



JUSTICE INITIATIVES REPORTS

because justice for some is no justice at all...



Under-represented Lawyers Symposium—Cooley Law School, Auburn Hills campus, left to right: E. Christopher Johnson, Jr., director, graduate program of corporate law & finance, Thomas M. Cooley Law School, Auburn Hills Campus; Harold D. Pope III, Jaffe Raitt Heuer & Weiss PC; Hon. Victoria A. Roberts, United States District Court, Eastern District of Michigan; Lawrence T. Garcia, Allen Brothers PLLC; Dean John R. Nussbaumer, Thomas M. Cooley Law School, Auburn Hills campus; David C. Koelsch, director, Immigration Law Clinic, University of Detroit Mercy; Mary A. Ferguson, director of diversity services, MSU College of Law.

EQUAL ACCESS INITIATIVE

Under-represented Lawyers Project/Diversity Symposia

The Equal Access Initiative Under-represented Lawyers work group, in partnership with Thomas M. Cooley Law School, held dual symposia entitled “We Can, We Will, We Must: Creating Opportunities for the Next Generation of Lawyers.” The events took place on March 6 and 13, 2009, at Cooley’s Auburn Hills and Grand Rapids campuses, respectively.

The panel topics included discussion of ways to create and foster diversity in the legal profession and recruiting and retaining ethnically diverse attorneys. The panelists spoke about the challenges and rewards of working to increase the number

of racial minorities at law schools and in the legal profession.

Roundtable breakout brainstorming sessions followed the panel presentations. Each speaker took responsibility for guiding discussion related to his area of expertise. The resulting information will be used to determine next steps in furthering the ideal of a diverse profession. The symposium was part of the larger effort that the Under-represented Lawyers workgroup is taking in its commitment to eliminating barriers to a diverse workplace by addressing strategies for hiring and retaining diverse attorneys and creating an inclusive workplace.

Attorneys Needed to Identify Accessibility Issues for People with Disabilities

The EAI disabilities workgroup is conducting an online survey to better understand the current issues related to access to justice for people with disabilities.

The workgroup is seeking two attorney populations to participate: attorneys with disabilities, and attorneys who have represented clients with disabilities within the past two years. If you are a member of either of these populations and are willing to share your experiences and views, please submit your contact information at <http://www.michbar.org/participate.cfm>.

The aim of the survey is to determine the availability of policies and programs and the responsiveness to accommodation requests over the past few years, and to formulate strategies that will ensure fairness and accessibility within the justice system. For more information, please contact Katy Conklin (517) 346-6307 or kconklin@mail.michbar.org.

Annual Meeting: Graduation or Incarceration? Breaking the School-to-Prison Pipeline

The Equal Access Initiative and the Disabilities Workgroup presented a panel discussion at the 73rd Annual Meeting of the State Bar of Michigan. The discussion addressed the serious and growing problem of students pushed out of school and into the court and correctional systems. Dubbed the “school-to-prison pipeline,” this problem affects students of color and students with disabilities in greater numbers than other students and impedes their chances of success in community and adult life. Ron Lospennato, director of the Southern Poverty Law Center’s School to Prison Reform Project in New Orleans, Louisiana, was the special guest and keynote speaker. Mark McWilliams of Michigan Protection and Advocacy Services moderated the event, and the panel consisted of six other members of the legal community who represented varying viewpoints and interests related to this issue. The

standing-room-only crowd vied for discussion on the many timely and sensitive issues raised by the event.

Deaf C.A.N.! Training

The State Bar of Michigan Justice Initiatives Division, in collaboration with Deaf C.A.N.! of Michigan, held a free workshop for attorneys on serving and representing hearing impaired clients on Friday, February 13, 2009. The objective of the workshop was to educate attorneys and others in the legal system on their responsibilities to individuals who are deaf or have hearing impairments, and to help minimize the barriers preventing equal access to justice. This training was well attended and received positive evaluations and press coverage in many legal newspapers.

Jury Curriculum Project

During 2008-2009, the Jury Curriculum Project materials have been utilized in three different settings. In September 2008, Judge Mabel J. Mayfield organized a Constitution Day which involved Benton Harbor and St. Joseph school districts. The students engaged in jury selection, voir dire and peremptory challenges reviewing precedent, and jury selection. Students also reviewed assigned Supreme Court cases in groups, then completed reports and viewed the State Bar of Michigan DVD, “It Isn’t Fair if You’re Not There.” Local attorneys then participated in a Q/A session with individual classrooms to provide an overview of the case summaries.

Students also met in the jury assembly room of the Berrien County Courthouse with the county clerk to experience what jurors find as they report for jury duty.

In Detroit, Judge Cynthia D. Stephens organized a mini-presentation of the jury curriculum to students at YouthVille Detroit, an organization that is dedicated to enhancing the



Deaf C.A.N.! Training—left to right, Tracy Ramone, interpreter; Marcy Colton, director, Deaf Community Advocacy Network; Sheryl Emery, director, Division of Deaf and Hard of Hearing; David Moss, professor and director of clinical education, Wayne State University Law School; Janet Jurus, interpreter; Katy Conklin, program manager, Justice Initiatives.

lives of youth and furthering positive youth development in Detroit and surrounding communities.

At Cass Technical High School in Detroit in February, 40 judges and lawyers worked in teams of two to visit 20 classrooms and provided mini-presentations of the jury curriculum materials to the students. Attorneys Erika Akinyemi and Solon Phillips organized the group of presenters and prepared the materials for presentation to the students.

PRO BONO INITIATIVE

LGBT Training

The Michigan chapter of the American Civil Liberties Union and the State Bar of Michigan Justice Initiatives Division held a free training workshop on lesbian, gay, bisexual, and transsexual (LGBT) issues for pro bono attorneys and legal service organizations on December 5, 2008, at the State Bar of Michigan.



Jay Kaplan

SBM general counsel Cliff Flood delivered a powerful welcome and thanked the participants for their commitment to access to justice issues. Participant attorneys received the tools to assure that LGBT clients receive meaningful help and representation. The ACLU of MI garnered a list of attorneys whom the LGBT

Project can utilize to provide pro bono or reduced fee legal services. Despite inclement weather, the event was a success, having an 83 percent registration turnout. Jay Kaplan, staff attorney for the LGBT Legal Project of the ACLU of Michigan, presented on a variety of civil topics, including working with LGBT clients in family law matters, immigration, housing, and estate planning. The evaluations for the training were exceptional, and Kaplan received a standing ovation at the training's end.

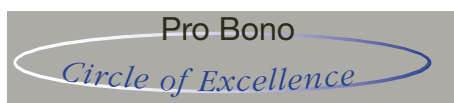
ATJ FUND

ATJ Fund

During 2008, the Access to Justice Fund received over \$736,000 in pledges and contributions from 1,711 donors. Cumulatively, the Access to Justice Fund has recorded almost \$9.1 million in donor pledges, contributions, and planned gifts since its inception in 1997, including over \$3.4 million for permanent endowment.

Circle of Excellence

The Pro Bono Involvement Initiative of the State Bar of Michigan recognizes firms and corporations in the Pro Bono Circle of Excellence. The Circle of Excellence is a listing of entities who have demonstrated full compliance with the Voluntary Pro Bono Standard adopted by the Representative Assembly in 1990. Full compliance is demonstrated through the provision of pro bono services rendered collectively through donations of reduced-fee or no-fee work, or financial contributions to legal aid programs eligible to receive funding from the Access to Justice Fund, or a combination of the two. For the 2009 Circle of Excellence, which recognizes 100 percent staff attorney participation in the Voluntary Pro Bono Standard for the 2008 calendar year, there are currently 43 firms and corporations that meet the criteria. Of the 43 firms that meet the criteria, one firm wishes to remain anonymous, and three firms are new to the Circle of Excellence.



RECENTLY...

Domestic Violence Training

The Committee on Domestic Violence, in partnership with the Pro Bono Initiative, the Michigan Poverty Law Program, the Michigan Domestic Violence Prevention and Treatment Board, the Oakland County Bar Association, and the Thomas M. Cooley Law School, presented a training on May 11, 2009 on ways to avoid burnout when working with traumatized clients.

Dr. Andrew Levin, a nationally recognized expert on psychological trauma and assistant clinical professor of psychiatry at Columbia University College of Physicians and Surgeons was the featured speaker. He discussed the nature of the traumatized client and how burnout can affect the helping professional. After the lecture, Dr. Levin, domestic violence prevention advocates, and family law attorneys facilitated an interactive workshop on ways to minimize the emotional and psychological impact on the legal and professional provider. Over 90 participants attended this training at three locations across the state.

Pro Bono Spring Training

On May 21, 2009, the Pro Bono Initiative presented a free training for legal service providers, pro bono coordinators, and other organizations that have a pro bono referral system. The training identified ways to build and maintain an effective pro bono program. These included resources, effective administrative structures, and the delivery of effective services.

Task Force Conference

The 2nd Annual Michigan Public Defense Task Force Conference,—“Reforming Michigan’s Public Defense System: The Economic, So-



cial, and Human Benefits,” held a free one-day conference, hosted at the Radisson Hotel in Lansing. Task-force members engaged in discussions about Michigan’s failing public defense system and the ongoing reform efforts taking place in Michigan. National and local experts explored critical public defense issues. Norman Lefstein, one of the leading national experts on public defense, was the keynote speaker. Visit the website <http://www.michigancampaignforjustice.org> for more information.



The panel of speakers included special guest Cheryl Zalenski of the American Bar Association Center for Pro Bono. Ms. Zalenski was also joined by David Bosman, Bodman LLP; Kirsten Enstice, Diocese of Kalamazoo Immigration Assistance Program; Robert Gillett, Legal Services of South Central Michigan; Nicholas Gorga, Honigman Miller Schwartz and Cohn LLP; Ashley Lowe, Thomas M. Cooley Law School; Matthew Millikin, Community Legal Resources; Paul Abrahmsen, Legal Aid of Western Michigan; and Lynda Krupp, Legal Aid and Defender Association.



On February 13, 2009, **Judge Cynthia Stephens**, co-chair of the Committee on Justice Initiatives, was invested into the Michigan Court of Appeals. Judge

Stephens became the second female African-American member of the Court. The investiture was held at Judge Stephens' former high school, Cass Technical High School, and attended by all of the sitting Appeals Court judges, numerous family members, friends, and well-wishers from across the state.



CII member **Valerie Newman** is a dedicated State Appellate Defender Office attorney who has contributed many hours and considerable expertise to several

initiative projects. She was awarded the Women Lawyers Association of Michigan (WLAM) Foundation's Volunteer Extraordinaire of the Year Award. The award was presented at the WLAM Foundation 2009 Awards Reception on March 26, 2009.



Jim Neuhard is the director of the State Appellate Defender Office as well as an active member of CJI and CII. He has made endless contributions of time and knowl-

edge to improving Michigan's criminal justice system. His work has extended to the national arena. It is with great pleasure that we announce that he was selected as the Lawyer of the Year by *Michigan Lawyers Weekly* on March 25, 2009.



In almost every community struggle of the past quarter century, from civil rights, prevention of domestic violence, homelessness, foreclosure, or access to health care, Legal

Services of South Central Michigan has been at the front of these battles. On November 18, 2008, Saul Green, deputy mayor of Detroit, spoke at a reception honoring **Robert (Bob) Gillett** for 35 years of service with Legal Services of South Central Michigan.



Criminal Initiatives member and the director of the Immigration Law Clinic, David Koelsch, University of Detroit Mercy, was recently named the 2009

Outstanding Immigration Law Professor of the Year by the American Immigration Lawyers Association (AILA). The Elmer Fried Excellence in Teaching Award is one of the most prestigious honors extended to AILA members and others for outstanding endeavors that advance immigration law and policy. The Immigration Law Clinic represents low-income immigrants on a variety of legal issues, abandoned immigrant children and abused immigrant women before USCIS, the Executive Office for Immigration Review, and the U.S. circuit courts.

Indigent Defense Updates and Benchmarks

The State Bar of Michigan continues its advocacy to reform the public defense system and was most recently visible at a March 26 congressional hearing. The United States House of Representatives Committee on the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on "Representation of Indigent Defendants in Criminal Cases: A Constitutional Crisis in Michigan and Other States?" The State Bar of Michigan was represented by two past presidents, Dennis W. Archer and Nancy J. Diehl. Mr. Archer also represented the American Bar Association, and Ms. Diehl the Wayne County Prosecutor's Office. Other witnesses included Regina Daniels Thomas of the Juvenile Law Group at the Detroit Legal Aid & Defender Association, Robin Dahlberg with the American Civil Liberties Union, David J. Carroll with the National Legal Aid and Defender Association, and Erik Luna from the Washington and Lee University School of Law. Additional action on the federal level is anticipated.

help the fund grow

UPCOMING...

Pro Bono Month

The American Bar Association has designated the week of October 25-31, 2009 as National Pro Bono Week, and all across the country lawyers will be taking part in events to educate the public and the legal profession about pro bono programs and practices. In order to facilitate increased awareness, the State Bar of Michigan's Pro Bono Initiative (PBI) has extended the celebration for the entire month of October 2009.

Members of PBI encourage all Michigan programs that provide legal



assistance to join the celebration by letting us know about your organization or about the work of pro bono attorneys in your area. This opportunity can be used not only as a celebration but also as a means of recruitment and training. In addition, this is an opportunity to honor attorneys who routinely provide free legal help to improve the lives of the needy.

If you would like to find ways to promote your local pro bono through the State Bar, please visit http://www.michbar.org/news/releases/archives09/pro_bono_month.cfm.