

Foundation Focus

Michigan State Bar Foundation



Funding and Leadership for Justice Since 1947

Winter 2006

**Making a
Difference**
Page 1

**Bringing People
and Resources
Together**
Page 2

Of Special Interest
Page 3

**YOU... Are Our
Foundation**
Page 3

**Funding and
Leadership for
Justice**
Page 4

The Michigan State Bar Foundation provides leadership and grants to improve access for all to the justice system, including support for civil legal aid to the poor, law-related education, and conflict resolution.

Making a Difference

"The first wealth is health."

Ralph Waldo Emerson

Medical problems touch everyone, and often issues emerge that need civil legal counsel or representation. Assistance in obtaining medical care or resolving problems related to health care can mean preventing or managing disabilities or can even be the difference between life and death. Annually, the Michigan State Bar Foundation (MSBF) awards some \$8 million to civil legal aid providers in Michigan; every day, these providers help low-income persons address critical legal issues, including those that affect their health.

MSBF grantees make a difference for many with health care needs.

Legal Services of South Central Michigan (LSSCM) helped restore treatment for a young man whose "brittle diabetes" caused him to go in and out of comas. After his medical coverage automatically ended on his 21st birthday, LSSCM immediately sought an emergency in-person hearing to present evidence that ongoing medical help was needed to sustain the man's life. LSSCM arranged for medical testimony which established that the man would die without proper medical attention. The young man's medical assistance was successfully and quickly restored.



Source: Microsoft Media Elements, Copyright 2006 Microsoft Corporation. Used by Permission.

Legal Services of Eastern Michigan and the Genesee County Bar Association worked together to develop materials on wills and estates for a new hospice program serving those who are terminally ill.

Legal Aid of Western Michigan (LAWM) assisted a mentally ill man who needed medication to remain stable. Left untreated, his illness could lead to violence toward his family or others. After he unsuccessfully attempted to obtain help on his own, LAWM resolved the matter with phone calls and letters, obtaining medical benefits for the man so he could receive the medication he needed to control his illness and live a stable life in the community.

The Center for Civil Justice (CCJ), in partnership with Legal Services of Eastern Michigan, operates the Healthcare Eligibility Law Project (HELP) providing research, information, and advocacy concerning legal health care issues. CCJ also organizes quarterly forums on health care matters with the local American Red Cross, and meets with staff from human service organizations to provide counsel, training, and information on legal health care issues. For example, CCJ provided training in Medicaid law affecting young mothers and their infants to over 40 human service and health care staff in Genesee County.

...

These are just a few examples of how MSBF grantees across Michigan are making a difference for low-income people with civil legal needs. For more information, see the MSBF JUSTICE FOR ALL report at www.msbf.org.

Bringing People and Resources Together

Pediatric Advocacy Initiative (PAI) brings medical and legal professionals together.

In 2005, the Pediatric Advocacy Initiative at the University of Michigan Law School received an MSBF grant supporting a legal fellowship position. The fellow will help the program offer legal assistance and develop training for pediatric providers and parents to help them recognize legal impediments related to children's health. PAI also works with law students in three pediatric health care settings: the Mott Children's Hospital, Ypsilanti Health Center and The Corner Health Center in Ypsilanti, Michigan. The students work on cases that focus on preventative legal advocacy designed to identify and resolve legal problems before there is a need for extensive litigation. For example, a child's asthma may be caused

or aggravated by mold in the family's apartment. Medical treatment alone cannot cure the underlying problem, so intervention with the landlord may be needed to remove the mold and improve the child's health. PAI students and attorneys also pursue more traditional litigation if necessary for their clients.

PAI is based on a successful medical/legal collaborative in Boston. Like that program, PAI trains medical providers to help them spot legal issues such as situations related to habitable housing, guardianship where patients are cared for by someone other than parents, special education concerns, hunger relief needs, and problems with public benefits. PAI's legal advocacy training is now a part of Mott's Resident Training Curriculum, reaching residents at both Mott Children's Hospital and the Ypsilanti Health Center.

MSBF Awards Access To Justice Fund Grants

Foundation awards \$48,530 in Access to Justice Fund grants.

Through the Access to Justice Fund, the Foundation awarded five grants totaling \$48,530 in 2005. The Access to Justice Campaign was established in 1998 as a partnership between the Foundation, the State Bar of Michigan and our State's civil legal aid providers. Donations are solicited by the State Bar and others for endowment and operations to expand access to justice for low-income people with civil legal needs in Michigan. The Foundation receives, manages, and distributes contributions to the Access to Justice Fund, making grants in 2005 to:

Community Legal Resources to help fund development and dissemination of legal tools to assist nonprofit community development organizations and pro bono lawyers assisting them with legal issues related to emergency, transitional, and affordable housing in Michigan.

Lakeshore Legal Aid to help fund a specially-trained domestic violence advocate to educate participants of interagency child placement meetings about domestic violence dynamics, identify issues for legal referral, and develop

protocols to aid project replication in other communities.

Washtenaw County / Eastern Michigan University Legal Resource Center to help fund the development of a website to provide access to legal forms, legal information, and links for patrons about community legal and non-legal resources.

Elder Law of Michigan to help fund the creation and distribution of information on how to quickly identify and respond with legal remedies to elder abuse and financial exploitation, and offer related training to pro bono and other lawyers.

The Legal Assistance Center in Grand Rapids to help expand current services through training new groups of legal volunteers including Spanish speaking volunteers, to help LAC assist low-income patrons who need legal information or pro se guidance.

In 2005, the Foundation also distributed more than \$632,000 in ATJ Fund operations contributions designated by donors for 36 programs. Since 1998, the ATJ Fund has received a total of more than \$6 million in contributions, pledges and planned gifts.

A PAI survey of 65 parents with children served at the Ypsilanti Health Center found that 20-30% had current civil legal problems in multiple areas, including housing, hunger, education, income, transportation and access to medical assistance.



Source: Microsoft Media Elements, Copyright 2006 Microsoft Corporation. Used by Permission.

Visit www.atjfund.org for more information about contributing to the ATJ Fund or use the "Donate Now" button on the Foundation's website at www.msbf.org to make an online donation for an eligible civil legal aid program or for needs throughout the state.



**2005 MSBF
FELLOWS RECEPTION**



**Hon. Julian Cook, Jr.
& Kimberly Cahill**



**Craig Lubben, Ronald
Keefe & Bruce Courtade**



**Edmund Brady, Jr.,
Marie Brady, Hon. Alfred
Butzbaugh & Hon. Victoria
Roberts**



**Justice Michael Cavanagh
& John (Jack) Cote'**



**Shelia Johnson & Lori
Buiteweg**



**Lambro Niforos, Samuel
Churikian & Frank Eaman**

Of Special Interest

IOLTA interest / dividend requirements are updated.

For more than 15 years, Michigan bankers and lawyers have participated in the Interest on Lawyers Trust Account (IOLTA) program, an important partnership that has generated over \$24 million to date in support of law-related charitable projects in Michigan that improve the administration of justice and support civil legal aid for low-income families. Nonprofit legal aid programs that receive IOLTA funding resolve critical legal problems every day, such as protecting people from domestic violence, assisting veterans and others who need access to health care, keeping seniors from being victimized by unscrupulous contractors, and addressing other legal needs.

The Foundation administers IOLTA and receives interest on lawyer's pooled trust accounts that hold client funds that are either so small in amount or held for such a short time, that the funds cannot generate

enough net income to benefit the individual client. Among the recent amendments to the Michigan Rules of Professional Conduct 1.15 is an update in the rate parity requirement for IOLTA accounts that now requires higher rate options for qualifying IOLTA accounts. Financial institutions must pay the highest rates generally available to their own non-IOLTA customers when IOLTA accounts meet the same minimum balance or other eligibility requirements.

IOLTA participation remains voluntary for financial institutions; but, lawyers may not keep an IOLTA account at an institution that does not meet the IOLTA rule's requirements. Only a small number of higher balance IOLTA accounts are affected by the new rate provisions. Most IOLTA accounts will not change; the Foundation will advise affected lawyers and is working with banks to assure a smooth implementation process. Information about the recent amendments can be found at www.msbf.org.

YOU... Are Our Foundation

The annual Fellows reception is a gathering of colleagues and friends.

The Fellows of the Michigan State Bar Foundation invited key ATJ Fund donors to join them at the 2005 annual Fellows reception. Many Fellows are also donors to the Access to Justice Fund. The annual event offers an opportunity for the Foundation to thank Fellows for their support and for Fellows to enjoy socializing with each other.



Richard Rappleye, Lamont Buffington, Margaret Nichols, Nancy Diehl, Linda Rexer and Hon. Paul Gadola enjoy the 2005 Fellows reception.



Michigan State Bar Foundation Trustees (L to R): Peter Ellsworth, Hon. Alfred Butzbaugh, Julie Fershtman, Richard Soble, Stefani Carter, Hon. William Murphy, Margaret Nichols, Lamont Buffington, Hon. Wendy Potts, Linda Rexer (staff), Hon. Victoria Roberts, Jon Kingsepp, Charles Rutherford, Richard Rappleye and Michael Harrison. (Not Pictured: Hon. Harold Hood, Jon Muth, Hon. Clifford Taylor, Nancy Diehl and Thomas Cranmer) See www.msbf.org for the 2005 "President's Report to the Members."

Funding and Leadership for Justice

Founders Award goes to Wallace Riley.



Wallace D. Riley and Michigan Supreme Court Justice Stephen J. Markman

Wallace D. Riley received the 2005 Founder's Award, given to a Michigan lawyer who "exemplifies legal excellence and devoted service to the

community." Justice Stephen Markman, himself a Foundation Fellow, presented the award to Mr. Riley on behalf of the Foundation at the State Bar's 2005 annual meeting. He said that Wallace Riley was among the 32 Fellows founders in 1984 and also one of the Trustees who helped build the Foundation from its early years. Mr. Riley was a Foundation Trustee from 1960-1993 and was Foundation President from 1974 to 1982 and also a past president of the State Bar of Michigan and the American Bar Association. He currently serves as president of the Michigan Supreme Court Historical Society. Justice Markman noted that Mr. Riley exemplifies the high caliber of the Fellows and their important legacy for the Foundation's program of public service.

Linda Rexer gets the Michael Franck Award.



State Bar 2005 Representative Assembly Chair Elizabeth A. Jamieson and Linda K. Rexer

The Foundation's Executive Director, Linda K. Rexer, received the Michael Franck Award at the 2005 annual meeting of the State Bar of Michigan. The State Bar's Representative Assembly gives this award annually to a lawyer who "exhibits the highest standards of practice and commitment for the benefit of others." Ms. Rexer was selected in recognition of her leadership in helping the bar work toward its goal of supporting and improving access to justice for all. Ms. Rexer has been Executive Director of the Michigan State Bar Foundation since 1987 and now oversees the Foundation's grant programs, including some \$8 million per year for civil legal aid for the poor. She has helped lead statewide efforts to expand the delivery of civil legal aid for the poor and also held various national leadership roles, including past president of the National Association of IOLTA Programs and Trustee of the National Conference of Bar Foundations.

Michigan State Bar Foundation
www.msbf.org
 1-800-968-6723

2005-2006 OFFICERS

President

Margaret J. Nichols

Vice-President

Hon. Alfred M. Butzbaugh

Treasurer

Lamont E. Buffington

Secretary

Stefani A. Carter

Trustees

Peter H. Ellsworth

Julie I. Fershtman

Michael G. Harrison

Hon. Harold Hood

Jon H. Kingsepp

Hon. William B. Murphy

Jon R. Muth

Hon. Wendy L. Potts

Richard K. Rappleye

Hon. Victoria A. Roberts

Richard A. Soble

Ex-Officio Trustees

Hon. Clifford W. Taylor

Thomas W. Cranmer

Kimberly M. Cahill

2005-2006 FELLOWS OFFICERS

Chairperson

Hon. Julian A. Cook, Jr.

Vice-Chairman

Hon. Hilda R. Gage

Secretary

Charles R. Rutherford

Executive Director

Linda K. Rexer

MICHIGAN STATE
 BAR FOUNDATION
 306 TOWNSEND
 LANSING, MI 48933

NONPROFIT
 U.S. POSTAGE
PAID
 LANSING, MI
 PERMIT NO. 130

