

Friday
February 9, 2007
DAILY BRIEFING

Governor appoints Richards as 46th District Court judge

Governor Jennifer M. Granholm recently announced the appointment of William J. Richards as judge of the Oakland County 46th District Court, serving Southfield, Lathrup Village, Beverly Hills, Franklin Village, Bingham Farms, and Southfield Township.

Prior to his appointment, Richards, of Beverly Hills, served as senior policy advisor to the Michigan Department of Environmental Quality, as well as an adjunct professor for Cooley Law School. He served as deputy attorney general for the Michigan Department of Attorney General from 1999 to 2002, and as an assistant U.S. attorney from 1989 to 1998.

In addition, Richards served on the Oakland-Livingston Legal Aid Board of Trustees and has been a member of First Congregational Church in Royal Oak for more than 20 years.

Richards earned his law degree from the University of Michigan Law School and his bachelor's degree from the University of Michigan.

Richards is appointed for a term expiring January 1, 2009. He replaces Oakland County 46th District Court Judge Stephen Cooper who has retired.

This appointment is not subject to disapproval by the Michigan Senate.

Notices of courts and public places

Please be advised that the Wayne County 36th District Court will be closed Monday, February 19, in observance of President's Day. Only Criminal arraignments will be conducted.

MARYLIN E. ATKINS
Chief Judge, 36th District Court

Legal News to update Web site, improve accessibility

The Legal News is currently in the process of redesigning its Web site. If there are any changes that would make the site easier to navigate or information that could be made more accessible, please e-mail Suzanne Favale, publisher, at sfavale@legalnews.com with suggestions.

Judge OKs condominium development in Big Bay

BIG BAY, Mich. (AP) - A Marquette County judge appears to have removed legal barriers in the way of a proposed condominium project near the Big Bay Point Lighthouse.

Circuit Judge John R. Weber on Tuesday upheld an Aug. 15 zoning decision by the Powell Township Board.

The board's ruling would allow a proposed 12-lot "site condominium" on land owned by Lighthouse Three Inc. if the township planning commission granted a special-use permit.

"We appreciate the court's time and effort in this complicated matter," said Daniel Mead, an attorney for Lighthouse Three. "My clients are happy with the outcome."

Lighthouse Three is owned by Linda Gamble, Jeff Gamble and John Gale and includes the Big Bay lighthouse.

Elayne Shelton, a Texas resident and owner of adjacent land, challenged the township board's ruling, contending the development would be out of character with its surroundings.

INSIDE

- Abandoned Car Auctions5
- Calendar3
- City Request for Bids5
- Classified Ads4
- Court of Appeals Opinions46
- Legal Notices5
- Mortgages4
- New Corporations39



Detroit Legal News

www.legalnews.com

Vol. CXII No. 30

News you cannot get anywhere else

75 Cents

Support for military families, personnel urged

ABA American Bar Association President Karen J. Mathis recently called for improved social and family support for dependent children of deployed service members, and for Congress to mandate the provision of civil legal assistance for low-income military personnel and their dependents.

Recommendations to support those goals will be put to a vote by the policy-making House of Delegates when it convenes as part of the ABA Midyear Meeting in Miami. No recommendation represents association policy unless and until it is approved by the House.

Mathis called on House members to adopt policy urging federal, territorial, state and local lawmakers to respond to the increasing social and family support needs of dependent children of deployed military personnel. "What we are finding is clear and urgent: the children of America's soldiers, sailors and Marines are under unprecedented stress. They need America's help to cope with the extended absence of their parents. The military community and their families are resilient, and they care for their own. It is important for the rest of us not to add obstacles to their efforts," Mathis said.

The resolution before the House urges legislatures to enact laws allowing non-parent caregivers to use accrued leave time to provide direct care for children of deployed service personnel. It also asks states, cities, towns and school districts to ensure that residency laws permit children of deployed military personnel to attend their local schools without tuition fees or other restrictions caused by district policies.

"Children in military families often find their lives disrupted because of their parents' service to their country. These children already are being asked to handle the temporary - and sometimes permanent - loss of a parent. We should not subject them to disturbances in their schooling because of a patchwork of regulations among districts and communities. We should find ways to encourage family members to provide care rather than putting roadblocks in their way," said Mathis.

Mathis also supports a recommendation urging Congress to provide civil legal assistance to all low-income, active-duty service members in pay grades E-6 and below.

"To take one example, the very real danger of death in combat makes it necessary for young military parents to do proper estate planning. And, of course, financial pressures can lead to bankruptcy and other legal needs," Mathis said.

These two are among the approximately 35 resolutions the 546-member ABA House of Delegates will consider during its two-day policy-making session on Monday and Tuesday, February 12 and 13 in Miami.

Deposition Workshop presented



THE MICHIGAN TRIAL LAWYERS ASSOCIATION (MTLA) New Lawyers Section presented a "2007 Deposition Workshop" on Thursday, January 25, at the offices of Sommers Schwartz in Southfield. Helping new lawyers learn techniques for taking an effective and useful deposition were

(left to right) MTLA President and seminar moderator Jesse M. Reiter of Gregory & Reiter P.C.; Ron K. Weiner of Zamler, mellen & Shiffman P.C.; Farmington Hills attorney Glenn Saltsman, MTLA New Lawyers Section co-chair; and Jason Thompson of Charfoos & Christensen. Photo by John Meiu

DR. MARTIN LUTHER KING JR. DRUM MAJOR FOR JUSTICE ADVOCACY COMPETITION

Associations to present 15th annual program

The 15th Annual Dr. Martin Luther King, Jr., Drum Major for Justice Advocacy Competition will be hosted on Saturday, March 3, at the Wayne County Commission Chambers, 600 Randolph Street, 4th Floor in Detroit. The competition will begin at noon.

The event is held annually in commemoration of the life and work of Dr. Martin Luther King Jr., and in observance of Black History Month.

The competition is sponsored by the D. Augustus Straker Bar Association, the Wolverine Bar Association, the Association of Black Judges of Michigan, and the State Bar of Michigan Young Lawyers Section.

Selected 11th and 12th grade students from local high schools will present their position regarding the following topic:

A look at the criminal justice system in the United States reveals that there are

many juveniles (children below the age of 18) committing crimes and being charged and convicted as adults for those crimes.

There are many statistics regarding juvenile participation in criminal activity. One that may not be well known, however, is the fact that there are presently an estimated 900 juveniles who have been tried and convicted as adults and who are serving life sentences without the possibility of parole. Of the estimated 900 juveniles in that category, 60 percent are African Americans. Examples of disturbing trends regarding juvenile justice are highlighted in the United States Supreme Court decision in *Roper v. Simmons*, 543 U.S. 551 (2005).

The alarming statistics about juveniles in the criminal justice system have prompted various groups, including bar associations and legal scholars, to become involved in dialogues about these matters. Such discussions are designed, in part, to

lead to the creation of a justice system for juveniles which helps to "level the playing field" wherever needed.

If Dr. Martin Luther King, Jr. were alive today, what issue(s), if any, would he address regarding the treatment of juveniles in the criminal justice system in the United States? Why would Dr. King believe these issues are important? What resources would be available to Dr. King today to accomplish his goals?

The public is invited to attend the event, to support the participating students and enjoy the advocacy skills showcased during the competition.

Admission is free of charge. Light refreshments will be served during the reception immediately following the program. For more information, contact competition chairperson Solon Phillips at (313) 224-6110.

Collection law discussed



THE NATIONAL BUSINESS INSTITUTE, INC. (NBI) recently offered "Collection Law from Start to Finish," a seminar on legally and effectively collecting money owed a client for a judgment they've won. The day-long seminar was conducted on Wednesday, January 24, at the Holiday in Southfield. Participating in the workshop were Alicia Lair (left) and seminar faculty member Shannon M. Pawley of Zwicker & Associates, P.C. Photo by John Meiu

Lawmakers target stealing of intellectual property

By **KEN THOMAS**
Associated Press Writer

WASHINGTON (AP) - Manufacturers need a more focused defense from the government in the battle over intellectual property theft, two senators said Wednesday, citing the billions of dollars in losses from piracy and counterfeiting.

Sens. Evan Bayh, D-Ind., and George Voinovich, R-Ohio, outlined new legislation that would target the loss of intellectual property - everything from counterfeit brake pads in cars to fake medications at drug stores.

The bill would create a more organized network in the government to fight intellectual property theft, replacing the current system that involves nine different agencies working on the issue.

Taking a cue from the international approach to combat money laundering, it would also try to partner with other countries to help companies remain competitive.

"If we're going to make it as a nation, we have got to look at developing the infrastructure of competitiveness. The world has changed," Voinovich said.

Intellectual property loss affects manufacturers large and small. A U.S. Chamber of Commerce study recently found counterfeiting costs U.S. companies up to \$250 billion a year and linked the loss of 750,000 jobs to fake merchandise.

Ford Motor Co. estimates it costs them about \$1 billion annually in lost sales, undermining vehicle safety and undercutting the billions of dollars it puts into research, design and production.

"We cannot allow intellectual property thieves ... to prey upon the unsuspecting American consumer," said Joe Wiegand, Ford's global brand protection manager.

The proposal fits into larger concerns on Capitol Hill over the Bush administration's handling of trade issues. Some lawmakers have tired of dialogue and want more action on the nation's soaring trade deficits and lost manufacturing jobs, which critics have blamed in part on unfair trade practices by foreign countries.

"I'm not a protectionist. I believe in competition. But I also believe that all competitors ought to play by the same set of rules. That's not happening today and that's unacceptable," Bayh said.

Official Newspaper: City of Detroit • Wayne Circuit Court • U.S. District Court • U.S. Bankruptcy Court

Income Inequity

Education would help income inequity more than trade barriers.

Page Two

Profiles from the Bench

Judge Randy L. Kalmbach answers questions about his career.

Page Three

Supreme Court

House committee to look at state high court disputes.

Back Page

