

December 12, 2012

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.

The Detroit News: Kilpatrick due in court today over book proceeds

"Former Detroit Mayor Kwame Kilpatrick, facing racketeering charges in federal court Wednesday morning, is set to appear this afternoon in Wayne County Circuit Court for another hearing about the proceeds of his autobiography.... [Judge David] Groner ruled in July 2011 that profits must be escrowed and used toward restitution. Kilpatrick appealed, arguing it was unconstitutional. The Michigan Court of Appeals ruled in October it wasn't clear if Kilpatrick's parole terms included book proceeds and sent the case back to the county court to investigate."

[Full story](#)

Also see:

Detroit Free Press: Former Detroit mayor Kilpatrick wanted in 2 courts

[Full story](#)

Detroit Free Press: Detroit clears a hurdle to \$10M payment -- but it may not be enough to prevent an emergency manager

"... Meanwhile, the Michigan Court of Appeals on Tuesday granted labor activist Robert Davis' request for immediate consideration of his lawsuit arguing that the city's consent agreement was improperly negotiated, making it an illegal document that the council could not have approved legally. Davis' group, Citizens United Against Corrupt Government, also alleges that the joint city-state Financial Advisory Board, which oversees the city's finances under the consent agreement, is illegal because it was based on Public Act 4, the state emergency manager law that voters repealed Nov. 6."

[Full story](#)

The Detroit News: Judge orders Troy to hold mayoral election in May

"A judge today ordered the city of Troy to hold a mayoral election in May, siding with state officials against the city. The ruling by Judge Langford Morris of Oakland County Circuit Court overturns city officials' decision to wait until November to elect a successor to recalled Mayor Janice Daniels."

[Full story](#)

Also see:

MLive.com: Judge orders Troy to hold special election to replace recalled mayor

[Full story](#)

The Oakland Press: Judge orders City of Troy to hold May special election

[Full story](#)

C & G Newspapers/Warren: Ausilio appointed to 37th District Court bench

"Michigan Republican Gov. Rick Snyder has picked local attorney Dean Ausilio to serve on the bench of the 37th District Court, filling a vacancy created by the departure of Judge Dawnn Gruenburg in May.... The appointment lasts until 2014, at which time Ausilio will be required to run again for the remaining two years of Gruenburg's term."

[Full story](#)

C & G Newspapers/Warren: City starts step toward bonding for court

"The city moved forward with plans for a new 40th District Court by giving its authorization to publish its intent to issue bonds to pay for the building. Bond Counsel Patrick McGow of Miller Canfield said the resolution authorizes the city clerk to publish the necessary notices that will enable the city to move forward with the financing, with the bond sale planned for sometime in February 2013."

[Full story](#)

Daily Press & Livingston County commissioner tapped as next magistrate

"Howell attorney and Livingston County Commissioner Jay Drick has been picked to become the next Livingston County District Court magistrate. He will replace longtime Magistrate Brian Brown, who will retire at the end of December."

[Full story](#)

Detroit Legal News: Holiday Hours

"The Third Circuit Court Civil, Criminal and Family Divisions will be closed Monday, Dec. 24 and Tuesday, Dec. 25 in observance of Christmas Eve and Christmas Day. On Wednesday, Dec. 26, Thursday, Dec. 27, and Friday, Dec. 28, the court will be open for essential services only, including criminal arraignments, probation violation, failure to appear warrants, personal protection orders, parental waivers, and other emergency civil and family division matters."

[Full story](#)

Flint-Genesee County Legal News: Michigan Supreme Court Justice-elect Bridget McCormack to receive award

"... The Tertzag Tribute Dinner Committee is pleased to announce that the 2013 recipient of the Purple Sport Coat Award is Michigan Supreme Court Justice-Elect Bridget Mary McCormack. Hon. David J. Allen (last year's recipient) will present her the award.... The committee is truly honored to have Michigan Supreme Court Justice Brian Zahra as the keynote speaker."

[Full story](#)

Grand Rapids Legal News: Retiring justice reflects on her years at the Supreme Court

"When her beloved mother died earlier this year at the age of 104, Michigan Supreme Court Justice Marilyn Kelly took time to reflect on a life well lived.... 'Evelyn loved life,' Kelly said of her mother. 'She always found something in life to enjoy. Often it involved the little things. Her love of life made it possible for her to weather the many storms, to handle the many losses and disappointments that she experienced, and not to give up or give out.' The same, in many respects, could be said of Kelly, now in her final days on the state Supreme Court, where she has left her judicial mark over the past 16 years."

[Full story](#)

Grand Rapids Legal News: County jail renovation results in up-to-date technology, security

"The newly-renovated Kent County Jail maximizes safety and inmate calmness through a combination of state-of-the-art technology and old-fashioned common sense. There is a new full-body scanner, similar to those used in airport security, which offers many lighting and contrast options once the scan is completed to narrow down the search for illicit substances or things that can be used as weapons."

[Full story](#)

The Macomb Daily: FOC officers looking for offenders

"Macomb County sheriff's deputies and local Friend of the Court officers made several arrests on Monday for people who have outstanding bench warrants for failing to make child support payments.... [Thomas Bloham, director of the FOC office,] said his staff would rather work with violators than throwing them in jail."

[Full story](#)

The MiLW Blog: MSC upholds Legislature's authority to pass prior acts evidence rule ... again

"Last summer, the Michigan Supreme Court held in *People v. Watkins* that the Legislature had the authority to pass a law that allows prior acts evidence to be used in child abuse prosecutions. The statute in that case, MCL 768.27a, had a sister statute in MCL 768.27b, which allowed similar evidence to be used in domestic violence cases. In *People v. Mack*, released Wednesday afternoon, the statute faced a similar challenge in the current session."

[Full story](#)

The MiLW Blog: MSC reverses COA in law firm partnership dispute

"The Michigan Supreme Court reversed one of last fall's Court of Appeals decisions involving the roles of law partners as employees within the firm's structure. Last fall, the Michigan Court of Appeals ruled in *Hall and Ortner v. Stark Reagan, et al.* that two ousted partners could sue their old firm under the Elliott-Larsen Civil Rights Act (ELCRA) despite the arbitration clause written into the shareholder agreement."

[Full story](#)

The MiLW Blog: Cooley "outing" of anonymous blogger argued in COA

"The fight over whether The Thomas M. Cooley Law School can 'out' an anonymous former student who criticized the school on his blog hit the Court of Appeals today. Cooley sued the former student for defamation over allegations that the school falsely reported its graduate employment numbers to entice new students to enroll."

[Full story](#)

The MiLW Blog: Smedley edges opponent in recount for Muskegon County judge

"In the 2012 race for Muskegon County Circuit Court judge, Annette Smedley has been confirmed as narrowly defeating Raymond Kostrzewa, according to a recount.... Smedley will be Muskegon's first female circuit judge when she takes office at the beginning of January. She won a six-year term to succeed Judge James Graves Jr., who is retiring per the state's age cap."

[Full story](#)

Muskegon Chronicle: Muskegon judge slashes non-murder bond for alleged murder suspect: 'This is still the United States'

"With blistering words, a Muskegon County district judge again has reduced the bond for alleged murder suspect Ash-Shakur Jihad Buchanan, who is still not charged with a Nov. 4 homicide but is held on lesser offenses."

[Full story](#)

Saginaw News: Saginaw County District Judge Christopher Boyd hired as John McColgan's chief assistant prosecutor

"Saginaw County District Judge Christopher S. Boyd is headed back to the county prosecutor's office. County Prosecutor Elect John A. McColgan Jr. on Monday, Dec. 10, announced that he has hired Boyd to serve as the chief assistant prosecutor.... Boyd's decision to leave the bench leaves a vacancy among the six county district judges. The governor has the authority to appoint a successor, but it's possible that with Saginaw County barely avoiding losing a judge last year, Gov. Rick Snyder may not appoint a successor."

[Full story](#)

State Bar of Michigan Blog: Shout Out to Michigan's Newest Federal Judge, Terrence Berg

"Newly-confirmed judge of Michigan's Eastern District federal court, the Hon. Terrence Berg, nominated in April by President Obama, gets a nice tribute from Orin Kerr, on the libertarian/conservative legal blog Volokh Conspiracy."

[Full story](#)