

Foundation Focus

Michigan State Bar Foundation



Funding and Leadership for Justice Since 1947

December, 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

Legal assistance provides solutions for consumer law problems.

Understanding legal rights and responsibilities is essential in today's consumer marketplace. Predatory lending, credit counseling abuse, identity theft or fraudulent leases are serious matters, particularly for the poor. These problems can also negatively impact a credit report even if the person was a victim of fraud and can limit employment opportunities, cause higher insurance premiums, and make it difficult to rent a place to live. Insurance companies, landlords, and even employers regularly check credit records to rate a person's financial responsibility. Timely legal assistance can help vulnerable families maintain essential needs such as housing, employment, and transportation.

Low-income persons benefit from civil legal help.

Nonprofit civil legal aid providers regularly help low-income clients learn about consumer law and prevent or repair damage consumer law problems cause. Additionally, civil legal services providers frequently bring cases to law enforcement's attention so that future victimization can be prevented. Below are a few examples of how the Foundation's legal aid grantees are providing needed consumer law assistance.

An elderly mother contacted **Legal Services of Northern Michigan (LSNM)** after she was sued for failing to pay a credit card she didn't own. An adult daughter with financial difficulties had opened an account using her mother's name without her mother's consent. The bills were being sent to the daughter's home, but

the daughter got behind on the payments. Although the mother was in no position to help pay the debts and was not legally responsible for them, she was faced with the creditor's lawsuit. LSNM successfully got the lawsuit against the mother dismissed, protecting her modest assets from the creditor's reach.

A low-income family with young children was solicited at home to buy a learning product. The salesman falsely said he was sent by the school district, which required the children to have the product. The product was never sent to the family, but they received bills including finance charges for the product. The company sued the family and reported the delinquency on their credit record. The **Michigan Migrant Legal Assistance Project** intervened and obtained a judgment that the family did not owe the debt and helped correct the father's damaged credit report.



Photo courtesy of NLADA

The **Michigan Poverty Law Program (MPLP)** works with local legal aid providers to help them assist low-income persons who have fallen prey to "refinancing" schemes which fraudulently take funds and property from financially-strapped families. MPLP also provides training and technical assistance in consumer law issues to local providers, including coordinating with advocacy groups in the statewide Consumer Law Task Force. This helps resolve many consumer issues affecting low-income clients. Additionally, MPLP manages the statewide legal services website at www.michiganlegalaid.org where legal aid organizations post consumer law and other legal educational materials for use by other providers and by low-income persons.

Bringing People and Resources Together

AOJ grants for small projects can have a big impact.

The Foundation awards Administration of Justice (AOJ) grants to nonprofit agencies to improve the administration of justice through law-related education, conflict resolution and the delivery of civil legal services to low-income Michigan families. AOJ grants often help innovative ideas get off the ground, allowing successes to be duplicated or materials to be shared with other organizations.

The **Michigan Supreme Court Learning Center** received an AOJ grant from the Foundation to create “*Kid Justice Conquers Chaos*” an interactive animated on-line computer game. The Learning Center worked with Ferris State University students and professors to develop the game. The game helps later elementary students learn more about the responsibilities, organization, and procedures of the Michigan court system and is aligned with the Social Studies Standards in the Michigan

Curriculum Framework. The game and an accompanying teacher’s guide, including lesson plans, can be accessed at the Learning Center or on-line at www.courts.mi.gov/plc. This innovative project recently received a Quest for Excellence Institutional Achievement Award from the Michigan Museums Association.

The *Courtroom to Classroom* Project by **Neighborhood Legal Services of Michigan** (NLSM) is another AOJ grant-supported project positively influencing students. NLSM staff, volunteer attorneys, and Wayne State University law students taught sessions from the national Street Law Program in Detroit middle schools. The project utilizes legal professionals as role models who interact with the students. In project evaluations, student comments included: “...now I know that I can go to jail for fighting. Fighting is not the way to solve your problems.”

To read more about AOJ-funded grant projects see www.msbf.org/news.html.

The Michigan Supreme Court Learning Center program, “*Kid Justice Conquers Chaos*,” provides students with interactive lessons about the justice system.



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2006 Fellows Reception

MSBF Awards Access to Justice Fund Grants

MSBF awards sixth round of ATJ Fund grants totaling \$45,000.

The Foundation’s ATJ Fund receives donations from the ATJ Campaign, a fundraising effort established in 1997 as a partnership between the State Bar of Michigan, the Foundation and civil legal aid providers to increase resources for civil legal aid for the poor. The State Bar leads the ATJ Campaign which solicits both endowment and operations donations. The Foundation holds the ATJ Fund and receives, manages, and distributes the funds, including 2006 ATJ Fund project grants to:

Support a law Fellow at the MSU College of Law Rental Housing Clinic to **provide low-income persons with education and legal assistance on housing issues;**

Support the **configuration of case management software to help legal aid programs track and manage pro bono cases** and other technology needs identified by the statewide Legal Services Computer

Committee to assist legal aid services; and,

Support a **statewide legal assistance centers conference** as a forum for technical assistance and information-sharing for existing centers and others interested in establishing a legal assistance center.

Since 2000, the Foundation has awarded over \$258,388 in ATJ Fund project grants to support civil legal aid for low-income persons in Michigan. As of this printing, the Foundation also distributed \$583,633 in 2006 in ATJ Fund operations contributions earmarked by donors for particular legal aid agencies. More than \$6 million in pledges and donations has been raised since the inception of the ATJ Campaign. For more information about ATJ Fund donations, visit www.atjfund.org or use the “Donate Now” button on the Foundation’s website at www.msbf.org where you can also obtain more information about the Foundation’s various grants programs.



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* * * * *

2006 Fellows Reception



Hon. Julian Cook, Linda Rexer
and Charles Rutherford



Janet Welch and Justice
Elizabeth Weaver



Gene Esshaki, Margaret (Peggy)
Costello and William Gilbride

Of Special Interest

MSBF elects Officers for 2006-2007.

At its 59th annual meeting in September, 2006, the Foundation elected Officers and Trustees. (See page 4 for complete list.)

President **Margaret J. Nichols** is a shareholder in the Ann Arbor firm of Nichols, Sacks, Slank, Sendelbach & Buiteweg PC. She was recently elected to the Board of the National Association of IOLTA Programs after serving two terms on the ABA Commission on IOLTA. Ms. Nichols is a Fellow with the American Academy of Matrimonial Lawyers, a charter member of the Collaborative Law Institute of Michigan and a past recipient of the State Bar Representative Assembly's Michael Franck Award.

Vice President Honorable **Alfred M. Butzbaugh** serves in the Berrien County Trial Court and is Chair of the Foundation's Legal Services Grants Committee which manages the Foundation's largest grant program. Judge Butzbaugh spearheaded the Access to

Justice fundraising campaign, was President of the State Bar of Michigan during 1999-2000 and is a past recipient of the State Bar of Michigan's highest honor, the Roberts P. Hudson award.

Treasurer **Lamont E. Buffington** is a senior shareholder in the Detroit firm of Garan, Lucow, Miller. He chairs the Foundation's Finance-Audit Committee and is a long-standing member of the Foundation's Legal Services Grants Committee. Mr. Buffington holds professional memberships in state, national and international defense trial associations, and is an Attorney Discipline Board Hearing Panel Chairperson and former member of the State Bar Board of Commissioners.

Secretary **Stefani A. Carter** is a principal partner at Hamilton, McDonald & Carter, P.C. in Ann Arbor. She is a member of the Foundation's Finance-Audit and Legal Services Grants Committees. Ms. Carter is an active member of the Washtenaw County Trial Lawyers Association, Vanzetti M. Hamilton Bar Association and the Litigation Advisory Board of the Institute of Continuing Legal Education.

YOU... Are Our Foundation

Fellows provide vital support to MSBF.

The Fellows of the Michigan State Bar Foundation elected the following officers at their September, 2006 annual meeting: Chairperson- **Honorable Julian A. Cook, Jr.**, Senior Judge in the United States District Court, Eastern District of Michigan, Detroit; Vice Chair- **Honorable Hilda R. Gage** of Bloomfield Hills; and Secretary- **Charles R. Rutherford**, Of Counsel at Dykema Gossett, PLLC, in Bloomfield Hills. The annual Fellows reception was an opportunity to thank the Fellows for their support and a chance for Fellows to socialize with each other. Fellows are elected to Foundation membership after nomination for professional excellence and community contributions. Without the Fellows leadership and financial support, the Foundation's public service programs would not be possible.

The following attorneys were elected new Fellows in 2006: Deborah G. Adams, Okemos; Harold Kirby Albright, Lansing; Gary K.

August, Farmington Hills; James V. Bellanca Jr., Harper Woods; Terrence G. Berg, Detroit; Naldo Bucci, Wixom; Steven E. Chester, Lansing; Lisa Sewell Demoss, Detroit; Sue Ellen Eisenberg, Bloomfield Hills; Kiffi Y. Ford, Lansing; Timothy T. Fryhoff, Bloomfield Hills; Robert C. Gardella, Brighton; Douglas Hamel, Southgate; Kevin S. Hendrick, Detroit; R. Craig Hupp, Detroit; Frank W. Jackson, Detroit; Elizabeth Moehle Johnson, Plymouth; Nicole Y. Lamb-Hale, Detroit; Leslie Anne Logan, Bloomfield Hills; Joan H. Lowenstein, Ann Arbor; Michael A. Macdonald, Grand Rapids; Mona K. Majzoub, Detroit; Margaret A. McCrystal, Allendale; Susan G. Meyers, Grand Rapids; John F. Mills, Birmingham; Hon. James Robert Redford, Grand Rapids; Hon. Julie H. Reincke, Charlotte; Richard A. Roane, Grand Rapids; Ann L. Routt, Ann Arbor; Margaret F. Schweitzer, Ann Arbor; Richard J. Suhrheinrich, Okemos; Kathryn R. Swedlow, Lansing; Norris J. Thomas Jr., Detroit; Thomas H. Thornhill, Muskegon; Jalae A. Ulicki, East Lansing; Hon. R. Steven Whalen, Detroit; and Avery K. Williams, Detroit.

Funding and Leadership for Justice

Charles R. Rutherford receives MSBF's 2006 Founders Award.



Michigan Supreme Court Chief Justice Clifford W. Taylor presented the 2006 MSBF Founders Award to Charles R. Rutherford (right).
 Photo: Michael M. Smith/State Bar of Michigan

On behalf of the Foundation, **Chief Justice Clifford W. Taylor** presented **Charles R. Rutherford** with the Foundation's 2006 Founders Award at the State Bar Annual Meeting in September, 2006. The Founders award recognizes a lawyer who exemplifies professional excellence and has made significant community contributions. Chief Justice Taylor said the previous Founders Award recipients [Dennis Archer and Wallace Riley] were "tough acts to follow...but Charlie Rutherford is a fitting addition to this illustrious company," and "there is no better choice than Charlie for this honor." Foundation President **Margaret J. Nichols** said, "There isn't a person among the Foundation's past or present leadership who

thinks the Foundation could have grown to its present status without [Charlie Rutherford's] leadership." Upon receiving the award, Mr. Rutherford thanked the Foundation for the honor and expressed gratitude for the many opportunities provided him in nearly 50 years of practicing law and for the support of his colleagues in the legal profession.

Mr. Rutherford was a Foundation Trustee for over 27 years, including service as past President and a founder of the Fellows. He also served three decades in the military reserve, retiring as Colonel in the U.S. Air Force Judge Advocate Department and was past president: of the Federal Bar Association (Michigan Chapter), the Detroit Metropolitan Bar Association, the Michigan Society of Professional Engineers, the University of Detroit Mercy School of Law Alumni Association and the Law Alumni Board. Mr. Rutherford is a Trustee of the Michigan Supreme Court Historical Society and past Trustee of the Detroit Rotary Club and Legal Aid and Defender Association. He is also past chair of the State Bar's Senior Lawyer's Section, from which he received the inaugural Charles R. Rutherford Senior Lawyers Leadership Award in 2004. Mr. Rutherford is currently Of Counsel at Dykema Gossett, PLLC.

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