

Monday
October 30, 2006
DAILY BRIEFING

First annual immigration law seminar planned

The Michigan Chapter of the American Immigration Lawyers Association (AILA) will hold its first annual Immigration Law Seminar on Friday, November 10, from 8:30 a.m. to 4:30 p.m. at the University of Detroit Mercy School of Law.

The Michigan Chapter includes approximately 250 attorneys who specialize in immigration law. The Michigan Chapter has nearly doubled in size in recent years as more younger attorneys choose to practice immigration law.

The Immigration Law Seminar will feature panel discussions regarding the latest laws and regulations regarding family sponsorship, employment visas, litigation strategies, and ethical duties to the government and clients. Andrew Prazuch, the director of the American Immigration Law Foundation (AILF) in Washington, D.C. will deliver the keynote speech regarding the outlook for immigration legislation in 2007.

"The interest among Michigan immigration attorneys in an all-day seminar signals the commitment among AILA members to stay on top of their game," David Koelsch, AILA Michigan Chapter secretary and lead organizer for the Immigration Law Seminar, said. Koelsch directs the Immigration Law Clinic and teaches Immigration Law at the University of Detroit Mercy School of Law.

For more information or to register for the Immigration Law Seminar, contact Koelsch at (313) 622-5691 or koelscd@udmercy.edu.

Pro bono attorneys to be honored at ceremony

Legal Aid and Defender Association, Inc. will conduct its Pro Bono Recognition Awards Ceremony from 5 to 7 p.m. on Monday, October 30, at the Southfield Public Library, 26300 Evergreen Road.

The annual affair honors private attorneys, law firms and corporation legal departments that provide outstanding pro bono service to clients of Legal Aid and Defender during the past year through its Private Attorney Involvement program.

The event will begin with a reception at 5 p.m., followed by the awards ceremony at 6. Master of ceremonies will be Alan Lee, a morning news anchor for WJBK-TV FOX 2. Legal Aid and Defender is a FOX 2 community service partner.

For further information, contact Lynda S. Krupp, managing attorney of Legal Aid and Defender's Private Attorney Involvement unit at (313) 964-4111 ext. 6241, or LKrupp@ladadetroit.org.

Man police say killed rapper gets time served for weapons charges

DETROIT (AP) — The man authorities say killed the rapper Proof in lawful defense of another man was sentenced last Thursday to time served and a \$2,000 fine for weapons violations.

A jury last month convicted Mario Etheridge of carrying a concealed weapon and discharging a firearm inside a building. The charges stem from the April fight at an after-hours club in which Proof and another man, Keith Bender, were killed.

Wayne County Circuit Judge Vera Massey Jones sentenced Etheridge to time served for the concealed weapon charge and levied a \$2,000 fine for firing the gun in a building.

Etheridge, 28, spent several days in jail in April after he turned himself in to police and before he posted bond.

Authorities say Etheridge shot and killed Proof, whose real name was Deshaun Holton, after Proof fatally shot Etheridge's cousin, Bender. Etheridge's lawyer has said that Proof was set off by a dispute over a game of pool.

Prosecutors determined Etheridge acted lawfully in defense of Bender when he fired at Proof. But they said Etheridge shot twice at the ceiling in an effort to stop Proof before aiming the gun at him. Those shots were the basis for the charge of illegally firing a weapon.

INSIDE

Calendar.....3
Classified Ads4
Court of Appeals Opinions44
ICLE Calendar48
Legal Notices.....5
Legal People46
Mortgages.....4



Detroit Legal News

www.legalnews.com

Vol. CXI No. 216

News you cannot get anywhere else

75 Cents

Associations continue tradition of service days

By CHRISTINE L. MOBLEY
Legal News

The Incorporated Society of Irish/American Lawyers (ISIAL) and the Catholic Lawyers Society (CLS) is seeking volunteers to lend a helping hand with its 14th Service Project Day for Focus: HOPE at its Central Warehouse located at 6500 East Davison Avenue in Detroit on Saturday, November 4, at 9 a.m.

Focus: HOPE is a civil and human rights organization that relies on the efforts of volunteers to accomplish its goals. The ISIAL and CLS members have held Project Service Days twice a year since 2000 and have packed more than 20,000 boxes of food.

"We're looking to give something back to the community — something to those in need," said Michael Riordan, assistant United States attorney.

"There are three reasons for volunteering," Riordan, coordinator for the Service Project Day for both organizations, explained. "You're serving your fellow man — it's a great way to get out twice a year and help others; the camaraderie of those that come and volunteer — it's really a team effort and it's a fun way to spend three hours; and it's good physical activity — it's a good workout."

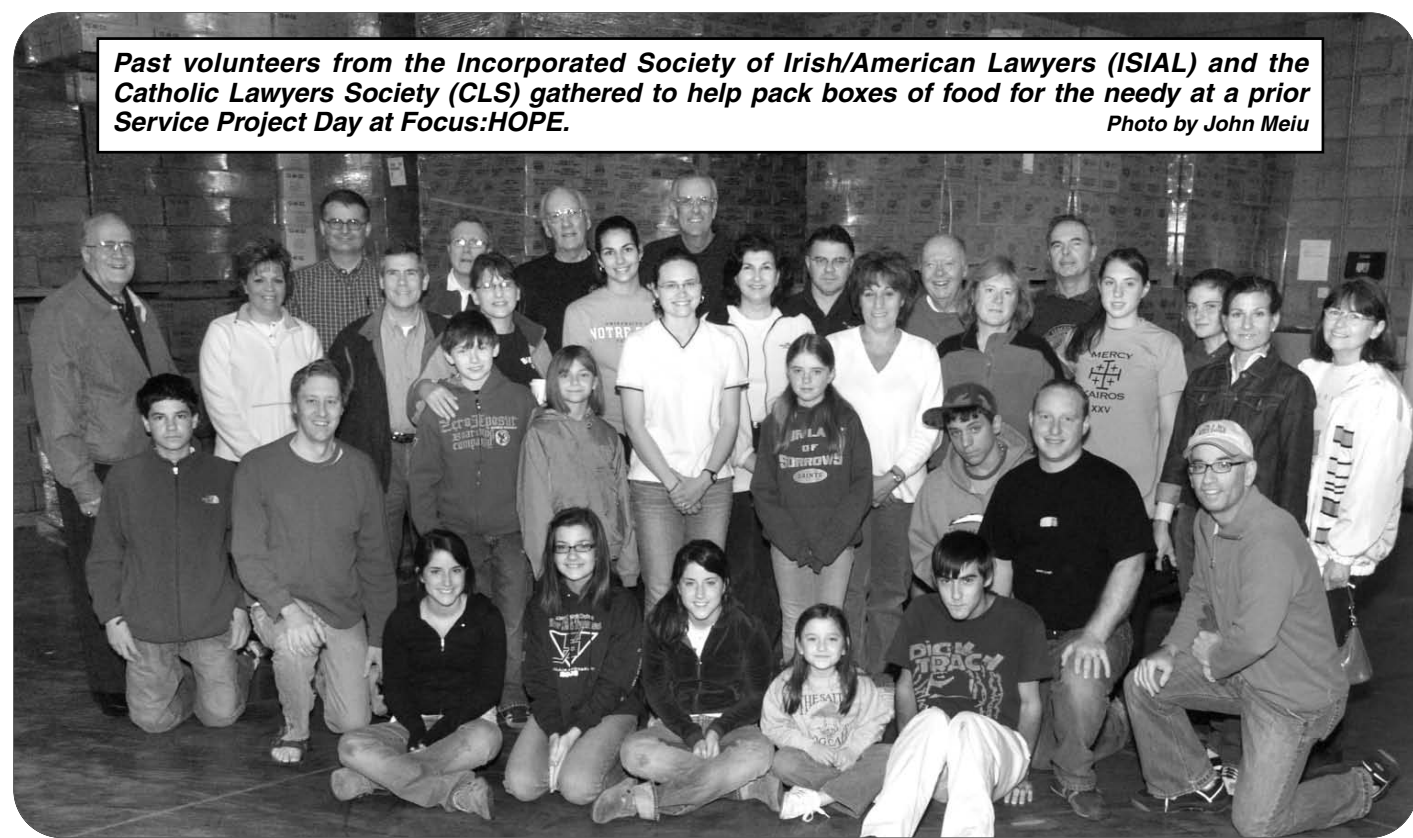
"We're hoping for 40 volunteers for November 4th," Riordan said.

The Service Day Project is a great family event and it helps those who need to meet service requirements for confirmation, church or school community service requirements. Anybody is welcome to participate in the service day project.

"(The Service Project Day) has really turned out to be a family activity where not only members participate but their children as well and friends of the children and family friends too."

"We are absolutely thrilled that these two groups would see fit to do some community service for us because it's so sorely needed," Keith Cooley, Focus:HOPE CEO, said.

"There are a lot of ways to volunteer with Focus:HOPE," Cooley said. "The real capstone around volunteerism for us is the food program. Focus:HOPE provides about 43,000 food packs to needy folks in the Southeastern Michigan area. We work with the counties of Oakland, Macomb, Washtenaw and



Past volunteers from the Incorporated Society of Irish/American Lawyers (ISIAL) and the Catholic Lawyers Society (CLS) gathered to help pack boxes of food for the needy at a prior Service Project Day at Focus:HOPE.
Photo by John Meiu

Wayne and we try to provide food to folks who need it badly: pregnant women, post-partum moms, children to the age of 6 and seniors, and especially those who fall into income groups that don't afford them the opportunity to eat as well as they should. It's really a food prescription — it's not just food for food's sake."

ISIAL and CLS have put forth a considerable amount of time and energy to help Focus:HOPE reach its goals.

"They've spent seven years, about 500 folks have volunteered and they've done more than 20,000 boxes of food. That represents at least 1,000 hours of public service, maybe more," Cooley noted. "It makes a tremendous difference."

"There's no way possible that we could extend our services as far as we do, especially in the area of the food program, without the help of volunteers like those from these two organizations," Cooley said. "It is critical to our work. On behalf of Focus:HOPE, we are grateful for those who are willing to step up."

It's simply not all work and no play for those who volunteer. Traditionally, those who participate in the Service Day Project, which normally lasts two to three hours, gather at Buddy's Pizzeria after their work is done for some refreshment.

To volunteer, send an e-mail Michael Riordan at ISIAL.Michigan@gmail.com.

Medical malpractice discussed



THE MICHIGAN TRIAL LAWYERS ASSOCIATION (MTLA) hosted a Medical Malpractice Seminar on Friday, October 6, at the Hotel Baronete in Novi. Enjoying the seminar were (left to right) MTLA Vice President Judy Susskind of Thurswell Law Firm in Southfield, moderator; MTLA Executive Board member David Parker of Charfoos & Christensen in Detroit; MTLA President Jesse M. Reiter of Gregory & Reiter Law Center in Bloomfield Hills, moderator; Andrew Muth of Muth & Shapiro in Ypsilanti, speaker; and MTLA Executive Board members Mark Lipton of Lipton Law Center in Southfield and Joey Niskar of Erlich, Rosen & Bartnick in Southfield.
Photo by John Meiu

Michigan seeks reinstatement of abortion law

By TERRY KINNEY
Associated Press Writer

CINCINNATI (AP) — A Michigan abortion law found unconstitutional was meant to block only the use of a specific late-term procedure and should be reinstated, a lawyer for the state argued last Thursday.

But opponents told the 6th U.S. Circuit Court of Appeals that the law is so vague that it could be used to prosecute physicians performing all abortions, subjecting them to possible murder charges.

In a ruling in September 2005, U.S. District Court Judge Denise Page Hood in Detroit ruled the Legal Birth Definition Act places an "undue burden" on women's right to choose. Hood said the law is confusing and vague, and its exceptions for the health or life of a mother are meaningless and unconstitutional.

Proponents of the law said they were attempting to ban the late-term procedure they call "partial-birth" abortion. Previous attempts by lawmakers to stop the procedure were struck down by federal courts in 1997 and 2001.

"This law is an absolute ban on almost all

abortions," Brigitte Amiri, an American Civil Liberties Union attorney, told the three-judge panel. The panel will rule later.

Eric Restuccia, an assistant Michigan attorney general, told the court that physicians do not need to fear prosecution because state Attorney General Mike Cox has issued an opinion directing county prosecutors not to charge physicians in abortions other than those that use the "partial-birth" technique.

He implied that the opinion was binding on Cox's successors.

Appeals Judge Boyce Martin, who peppered both lawyers with questions, said that where he comes from — Kentucky — an attorney general's opinion doesn't bear that weight.

"Michigan is a strong attorney general state," Restuccia said.

Amiri rebutted that, telling Martin that Cox's opinion is not binding on future attorneys general.

When Restuccia returned for a second round of questioning, Martin told him, "You misled me, and I don't appreciate that." Restuccia told him it was a misunderstanding.

In court papers filed in February, Cox said

the law only bans the procedure that doctors call "intact dilation and extraction," and the law can be construed to adequately protect a woman's life and health.

The ACLU of Michigan, the Center for Reproductive Rights and Planned Parenthood Federation of America challenged the law, which attempts to define a human embryo or fetus as a "legally born person" once any non-severed part of that embryo or fetus emerges through a woman's vaginal opening.

By this definition, physicians performing any abortion, even in early pregnancy, are at risk of committing murder under Michigan law, opponents argued.

The attorney general contends that the legislative intent was to bar only medically unnecessary late-term abortions.

The law would not ban abortions sanctioned by the U.S. Supreme Court, Cox has said.

The 6th Circuit in 1997 knocked down Ohio's first attempt to ban late-term abortions but ruled in December 2003 that another version of the law was constitutionally acceptable because it includes an exception allowing the procedure to preserve the mother's life or health.

Tower Auto gets more exclusivity, OK to pay defense

WASHINGTON (Dow Jones/AP) — The bankruptcy judge overseeing Tower Automotive Inc.'s reorganization extended the auto-parts supplier's sole right to propose a plan to pay off its creditors.

Tower Auto has until Nov. 30 to submit a Chapter 11 plan and until Jan. 25 to lobby creditors to support it. Judge Allan L. Gropper of the U.S. Bankruptcy Court in Manhattan signed the order last Wednesday.

If Gropper hadn't approved Tower's seventh extension request, its sole right to file a plan would have ended last Wednesday and its exclusive solicitation period would have expired Dec. 26.

Bankruptcy law requires companies operating under Chapter 11 to submit a plan outlining how creditors will be paid. Exclusive periods that prevent other parties from submitting such plans to the court allow the company to retain control of the restructuring process without outside interference.

While Tower Auto submitted a draft of its plan to creditors on Sept. 7, the company said it needs additional time to work out the details of an equity infusion crucial to its successful reorganization.

Company officials and consultants have been evaluating Tower Auto's anticipated capital structure following its reorganization. Court papers said a successful reorganization hinges on being able to acquire a substantial equity investment, possibly through a rights offering.

Additionally, the company sought from Gropper, and received, permission to pay due-diligence and other fees to interested parties who may be interested in investing in Tower Auto's equity raise.

Gropper also approved another \$500,000 disbursement by Tower Auto to keep its directors and officers from having to spend their own cash to cover defense costs.

Tower Auto of Novi, Mich., filed for Chapter 11 protection Feb. 2, with assets of \$787.9 million and debts of \$1.3 billion. The company designs and produces truck frames for car companies.

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

Record High

Trade deficit hits record high despite strong export gains.

Page Two

Immigration Insights

William H. Dance discusses the country's role in the global community.

Page Three

Federal Court

Judicial nominee says nothing wrong with attending ceremony.

Back Page

