

# HEARSAY

GENESEE COUNTY  
CIRCUIT AND  
PROBATE COURTS  
E-NEWSLETTER

a quarterly publication

## INSIDE

### THIS ISSUE:

FEATURE ARTICLE	1
THE CHIEF SPEAKS	2
ADMINISTRATOR CORNER	2
ARTS ON PROBATION	3
MCCREE RAMP	4
EMPLOYEE SPOTLIGHT	4
ATTORNEYS AND STATE BAR	5
RACES	5
FOC UPDATES	6
COURT BRIEFS	6
ADMISSION CEREMONY	7
MICHIGAN SITES	8

### NEWSLETTER COMMITTEE

**PUBLISHER**  
Fredricka Savage

**LAYOUT AND DESIGN**  
Christine Vliet

**TECHNICAL ADVISORS**  
David Combs  
Rob Gifford

**FEATURE ARTICLE**  
Janet Patsy  
Sarah Santini

**CONTRIBUTING WRITERS**  
Francine Cullari  
Stacey Curnow  
Josh Freeman  
Tony McDowell  
Shelley Spivack

**COMMITTEE MEMBERS**  
Cindy Grossbauer  
Rhonda Ihm  
Tony McDowell  
Barbara Menear  
Samuel Olson  
Janet Patsy  
Fredricka Savage  
Christine Vliet

**CHIEF JUDGE**  
Richard B. Yuille



VOLUME 4, ISSUE 1

OCTOBER 2017

## USING TECHNOLOGY TO IMPROVE JUROR EXPERIENCE

In a determined effort to make it more convenient for citizens to serve on jury duty, the circuit and district courts have embraced technology aimed at reducing wait time, paperwork and trips to the courthouse.

Jury service is an important civic duty but is often viewed as an inconvenience. The implementation of the Jury Management Software (JMS) is intended to foster better communication between the court and the juror.

The journey began in the fall of 2016 when Genesee and Oakland County partnered to publish a Request for Proposals (RFP) for juror software. Oakland County was simultaneously looking for jury software that promoted mobile technology.

This was a maiden voyage, the first time that Oakland County and Genesee County Courts partnered on a venture to obtain a new product.

Product evaluation requires an understanding of the technical and architectural requirements of hardware and software.

Dave Combs, Court IT Technician, was the lone Genesee County representative on the Oakland/Genesee team to review vendor responses.

After a competitive bidding

process, the successful bidder was *Courthouse Technologies*. With the new system, the **28,000** annual summons are no longer printed and mailed by the jury staff. Summons are printed by the vendor and pre-



sorted to obtain the best first class mailing rate.

In addition, the address data is run against the USPS National Change of Address Registry (NCOA). This allows the vendor to produce and mail the questionnaires with known and deliverable addresses, eliminating undeliverable mail.

With the web based JMS system, prospective jurors must complete their juror questionnaires online. This eliminates paper processing by the court staff.

Individuals who do not have access to the internet, can come to the jury management office to complete their questionnaire or use the internet access made available to them in one of the local public libraries.

There are other advanced innovations with the new software. This includes an Interactive

Voice Response system (IVR). With the IVR a juror can call and listen to general information about jury duty 24/7. They can hear their current status and be updated on requests for rescheduling, excusal or disqualification.

There is also an option for them to schedule a reminder call or email message for upcoming jury service.

The court can now easily notify jurors, via text

messaging, of late cancellations or inclement weather conditions. Formerly, it was impossible for the staff to make dozens of simultaneous phone calls to jurors.

A new jury kiosk is being installed in both jury assembling areas. Kiosks come with a bar code reader, a touch screen and a cash dispenser.

They are a self-service center that can be used by jurors to check in, complete their questionnaires, print attendance letters and be paid.

The latter is especially important because the jurors can immediately receive cash payment on the way out of the door.

In addition, the county will greatly decrease the amount of time spent on producing and mailing nearly 6,000 checks on

(Continued on page 9)

# THE CHIEF SPEAKS



The *Genesee County Bar Association* was

founded 120 years ago. In 1897, approximately 40 attorneys concluded that forming an association would be beneficial to its members and the community.

The first president of the GCBA was *George H. Durand*. Durand served in a number of positions in the community. He was an Alderman, Director of the Flint Public Schools, Mayor of the City of Flint, Congressman and Justice of the Michigan Supreme Court (1892).

In 1893, he became president of the State Bar of Michigan and was the first president of the State Board of Law Examiners.

It is interesting to note that when Durand joined the Michi-

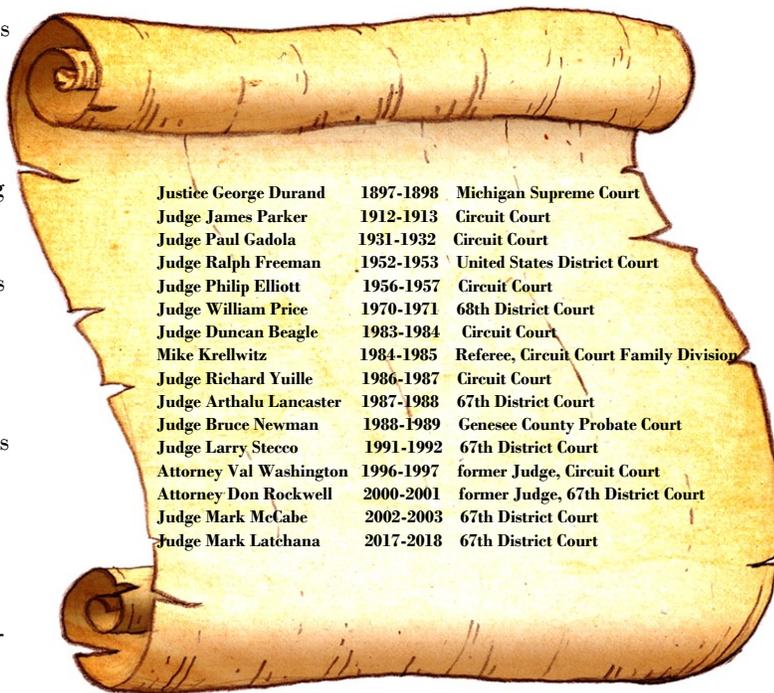
gan Supreme Court, there was another Genesee County resident already on the bench.

Justice Charles D. Long served from 1888-1902. Long was from Grand Blanc and previously served as County Clerk and Prosecutor. He was also the first president of the Detroit College of Law.

Having fought in the Civil War and losing a limb, he was said to be in constant pain from his wounds.

His biographical information suggests that he took a short break from the Court, intending to return, but succumbed to the pain.

The tradition of attorneys who became judges and also served as president of the GCBA has continued throughout the years. I am one of those judges who proudly served.



My congratulations to Don Rockwell, as he assumes the position of president, State Bar of Michigan and to Mark Latchana, as he takes on the role of president of the GCBA.

It is gratifying to know that service to the bar and the community is still held in high esteem by our profession. -cjrby

## ADMINISTRATOR CORNER

On August 9, 2017, the State Court Administrative Office (SCAO) held a statewide E-Filing Project Kickoff session at the Hall of Justice in Lansing to share key components of the e-filing and electronic document management system, which is set to roll-out gradually across the state in the coming months.

The implementation of mandatory e-filing, a statewide project many years in the making, signals a major change in the way litigants will file court pleadings and documents.

The statewide expansion of the system will begin in January 2018, with the SCAO currently in the process of determining

when and which courts will begin implementation.

The goal is for statewide implementation to be complete by June of 2021. SCAO intends to notify the courts targeted for implementation in 2018 by mid-October of this year. A full roll-out strategy for the state will soon follow.

So what does e-filing mean for Genesee County? Attorneys and the public will soon be able to file court documents from anywhere in the state at any time of the day without having to drive to court or



send printed material through the mail.

For the courts, the new system will improve efficiency, save costs, and streamline the processing of filings. This technological advancement for the courts will be a major step toward achieving an entirely paperless court system. For the many benefits, the move to e-filing is sure to bring

along some challenges in adapting to a new system.

SCAO has indicated that, with very few exceptions, e-filing will be *required* for filing court documents once fully implemented.

For attorneys and members of the public who are accustomed to traditional paper filing, mandatory e-filing presents a major change from the norm.

Hearsay will be sure to include more updates on e-filing in future articles. For more information on e-filing, please visit [www.courts.mi.gov](http://www.courts.mi.gov). -so

# ARTS ON PROBATION



arts workshops at the Genesee Valley Regional Center (GVRC) since 2011, “Arts on Probation” was created in response to requests by youth that the program be offered outside of the detention center.

Juvenile Section Administrator Rhonda Ihm worked with Buckham staff to develop the project and to secure funding from the United Way of Genesee County to support the programming.

“Arts on Probation,” a 12-week pilot project offering free arts workshops for youth on juvenile court probation, made its debut in Genesee County on September 25th.

In order to make the workshops more accessible, juvenile probation supervisor Mark Kalandyk has arranged to have all workshops take place on site at the McCree Building on the days that youth report to their probation officer.



A collaboration between Buckham Gallery in downtown Flint and Genesee County Family Court, the Project will offer 90 minute visual arts, poetry, dance, and theatre workshops led by professional artists and faculty from local colleges.

An extension of Buckham’s “Arts in Detention” project that has been offering weekly

Buckham will showcase the art work, writing, and videos created by youth in both the “Arts in Detention” and “Arts on Probation” workshops in a gallery exhibit that will take place in April of 2018 and in an annual collection of poetry published by the Project.

Work created by the youth will also be featured in the Project’s interactive website:

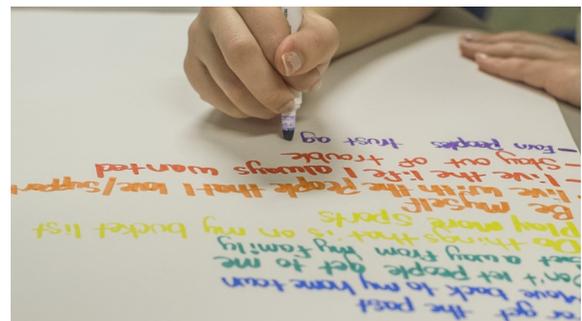
<http://www.buckham-gvrc-share-art-project.org/>.

The “Arts in Detention” Project has been recognized both state-wide and nationally for the quality of its programming. The Project was featured in an American Bar Association publication, [www.americanbar.org/](http://www.americanbar.org/)



[publications/litigation-committees/childrens-rights/articles/2016/art-works-flints-detained-youth.html](http://www.americanbar.org/publications/litigation-committees/childrens-rights/articles/2016/art-works-flints-detained-youth.html), and Project organizers have presented workshops at several national conferences.

State-wide, the Project has been awarded competitive grants from both the Michigan Humanities Council and the Michigan Council for Arts and Cultural Affairs.



In September of 2017 Project co-founder, Shelley R. Spivack, was presented with the Dorothea E. Wyatt award at UM-Flint for her work developing arts programming for girls in the juvenile justice system.

The “Arts on Probation” and “Arts in Detention” projects have been made possible by generous grants from the Hagerman Foundation, Women and Girls Fund of the Greater Flint Community Foundation, Ruth Mott

Foundation, C.S. Mott Foundation, United Way of Genesee County, the Michigan Council for Arts and Cultural Affairs, Sunrise Rotary, and the Michigan Humanities Council.

For more information contact Shelley R. Spivack at: [spivack-shelley@gmail.com](mailto:spivack-shelley@gmail.com) –srs

# MCCREE RAMP

Joshua (Josh) Freeman is the Board Coordinator for the Genesee County Board of Commissioners.

Because of the considerable disruption that closing the ramp has on the employees at McCree, Commissioners have committed to doing all in their

power to get this project wrapped up this year.

We're keeping our fingers crossed.

The final phase of the project is expected to be a flat lot for employee parking with the possibility that there may be a portion reserved for public parking.

Those specific details will be worked out as part of the final phase, which was just awarded to Johnson & Anderson, a local design and engineering firm, in August.

If all goes as planned, the finished lot should be ready for use late this year. If all does not go as planned, the lot will still be available, just in an unpaved condition. We're hoping for the former over the latter. -jf



By now you've seen the extensive demolition activity surrounding the parking ramp at the McCree Building.

Earlier this year the Board of Commissioners deemed that the ramp was no longer safe for public use. Built in the early 1960's, the ramp had long ago outlived its usefulness and had become a significant safety issue for users.

In July, the Board awarded a \$650,000.00 contract to North American Demolition to begin taking down the ramp on a very aggressive timeline.

# EMPLOYEE SPOTLIGHT



Left to Right: Darius Baylock, Kyle Bruckner, Stacey Yelda, Justin Young Not Pictured: Sparkle Walker

**Darius Baylock** joined our Adoptions Unit in August as a case worker. He is a Flint native and a former sheriff's deputy. Darius was with FOC as a case

worker prior to coming to the court. Darius is a Grand Valley State University graduate. He is married with 2 children.

**Kyle Bruckner** is our most recent judicial advisory assistant. He is originally from the Port Huron area and is an Air Force veteran. Kyle began working with Judge Gadola in August. He is a recent graduate of Wayne State University of Law where he was active in a number of student organizations.

**Stacey Yelda** joined Judge Farah's office in May. She is a Western Michigan University Cooley Law

School graduate. She started as an intern for Judge Farah prior to becoming his judicial advisory assistant. Stacey likes to travel and spend time with her family.

**Justin Young** started with FOC in August. He works Judge Gadola's enforcement team. Prior to joining the Friend of the Court, Justin worked for various law firms. He is a Corunna High graduate.

**Sparkle Walker** joined FOC also in August as a program clerk with the bookkeeping team. She is a former substitute teacher and intervention specialist. She attended U of M Ann Arbor and has 4 children.

-sc

# GENESEE COUNTY ATTORNEYS AND STATE BAR SERVICE

Attorney Francine Cul-lari (and GCBA member) has long been very active with State Bar activities. *Hearsay* appreciates her contribution to the publication.

Genesee County is well-represented in the State Bar of Michigan activities. In addition to our many members serving in various sections, 23 Genesee County attorneys and judges serve on committees and section councils, as the table on the right shows. We are honored to have Don Rockwell as the 2017-18 SBM president.

The State Bar provides many services for its members, as its website amply demonstrates. <http://www.michbar.org/>

Consider applying for membership on a committee or advancing in a section to be on its Council.

<b>GOVERNANCE</b>	
President, Board of Directors	Donald J. Rockwell
Representative Assembly	Nancy Katherine Chinonis Jill M. Nylander Chadd O'Brien
<b>COMMITTEES</b>	
Character and Fitness	Barbara A. Menear
Character and Fitness District B	Linda A. Pohly Jonathan Christopher Poulos Joseph F. Sawka
Criminal Jurisprudence and Practice	Michael A. Tesner
Education and Events	Donald J. Rockwell
Law-related Education and Public Outreach	Sherri L. Belknap
Lawyers and Judges Assistance	Carrie Ann Barnes Erwin F. Meiers III Sean M. Siebigteroth
Lawyer Referral Service Steering	Donald J. Rockwell
Professional Ethics	Linda Jeanette Rawls
United States Courts	Hon. Terrence G. Berg
Civil Discovery Court Rule (Special Committee)	Valdemar L. Washington
<b>SECTION COUNCILS</b>	
Animal Law	Richard C. Angelo, Jr.
Consumer Law	Terry J. Adler
Criminal Law	Tamara J. Phillips
Elder Law and Disability Rights	Robert D. Mannor
Public Corporation Law	Audrey J. Forbush
Young Lawyers	Samantha Jolene Orvis

## SUMMER RACE EVENTS

Judges and staff once again participated in summer race events. Congratulations to the participants!

### Crim Festival of Races

Judge Barkey  
Sarah Coughlin  
Judge Gadola  
Rebecca Look  
Sue McVey  
Kim Poisson

Cassandra Swartwood  
Dawn Thomason  
Kristyne Traver

### Bayshore Marathon

Kenda Herrick

### Bauman's Charity 5K

Selina Ruffin

### Assenmacher 100 cycling tour

Shelley Spivack

### Warrior Dash

Diana Van der Vossen

### Atwood Stadium Races

Judge Barkey  
Cassandra Swartwood



# FOC UPDATES

## 5 Updates You (Probably) Didn't Know About the Friend of the Court

1. Over the past year, the Friend of the Court has undergone a major restructuring based in part on suggestions from the State Court Administrative Office. After the restructuring, we have increased our focus on customer service and we are continuing to improve our modification, enforcement and parenting time services. We hope our changes will allow us to provide prompt customer service and casework services.
2. The Friend of the Court has monthly staff trainings. All of the Friend of the Court's nearly 90 employees receive the same training and information. The trainings cover many different issues from legal updates to customer service to self-defense.
3. Have you checked out the MiChildSupport website yet?

If not, it is worth taking a look at [micase.state.mi.us](http://micase.state.mi.us). The new MiChildSupport page includes a public child support calculator that uses the same logic as the calculator used by Friend of the Court employees statewide.

For individuals with child support cases, they can login and view their account information any time of day. Once users are logged in, they can also receive alerts regarding their child support case.

In the near future, users will be able to be notified by text or email of upcoming hearing dates, payment due dates, and progress on activities on their case. MiChildSupport is also mobile friendly.

4. There are more options to pay child support than ever before. Individuals with child support obligations can pay child support anytime online at MiChildSupport and MiS-DU. Cash payments can be

made at Family Dollar and CVS with the new PayNearMe option. As always, child support payers can make payments at the Friend of the Court using cash or credit.

5. The Genesee County Friend of the Court has had an expedited paternity establishment project since 2014.

The ADAPT Expedited Paternity Establishment project has recently been scientifically evaluated and the results demonstrate that the project offers substantially faster paternity establishment and significantly increased child support payments for the benefit of the family.

Based on those new findings, the Genesee County ADAPT Program is gaining both statewide and national attention, recently being highlighted in the Federal Office of Child Support Enforcement newsletter. -tm



Hearsay received more comments on the July 2017 edition, featuring the history of the murals of the Genesee County Courthouse, than any other edition since the e-newsletter started.

◇ Attorney Michael Smith, Naples, Florida - after a legal career that brought him to the Courthouse many times, "I want to come back to see the murals with a new perspective."

◇ SCAO, Region II Court Administrator, Jodi Latusek, "the publication has found a good balance between substantive information and personal interest content."

◇ Genesee County Controller, Nerahoo Hemraj, complimented the publication.

◇ "Sharp colors, interesting format" – Attorney Francine Cullari

◇ Attorney John Potbury, "nicely done and informative."

◇ Genesee County HR Director Anita Galajda, "looks awesome, as usual."

- The murals of the Genesee County Courthouse were recently featured in a 3 part series in My City magazine, [mycitymag.com](http://mycitymag.com). Appreciation to journalist Cheryl

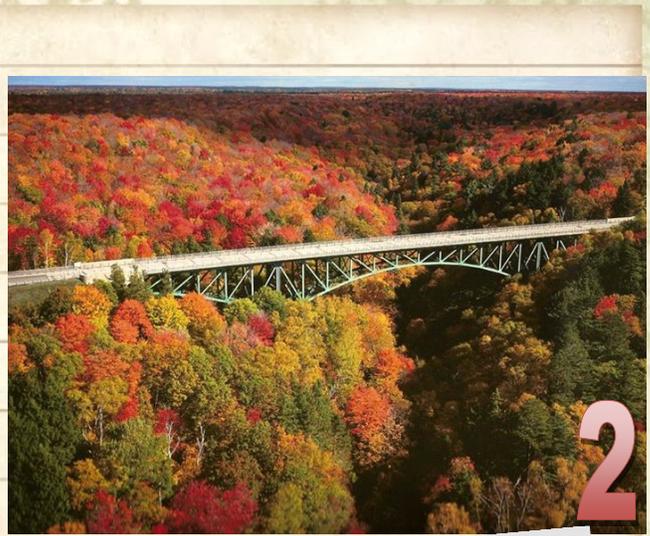
Dennison for her interest in the topic and her generous time commitment to the series.

- Congratulations to Don Rockwell, as the incoming President of the State Bar of Michigan.

- Congratulations to Judge Farah, honored as the 2017 Trial Judge of the year by the State Bar Negligence Law Section.

- Congratulations to Judge Latchana, GCBA President for 2017-2018.

PURE MICHIGAN



# ADMISSION CEREMONY FOR AN EXHIBIT

On September 14, 2017, the Genesee County Circuit Court hosted an admission ceremony for an exhibit, used in an argument before the United States Supreme Court 65 years ago.

The landmark case of *Morrisette v United States\** arose out of a simple act of taking



**Pictured: The Demonstrative Exhibit**

what was thought to be abandoned scrap material, law enforcement thought otherwise and one attorney who demanded that justice prevail.

*Richard B. Yuille*, Chief Judge, Genesee County Courts, presided over the ceremony which was held in his courtroom.

Also participating in the ceremony was *Donald G. Rockwell*, President-Elect, State Bar of Michigan and a Genesee County Attorney, Attorneys *Peter Doerr*, *John Nickola* and *Patric Parker*. *Mark W. Latchana*, 67<sup>th</sup> District Court Judge and President of the Genesee County Bar Association represented local attorneys and the organization of which Transue was president years earlier. Genesee County Sheriff, *Robert J. Pickell* attended and his staff presented the colors for the event.

The attorney who represented *Morrisette* was Andrew Jackson Transue (1903-1995). He attended the Detroit College of Law and after a brief law practice in Detroit, settled in Flint.

He was the Genesee County Prosecutor from 1933-1937, United States Congressman from 1937-1939, president of the Genesee County Bar Association from 1944-1945 and returned to private practice where he remained until his death in 1995.

The demonstrative exhibit from the *Morrisette* case was located in the office of Attorney Peter Doerr, a former associate of Transue. Doerr received it from Attorney Richard Figura, who had a chance meeting with the son of the photographer. Knowing the legal significance of the photograph, it was offered to Figura.

The story takes another local turn. Attorney John Nickola was at Doerr's office on a separate matter. Doerr mentioned



**Pictured: Andrea Transue Haidle**

the "old photograph" in his closet and thought that Nickola would be interested in seeing it.

Interested he was and here is why. Nickola knew "Mr. Transue" since he was a child.

His parents were represented by him in various business transactions and *Morrisette* lived in a mobile home park owned by his family.

*Morrisette* was a Genesee County resident who went hunting in Oscoda, Michigan in 1948. While there he ran across a pile of spent bomb casings in the woods.

The government had a practice bombing range where the Air Force dropped simulated bombs at ground targets. The spent casings were dumped in piles and left exposed to the elements.

*Morrisette* did not get a deer, but did come across the casings and salvaged 3 tons of them to help with the expenses of the trip.

After trucking the casings back to Flint, he realized \$84. Interestingly, the business who bought the scrap was owned by Sanders Goodstein, a Genesee County attorney and businessman.

*Morrisette* was a fruit stand operator in the summer and a scrap iron collector in the winter. He was an honorably discharged veteran of World War II, said to have enjoyed a good reputation in the community.

The Michigan State Police intercepted him on the way back to Genesee County. He fully cooperated with the authorities and said he was taking property that he thought was discarded by the government.

He was indicted and convicted in federal court, his counsel not being permitted by the trial

judge to argue that the government had to prove the intent to steal. The judge ruled that the taking of the property was sufficient and felonious intent



**Pictured: Tamara Transue Royle**

is presumed by the act. The Sixth Circuit Court of Appeals affirmed the conviction. The Supreme Court of the United States reversed the conviction, finding that the intent to steal is a question for the trier of fact and required to establish the elements of the offense charged.

The opinion for the Court written by Justice Robert Jackson begins in the following matter: *"This would have remained a profoundly insignificant case to all except its immediate parties had it not been so tried and submitted to the jury as to raise questions both fundamental and far-reaching in federal criminal law, for which reason we granted certiorari."*

Few attorneys will ever find their efforts so recognized in an opinion by the Supreme Court of the United States. *Morrisette* remains the lead case on the issue of criminal intent. It is included in many law school textbooks.

From one Genesee County attorney, representing one Genesee County resident, legal history was made. —bam

\*342 US 246 (1952)

## USING TECHNOLOGY (CONT'D)

(Continued from page 1)

an annual basis

Migrating to new software is challenging. It involves transferring the data and functionality from one system to another. This requires hands on staff training, testing and verification.

It should be noted that this project was made successful by the following court team: David Combs, Court IT Technician; Mary Fortino, Jury Board Supervisor; Diana Van der Vossen, Jury Board Secretary; Denise Barber, District Court Specialist and Kim Davis, District Court Specialist.

Their willingness and enthusiasm to take on every challenge contributed to the successful implementation of the new JMS system.

A special KUDOS to Diana Van der Vossen, whose personal commitment to excellence and careful attention to detail

was integral in the execution of this project. –jep/sks

## HEARSAY PURE MICHIGAN ANSWERS

1. Copper Harbor
2. Cut River Bridge (US2)
3. Empire Bluffs
4. Lake of the Clouds (Porcupine Mountains)
5. Houghton-Hancock Lift Bridge
6. Tahquamenon Falls
7. Munising (Pictured Rocks)
8. Tunnel of Trees (M119)



Hearsay is now available on the Circuit Court website [www.7thCircuitCourt.com/hearsay-newsletter](http://www.7thCircuitCourt.com/hearsay-newsletter)

We want to hear from you! Send us an email letting us know what you would like to see in the newsletter and feedback on the current edition. You can also submit ideas and information about activity in your department. [hearsay@7thcircuitcourt.com](mailto:hearsay@7thcircuitcourt.com)