

## PRISONS & CORRECTIONS SECTION

### OFFICERS

#### CHAIR

Jessica L. Zimbelman  
State Appellate Defender Office  
101 N Washington Sq Fl 14  
Lansing, MI 48933-1678

#### SECRETARY

Peter J. Martel, Ann Arbor

#### TREASURER

Avar Patrice Laws-Wright, Lansing

### COUNCIL MEMBERS

Ronald W. Emery, Lansing  
Sandra L. Bailiff Girard, Lansing  
Gary M. Kasenow, Northville  
Avar Patrice Laws-Wright, Lansing  
Daniel E. Manville, East Lansing  
Michael J. Marutiak, Lansing  
Jacqueline Colette Ouvry, Detroit  
Paul D. Reingold, Ann Arbor  
Hon. Douglas B. Shapiro, Lansing  
John A. Shea, Ann Arbor  
Richard B. Stapleton, Grand Ledge  
Jessica L. Zimbelman, Lansing

### LIAISON TO DEPARTMENT OF CORRECTIONS

Jessica M. Peterson, Lansing

### LIAISON TO MICHIGAN CORRECTIONS ASSOCIATION

Michelle VanDusen, Coldwater

### LIAISON TO MICHIGAN SHERIFFS' ASSOCIATION

Sheriff Robert Beracy, Ithaca

### ASSOCIATE MEMBERS

Monica Jahner, Lansing  
Nicole T. George, Detroit

### EX OFFICIO

John A. Shea, Ann Arbor

### COMMISSIONER LIAISON

Timothy J. Burns, Troy

July 30, 2014

Office of Administrative Counsel  
PO Box 30052  
Lansing, MI 48909

To Whom It May Concern:

The Prisons and Corrections Section (PCS) of the State Bar comments as follows on the *Section Advocacy Recommendations* contained in the *Report of the Task Force on the Role of the State Bar of Michigan*:

- **Recommendation 2:** The PCS strongly disagrees with the recommendation that sections must create a separate entity if they wish to engage in legislative or executive branch advocacy.
  - First, being associated with the State Bar provides support for the authenticity and knowledge of PCS.
  - Second, requiring a name change is deceptive to the public—the Task Force is asking PCS to present themselves to the public in an inaccurate way.
  - Third, because the recommendation only applies to legislative and executive branch advocacy, there will be confusion among the public as to who exactly is speaking. There will also likely be confusion among section members about which name to use when, including for PCS sponsored educational events or conferences.
  - Fourth, the goal of the recommendation is to provide a clear distinction between the State Bar and section advocacy. However, this recommendation will likely not solve the problem, since legislators will almost certainly learn the makeup of the newly-formed entity and realize it is a State Bar group.
  - PCS is willing to work with the State Bar and the Task Force to ensure current branding is even clearer as to the separation between sections and the State Bar.
- **Recommendations 4, 5, 7:** PCS supports and understands that State Bar resources should not be used to subsidize the non-*Keller* activities of sections. This is a logical recommendation to address issues identified by the Task Force.
- **Recommendation 6:** For the reasons identified regarding recommendation 2, PCS does not support the recommendation that certain information on section websites be limited to only section members. PCS provides information to the general public that is important, in order to keep the public informed about current happenings in the criminal justice arena. Furthermore, this recommendation would greatly reduce PCS efforts to expand its membership.

In sum, these recommendations are overall of great concern to PCS. Some of our members believe that if the recommendations are adopted as proposed, it would be preferable to move to a voluntary bar in Michigan. Most attorneys join sections to effectuate positive change and provide information to the public about specific areas of the law. These recommendations would likely greatly reduce attorney interest and participation in these vibrant sections.

Thank you for your consideration,

Jessica Zimbelman  
Chair, Prisons and Corrections Section