

NO NAME NEWSLETTER

KALAMAZOO COUNTY TRIAL LAWYERS

JANUARY, 2013



KCTLA MEETING

FRIDAY, JANUARY 11th

NOON (LUNCH \$17)

PARK CLUB

SPEAKER: ELIZABETH WARNER

RSVP BY WEDNESDAY, JANUARY 9th

SOME SIDE BAR CONVERSATION

Wiki Leaks Alert.

We, KCTLA, we have a Website. In fact we have had a Website, and we've managed to keep it a secret.

Peremptory Challenge Alert!

Ross Stancati has been summoned to Jury Duty in Fed. Dist. Ct. "May it please the Court."

It's OK As Long as He Puts a Maple Leaf on his Backpack.

Fred Royce may be headed to Rio for Carnival. I know, we all thought he said good bye to meat a long time ago. I can see Fred now, dancing in the streets with all the locals, wearing a suit and tie (his idea of a costume), and drinking herbal tea *to excess*.

F Bomb Etiquette

Drop an F bomb in the office... Unprofessional! Drop an F Bomb in the Kalamazoo Gazette... Priceless!...?

Are We There Yet?

Marty, One Goddeyne to go... Let's see, I believe that's .2 miles.

CHILD PROTECTIVE PROCEEDINGS... THE "OTHER" CONTRACT

"As Gregor Samsa awoke one morning from uneasy dreams he found himself transformed in his bed into a gigantic insect."

The Metamorphosis, Kafka

Just when you think it's highly unlikely that you will ever wake up like Gregor Samsa and learn that you've turned into a bug, there's a knock on your door...it's Children's Protective Services...they're investigating a complaint that you've neglected or abused your own child. Your child's already been interviewed, without your knowledge. Now CPS wants to interview you. If you choose not to cooperate or to remain silent, your lack of cooperation and silence will be used against you. No...You're not dreaming. And there's no need to check the mirror... you are now a "bug."

It's never a good thing to get spanked by the state: I'm talking about parking tickets, speeding violations, the occasional assault and battery or attempted murder, that kind of spanking. Obviously it's a bad day when the state accuses you of any of these things. But when the state accuses you of neglecting and/or abusing your own child, that's more than just a bad day. In fact it's more than a nightmare. It means you've been transformed into a bug.

Legal Aid usually doesn't get involved in Child Protective Proceedings. That's because private attorneys are paid by contract with the County to represent children and parents unable to afford an attorney. Obviously CPS and the Prosecuting Attorney handle the States end.

Elizabeth Warner has experience handling these cases. So I've asked her to be our speaker this month.

MUSINGS FROM THE PRESIDENT

IF I KNEW THEN, WHAT I KNOW NOW....

So it's New Year's Eve. It's around 9:30 PM. I'm sitting on the couch sipping herbal tea and staring at a fire in the fire place. (Celestial Seasonings...the box with the sleeping bear on the cover) Anyway, the dog's staring at me. She's got that puzzled look, like she's wondering why I'm not knocking down shots of Jagermeister. Or she could have been wondering why I left the dishes in the kitchen sink without washing them. Yes, it's true, sometimes she even makes me feel guilty

So I tell the dog what's on my mind. I tell her that I met an attorney (he/she will remain nameless) in the potato chip Isle at the Spartan Store on West Main. It could have been worse. We could have met at the Quickie Mart checking out with a couple quarts of beer.

Anyway, we talked for about 30 minutes about the last 30 years. (The symmetry in that sentence was entirely coincidental) Then, while we were both leaning on our shopping carts for whatever support they could give us (we'd been standing there for 30 minutes), we asked each other what attorneys of our generation tend to ask other attorneys of our generation, no matter where we meet, *"if you knew then, what you know now, would you do it all over again?"*

The dog still looks puzzled. So I tell her to imagine a New Yorker Cartoon. Two Dogs, both attorneys carrying brief cases, meet on the steps of a court house. What do they say to each other? Would they talk for 30 minutes about 30 years. Would they avoid asking each other the ultimate depressing existential question. Or would they just sniff one another, the way they do, and then move on.

When I was younger (God, it's painful to type that) I didn't think the older attorneys (I just felt the pain again) were having these conversations with each other. Alright, maybe Zarbock did, but I don't think anyone else did. No way Dave Davidoff did...**no way**.

So I'm asking you, because my dog didn't have the answer. What does it mean that my generation is always asking this question? And what does it say about our profession and where it's headed.

At 10:00 I finished my tea. (Celestial Seasonings...the box with the sleeping bear on the cover) My Judge Fox clock chimed the appropriate number of times, just two short of the New Year. I thought again about the New Yorker Cartoon. (If only I could draw) I hugged the dog, and went to bed. When I woke up, it was 2013, and there were dirty dishes in my kitchen sink.

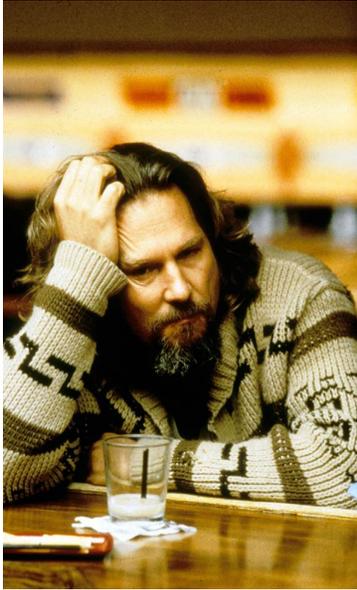
New Member

Hal Welch

Hal Welch, an attorney with Legal Aid of Western Michigan, and no stranger to Gary Apps, has decided to become a member of KCTLA. Over the years, Hal has been the legal nemesis of numerous Kalamazoo landlords and their attorneys. I figure He's probably filed more Landlord Tenant Fee Waiver/Jury Demands than any other attorney in the county. If you have any questions about Lock Outs, the Park Forest Defense, Black Mold or Bed Bug Infestation...give him a call.

Not only does Hal work for the prestigious Kalamazoo law firm of Legal Aid of Western Michigan, he has received trial advocacy training from none other than the fringe jacket guy, Gerry Spence. Hal has been a zealous advocate on behalf of legal aid clients. I'm proud to have worked with him over the years. We should all be proud that he has chosen to become a member of KCTLA. (Even Apps)

BOWLING ALONE... THE UNANSWERED QUESTION



I remember attending a State Bar training for county bar presidents at Tree Tops. The golf was good, and I got my picture taken with the State Bar President. Beyond that, I can't remember much from the training. However, I do remember asking a question in a "break out group" and getting an answer that I can remember to this day.

I explained that I was president of an organization that had over 400 dues paying members. And I expressed my concern that only 25-30 of them could be expected to attend a meeting. The Leader of our group, some guy who was supposed to have the answers to questions like this gave me a puzzled look. He asked me why that was even a concern of mine. I then gave him a puzzled look in return and asked, "Well, isn't it obvious." He said, "no, no it isn't."

He claimed that my organization, The Kalamazoo County Bar Association, was a success because it had over 400 dues paying members, and he couldn't understand why it was so important to me that all of them be willing to participate by attending meetings. He asked the other members of our group if any of them shared my concern. To my surprise, none of them did.

The people in my group were not concerned about attendance at meetings. They were concerned about declining dues paying memberships. In fact most had given up on meetings entirely, except for annual golf outings.

We don't have 400 members. I think we have around 40. Over the past few years we've been lucky to have 20 show up at a meeting. I think the average is around 12 -15. I'm not proud of that. But I can live with it...if you can.

I haven't changed my mind since Tree Tops. I'm a dues paying member of the State Bar, and I seldom attend their "meetings." But that's the State Bar...nobody cares. Clearly, they just want my dues, and I just want my Bar Card.

KCTLA is different. I don't understand why people would want to be a member of our organization if they have no interest in coming to the meetings. What's the point ?

So, I want to know what the point is. If you're a dues paying member who does not come to meetings, I would like to invite you to come to our next meeting. I will personally buy you lunch (with Fred Taylor's money). All you have to do is explain to me, and the 10-15 other people in attendance, why you pay dues to us but never come to our meetings. (Keep in mind, I still need to talk to Fred Taylor about the money he's going to pay for your lunch.)