

September 21-23, 2013

Please note that news sites update their hyperlinks, so it is advised that articles of interest be read soon as they might not be accessible later.

### **Detroit Free Press: Young & McCormack: Not letting a language barrier get in the way of justice**

Michigan Supreme Court Chief Justice Robert P. Young, Jr. and Justice Bridget M. McCormack write "... [T]he Michigan Supreme Court has taken steps to end these failures of access to justice — by enacting a rule that promotes consistent, meaningful access to our courts for those with what the court calls Limited English Proficiency (LEP). As of Sept. 11, all Michigan courts are required to provide foreign-language interpreters to every LEP person — party, witness, family member — in a court case or proceeding."

[Full story](#)

**Also see:**

### **The Detroit News: OUR EDITORIAL: Interpreter charge a reasonable change**

[Full story](#)

### **Detroit Free Press: Jocelyn Benson: It's time for more transparency in election ads**

Wayne State University Law School Dean Jocelyn Benson writes "For a healthy democracy and well-informed electorate, voters must have access to candidates' views and their financial backers. When someone buys a commercial to influence an election, voters should have the right to know who is behind the camera."

[Full story](#)

**Also see:**

### **Daily Press & Argus: Brian Dickerson: Mich. Bar seeks to shed light on 'dark' money**

[Full story](#)

### **Detroit Free Press: Right-to-work laws should be extended to lawyers, Michigan Freedom Fund head says**

"Right-to-work laws should be extended to lawyers, so they don't have to pay \$300 a year in dues to join the state Bar of Michigan, said one of the state's leading right-to-work supporters [Saturday]. Greg McNeilly, head of the Michigan Freedom Fund which was a strong advocate for right-to-work laws that passed the Legislature in December, said he is talking with possible sponsors of a bill that would repeal requirements that lawyers join the state bar in order to be able to practice law in the state."

[Full story](#)

**Also see:**

### **The Detroit News: Right-to-work leader: Stop forcing lawyers to pay State Bar dues**

[Full story](#)

### **MLive.com: Next right-to-work fight may involve lawyers, mandatory dues for State Bar of Michigan**

[Full story](#)

### **SBM Blog: State Bar Defends Its Position On Judicial Campaign Finance Disclosure -- And Its Existence**

[Full story](#)

### **Detroit Free Press: Competency hearing ordered for escaped inmate**

"The inmate accused of stabbing a Wayne County Sheriff's deputy and escaping custody at the Frank Murphy Hall of Justice will undergo a competency hearing. Abraham Pearson, 25, faces charges a slew of charges including escape, assault with intent to murder, assault of a prison employee, impersonating a peace officer to commit a crime, carjacking."

[Full story](#)

**Also see:**

**The Detroit News: Wayne County jail inmate who escaped will have competency hearing**

[Full story](#)

**WJBK-TV(2)/Detroit: Mental exam ordered for inmate who escaped Detroit courthouse**

[Full story](#)

**WDIV-TV(4)/Detroit: Inmate charged with attacking deputy, escaping courtroom to undergo evaluation**

[Full story](#)

**WXYZ-TV(7)/Detroit: Man who allegedly escaped from Detroit's Frank Murphy Hall of Justice faces competency hearing**

[Full story](#)

**Detroit Legal News: Felony arraignments to be held twice a day**

"Effective Oct. 1, 2013, 36th District Court Felony Arraignments will be conducted twice per day. The morning session will be held at 10:30 a.m. and the afternoon session will be 2:30 p.m."

[Full story](#)

**Detroit Legal News: Michigan high court appoints Aloia to jury instructions committee (second article)**

"Attorney Benjamin J. Aloia of Shelby Township has been appointed by the Michigan Supreme Court to serve on the Committee on Model Civil Jury Instructions. Aloia will serve the remainder of the term of Hon. Patricia J. Boyle, former justice of the Michigan Supreme Court, who resigned from the committee. His term will end on December 31, 2015."

[Full story](#)

**Also see:**

**Benjamin J. Aloia of Shelby Township appointed to Committee on Model Civil Jury Instructions by Michigan Supreme Court**

[Press release](#)

**Detroit Legal News: Constitution Day: Local lawyers make it real for kids**

"... Attorney Lori Buiteweg is the driving force for this event in Ann Arbor, and each year makes arrangements for volunteers to get into the schools to talk about the Constitution.... Buiteweg said she was especially happy to welcome [Washtenaw County Circuit] Judge Carol Kuhnke to the list of volunteers this year and hopes other judges follow suit in years to come."

[Full story](#)

**Note: The article also ran in the Washtenaw County Legal News.**

**The Evening News/Sault Ste. Marie, MI: Judge defines proper courtroom attire**

"A posted dress code is in effect for the 91st District Court.... Hats, sunglasses, sweatpants, tattered and dirty clothing have never been acceptable for court appearances, [Judge Elizabeth] Church explained, and historically those appearing before a judge seemingly conformed opting to wear for lack of better term — their Sunday best."

[Full story](#)

### **Flint Journal: Former Flint Judge Harold Resteiner remembered for fairness and loyalty**

"Harold Resteiner was remembered for his fairness as a judge and his loyalty to his family. Harold, 82, died Aug. 31 in Goodyear, Arizona following complications with pneumonia.... For 6 years, Harold worked as a lawyer in Flint, before winning the election in 1965 becoming a probate judge. [Wife Leigh Resteiner] said Harold served as a probate judge for the next 21 years, serving as Chief Judge for 12 of those years."

[Full story](#)

### **Flint Journal: Attorney wants judge removed from murder trial because of paternity case testimony**

"An attorney who testified in the paternity case against Genesee Circuit Judge Archie Hayman wants the judge disqualified from presiding over a murder case in which she represents the accused. It's the latest twist in the \$4.1 million paternity case that pits a local attorney against the former chief judge -- who signed an affidavit of parentage to put her two children on his tax-payer funded health insurance although one of the two children is not his biological child."

[Full story](#)

### **Ingham County Legal News: State Court Administrator Chad C. Schmucker named National Judicial College President**

"State Court Administrator Chad C. Schmucker has been chosen to serve as the 8th president of the National Judicial College in Reno, Nevada. The NJC's Board of Trustees announced the appointment [Tuesday September 17]. Schmucker will join the NJC in mid-November. He will start as the NJC's president as of January 1, 2014."

[Full story](#)

**Note: The article also ran in the Jackson County Legal News.**

### **Ingham County Legal News: Michigan Court of Appeals nixes retailers' bid for bad-debt sales tax refunds**

"Some of the state's larger retailers took it on the chin this morning from the Michigan Court of Appeals in a tax appeal. Art Van Furniture, Menard's and Sears had agreements with third-party credit card companies, under which the stores offered private label credit cards, PLCCs, to their customers."

[Full story](#)

### **Kalamazoo Gazette: WMU-Cooley law affiliation: Will the deal help or hurt Western Michigan University's reputation?**

"Two days after the heads of both schools inked an agreement formalizing an alliance between Western Michigan University and the Thomas A. Cooley Law School, WMU recruiters were already talking up the law school to Southwest Michigan high-schoolers."

[Full story](#)

### **Lansing State Journal: Judge rules against Lansing couple in child-welfare case involving medical marijuana**

"A judge on Friday ruled against a Lansing couple who claimed their child was improperly removed from their care in a case involving medical marijuana. Ingham County Probate Judge Richard Garcia said a referee had probable cause to place 6-month-old Brielle 'Bree' Green in the care of the state Department of Human Services. But Garcia said parents Gordon and Maria Green can have unlimited visitation with the child, who has been placed with her maternal grandmother."

[Full story](#)

***Also see:***

**WiLX-TV(10)/Lansing: UPDATE: Child to Stay with Grandmother in Medical Marijuana Hearing**

[Full story](#)

**WLNS-TV(6)/Lansing: Medical Marijuana Caregiver Parents Denied Custody of Child**

[Full story](#)

**Lansing State Journal: People News: Hugh B. Clarke elected treasurer of MDJA**

"[54A District Court] Judge Hugh B. Clarke was elected treasurer of the Michigan District Judges Association at the Michigan District Judges Conference in Bay City. His one-year term starts Jan. 1, 2014."

[Full story](#)

**Lansing State Journal: Mediator training for Resolution Services offered**

"... While a legal background makes a good foundation for becoming a mediator, it is not a requirement, and individuals with other backgrounds and educational achievements are welcome and encouraged to enroll. This training fulfills the Michigan Court Rule 2.411 requirement to be on a court roster of approved mediators."

[Full story](#)

**Macomb County Legal News: No parental rights for man after mom married**

"A northern Michigan man's bid to establish parental rights to a two-year-old boy was shot down by the state appeals court in a decision that rested on the marital status of the mother when the child was born. It's another case where a man has no automatic right to paternity in Michigan if a child is born to a woman while she's married to another man."

[Full story](#)

**The Mining Journal/Marquette: Judge denies 'stand your ground' motion ahead of murder trial**

"With the murder trial of Ishpeming resident Jacques Earl Carpenter just days away, defense attorney Karl Numinen asked Circuit Court Judge Thomas Solka to drop the sole charge against his client, arguing his actions were protected by what he called Michigan's 'stand your ground' law."

[Full story](#)

**Oakland County Legal News: Symposium celebrates 50th Anniversary of Michigan Constitution: Former Michigan attorney general Frank Kelley to provide keynote address**

"... Former Michigan Supreme Court justices Patricia Boyle, who served on the court from 1983 to 1998; Wayne Law's Distinguished Jurist in Residence Marilyn Kelly, who served from 1996 to 2013; and Charles Levin, who served from 1973 to 1996, will participate on a special panel and will discuss their experiences hearing and deciding state constitutional issues."

[Full story](#)

**Oakland County Legal News: House approves blueprint for mental health courts**

"The Michigan House has unanimously approved legislation to create in law special courts that serve people with mental illness. More than a dozen counties already have mental health courts that let charges

be dismissed or reduced so offenders get treatment instead of jail. But bills OK'd last Thursday and headed to the Senate would create them in statute and form a blueprint for how they should work."

[Full story](#)

### **The Oakland Press Blog: Guardianship Bills Seek to Prevent "Grannysnatching"**

"... Two weeks ago, companion bills were introduced in the Michigan Senate to amend the guardianship provisions of the Estates and Protected Individuals Code -Michigan's probate code- to adopt the Uniform Guardianship Jurisdiction Act. The companion bills seek to restrict the subject matter jurisdiction of the county probate courts by adopting a complicated three-tier test to ascertain the allegedly incapacitated individual's contacts with the forum state prior to granting a guardianship."

[Full story](#)