313-234-5230 or linda_vertriest@mied.uscourts.gov.



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Wade Hampton McCree, Jr. Memorial Luncheon



*Michael Leibson and McCree
Award Recipient Martin Reisig*

*Photo by John Meiu, courtesy of Detroit Legal News
Publishing LLC.*

served in the United States Attorney's Office for the Eastern District of Michigan from 1978-1984. He was Chief of the Economic Crimes Unit, where he received Justice Department special commendations for successful prosecutions of tax, Medicaid, bankruptcy, and corruption cases.

In 1985, Mr. Reisig entered private practice as a criminal defense attorney. He was honored with the McCree Award for the three major causes he championed throughout his career in pursuit of a fairer justice system: 1) working to end the "650" mandatory life law; 2) improving the level of indigent representation in Oakland County; and 3) initiating a coalition in Oakland County to begin Drug Treatment Courts.

The luncheon continued with remarks by Chief Judge Gerald E. Rosen, who pointed out the similarities between Judge McCree and the keynote speaker, Judge Kenneth W. Starr. Judge Starr, who has had a distinguished career in academia, the law, and public service, is currently President of Baylor University and holds the Louise L. Morrison Chair of Constitutional Law. Judge Starr spoke eloquently of Wade McCree Jr.'s character and accomplishments. The capacity audience was inspired by his heartfelt remarks.

On March 5th, Martin I. Reisig, attorney and mediator, accepted the Wade Hampton McCree, Jr. Award for the Advancement of Social Justice at the Westin Book Cadillac Hotel.

Retired Assistant U.S. Attorney Michael Leibson introduced Mr. Reisig, who

Aiding the Impoverished in the Federal Court Neighborhood Many Choices Available to Aid the Poor, the Sick, the Lonely, the Disenfranchised

**by Fr. Tod Lavery, OFM
Pastor, St. Aloysius on Washington Boulevard***

"This day I call heaven and earth as witnesses against you that I have set before you life and death, blessings and curses. Now choose life, so that you and your children may live (Deuteronomy 30: 19)." These words from the Hebrew Scriptures have perennial meaning for us at St. Aloysius. With so much death and decay, poverty and loneliness in our city we, like other religiously grounded groups in the area, want to choose life. Where we find hatred, injury, doubt, despair and darkness, we want to sow peace, love, pardon, faith, hope and joy.

More than anything, we want our city with all its diversity to thrive and be reborn. We want to contribute to the rebirth of Detroit and we want to do it in a way that promotes life—the life of everyone.

Recently, we underwent a dramatic shift in our structure: we relocated our operation to help the poor, the homeless and the lonely. Instead of having people come

to our outreach center, we were forced to rethink how we could provide much needed services without the benefit of a home base. That challenge has awakened us to the much broader needs of the city.

For example, we connect with homeless persons on the streets through our food carts. We try to establish relationships with senior citizens who live in the downtown area through our grocery distribution program. We provide an extensive health care outreach with the help of our Parish Nursing program (including student nurses from Wayne State University). We still offer

assistance with clothing, especially in the winter. We do advocacy work for our downtown residents. We are a kind of home base for a lot of people who have no family. We assist a fairly large group of seniors in doing their own advocacy work through a senior-operated organization called SHEL (Seniors for Healthy and Enriched Living).



*Dean John Nussbaumer, Judge George Caram Steeh, Michael
Gadola, Chief Judge Gerald E. Rosen, Michael Riordan,
Judge Kenneth W. Starr and Matthew Schneider.*

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

We are constantly looking for ways to connect with people in the downtown area to help enrich the whole downtown community.

Fear can be a great motivator. Fear can cause us to shut down, withdraw, and barricade ourselves behind walls and gates and security guards. When fear grips a whole city, as it has in Detroit for more than 50 years, the city dies. People move away. Prejudice and racism block our ability to see suffering and respond compassionately to it. Fear destroys us all.

We can choose to let fear go on destroying us or we can choose to reach out to our neighbors, rich and poor alike, to build a new society and strengthen the fabric of our neighborhoods. St. Aloysius Parish has a long and valued history of reaching out. It has been nick named "Everybody's Church" because everyone feels welcome here. We'd like that to become the driving force of a revitalized Detroit. Come, help us choose life for the most needy among us!

For more information look us up on the Net at www.stalsdetroit.com or call Deacon Don Leach at 313.309.1270.

**Fr. Tod is the Director of the St. Aloysius Social Outreach Programs. In the spirit of the Wade H. McCree, Jr. Award for the Advancement of Social Justice, the Chapter's officers asked him to prepare this article describing some of the efforts being made in the federal court neighborhood to advance social justice.*

Calendar of Events

- May 1** Law Day at the Courthouse: A Downtown Tradition
Visit the Courthouse and the Judges
Between 11:00 A.M. and 2:00 P.M. Live demonstrations
- May 2** The FBA Book Club Presents for Discussion:
Defending Jacob by William Landay
The author will participate in the discussion
12:00 P.M.
Theodore Levin U.S. Courthouse, Room 722
- May 9** Leonard R. Gilman Award Luncheon
Westin Book Cadillac Hotel
11:30 A.M. Reception
12:00 P.M. Luncheon
Speaker: Judge Michael B. Mukasey,
Attorney General of the United States,
November 2007 to January 2009
Check www.fbamich.org for further information
- May 10** E-Discovery in a Criminal Case
Brown Bag lunchtime seminar discussion of current
issues, featuring U.S. District Judges Robert H. Cleland
and David M. Lawson
12:00 P.M. to 1:00 P.M.
Theodore Levin U.S. Courthouse, Room 115
- May 11** Labor & Employment Box Lunch Seminar
Meet the Magistrate Judges
Moderator Magistrate Judge Mona K. Majzoub,
new Magistrate Judges Laurie J. Michelson and
David R. Grand, discussing discovery, settlement & trial, etc.
11:30 A.M. to 12:45 P.M. box lunch included in registration fee.
Theodore Levin U.S. Courthouse, Room 115
- May 21** Bench/Bar Social and Golf Outing at Plum Hollow
18-hole scramble, tennis & a variety of other activities
Dinner following afternoon activities
Plum Hollow Golf Club, Southfield, Michigan
- June 21** Rutter Group Seminar: "Federal Practice 2012"
A brief, in-depth and entertaining update on
federal pretrial practice
Panelists: Chief Judge Gerald E. Rosen,
Judge David M. Lawson and Thomas W. Cranmer
of Miller Canfield PLC
Registration: 1:00 P.M.
Program: 1:30 - 4:45 P.M.
Westin Book Cadillac Hotel
- June 21** The 33rd Annual Dinner
Featuring:
• Election and Installation of Officers and Board Members
• The Fifth Annual Julian Abele Cook, Jr. - Bernard A.
Friedman FBA Civility Award to be presented in
recognition of a civil practitioner who is an outstanding
example of professional excellence and civility; and
• A (Habeas) Chorus Line - Detroit's Own Parody Troupe
Westin Book Cadillac Hotel
5:30 P.M. cocktails, dinner following

**Updates and further developments at www.fbamich.org
See "Hot News" and "Events & Activities"
Online registration available for most events.**

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Law Day 2012: No Courts, No Justice, No Freedom *(from front cover)*

The "Ask the Lawyer" Pro Bono program will again be featured as a community service to those in need. A hotdog, chips and cookie lunch will be served.

AUSA Susan Gillooly, Co-Chairperson of the Law Day event, notes that the theme of this year's event provides an opportunity to engage in a nationwide dialogue with judges, lawyers, educators, business, labor, and civic leaders on the importance of our courts. Law Day exhibits, presentations, and displays will focus on the role of the judiciary, its importance to maintaining a free society, and the need to maintain open and accessible courts to ensure that everyone's legal rights are respected.

Members of the public and the downtown community are invited to attend.

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