

GENESEE COUNTY COURTS HOST MILESTONE EVENTS

The Court is the location for life changing events every day that a judge presides.

The judicial branch of government provides a neutral place, presided over by members of the judiciary to resolve legal disputes. Every case is a personal milestone for the litigants.

For the Court itself to host milestone events, that are not case specific, is rare.

On October 18, 2023.

the Michigan Supreme Court was in session at Powers High School to hear oral argument on an actual case pending before the Court. The Genesee County Judges were invited to attend, process in their robes and take seats of honor.

Circuit and Probate Court Chief Judge David J. Newblatt delivered welcoming remarks to the Justices and assembled guests.

He was also proud to introduce Marcus Garvin, a Genesee County Veterans Court graduate and mentor. Mr. Garvin was allotted a few moments to share his personal journey with the many high school students who were invited to attend the event. He thanked the Justices

for the funding which permits the Veterans Court and other recovery courts to operate.

There was an educational component to the event, beyond the oral argument. The students were able to be mentored by attorneys who offered legal background on the case that was argued.

There will be follow-up with the students when the case is decided.

> This event is part of the Michigan Supreme Court initiative to take the Court out to the community, primarily as an educational oppor

tunity for students to understand how the judiciary functions.



Most of the Genesee County Judges were able to re-schedule their dockets to attend this momentous event.

The second event was a bill signing by Governor Gretchen Whitmer at the Genesee County Courthouse. The bill signing was held in the courtroom of Judge Khary L. Hanible.

Judge Hanible offered welcoming remarks to the Governor and was especially proud to do so since he was appointed by Governor Whitmer one year earlier.

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THE CHIEF SPEAKS



When we think of Crossroads Village in December, the first things that come to mind are the tree with the thousands of small white lights and the train all decorated for the season.



Crossroads Village Holiday Train

These two attractions might be considered the main event for the holidays. For the legal community there are two other locations at Crossroads which are highlighted in this edition.

George Durand's home law office is located in Crossroads Village. Durand was originally from New York, born in 1838 and died in 1903. He was the first president of the Genesee County Bar Association, Mayor of the City of Flint, elected to Congress and then appointed to the Michigan Supreme Court in 1892.

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

It was very common during this time for attorneys, and physicians, to have a small office within their home. His home was originally located on Davison Road in what was Burton Township.



George Durand Photo credit Michigan Supreme Court Historical Reference Guide 1998



Crossroads Village Holiday Tree

Members of the Genesee County Bar Association helped furnish the structure when it was first moved to Crossroads Village.

The second structure at Cross-roads, related to the legal community, is the Wisner Carriage Barn. It was originally located on the same property as his home near the Court Street and Lapeer Road intersection.

Judge Charles H. Wisner was an interesting character in Flint history. Wisner was the son of Moses Wisner, Governor of the State of Michigan. He was a Genesee County Circuit Court Judge, inventor, architect, artist, musician and an all-around renaissance man.

Wisner was born in 1850 and died in 1915. He was serving as a judge at the time of his death.

Wisner is credited with the first patent for an automobile. It became known as the "buzz wagon" because of the noise associated with its operation.



George Durand's Home Law Office

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ADMINISTRATOR CORNER

The plans for the legal resource center, to be located in the current law library area, continue to take shape. The court, with the aid of a \$100,000 grant from the State Court Administrative Office, has enlisted the expertise of an architect for the design of the center. A plan for multiple self-help kiosk work stations is in the final stages of approval.

As of the date of this article, an outside vendor has been identified and is primed to remove most of the hard-bound legal volumes for recycling. A bittersweet, but necessary, step in clearing the physical space for the center.

Before recycling it was determined that electronic versions of the materials exist.

A second window of opportunity was opened by SCAO to apply for additional grant funds to expand existing selfhelp centers. With the assistance of Attorney Brian Smith

Michigan (LSEM), the court applied for \$75,000 in continued funding.

LSEM continues to hold clinics in the Courthouse on Mondays, located in the vacant 2nd floor clerk space.

Community partners continue to be important resources for self-represented litigants. The final plans for the center contemplate a presence for LSEM and YMCA.

from Legal Services of Eastern Excellent progress is being Michigan (LSEM), the court made on the project. –so



THE CHIEF SPEAKS (CONT'D)

(Continued from page 2)



Judge Wisner's carriage house Photo credit Sloan Museum

Judge Charles H. Wisner

It was in the Labor Day parade in Flint in 1900. Only 3 were ever built between 1989-1900.

The literature suggests that it did not have brakes and that proved to be a

shortcoming. He also gave Bil-

ly Durant a ride one Sunday and the car broke down close to Court Street United Methodist Church just as the congregation was leaving the Sunday morning service.

Some reports indicate that there was laughter involved, seeing Billy Durant and Judge Wisner in an inoperable vehicle. Durant went on to be the more successful of the two in the automobile venture!

In 1911, when the Masonic Temple in Downtown Flint was being built, it was said that Judge Wisner was the member in charge of its design. Whether he was trained in architecture, as is

suggested in some historical articles, or rather interested and self-trained, is unknown.

Wisner also held a patent for a fishing reel (1899) and even founded a company called the *Flint Reel Company*. He called his reel "The Michigan Reel." His other patents included one

for a collapsing celluloid minnow trap, awarded in 1898. The reels were considered to be of high quality and are depicted below.

Click HERE for the link to the Michigan Bar Journal, Michigan Lawyers in History article, October 2016. –bam



Judge Wisner seated in his "buzz-wagon" Photo credit Sloan Museum







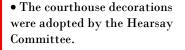












This is the first year that former Probate Court and County Clerk employee Doreen Fulcher was not at the helm directing the hanging of the Courthouse decorations. Doreen retired but left many boxes with directions and photos to follow. Tricia Wright, supervisor, Legal Records, was her primary understudy and knew most of the ropes as the group assembled to take on the task.

On the afternoon of November 22, 2023, all the boxes were brought down from the attic and handled with care. Sounds like the beginning of a Santa Claus story...

They were placed on the appropriate floor. The Courthouse team tackled the decorations, completing them in record time.

We even invited a member of the public to help who was here on business with the legal records office. She was a big help. As always, the Courthouse looks great for the holidays. Watch for next year, new color selections for the decorations are being discussed.

Courthouse Staff

Heather Davis Stephanie Frank Lawanda Halford Deanna Hawkins Holly Haynes Sheonna Hill Kendall Ihm Rhonda Ihm Aaron Labelle Barbara Menear Morgan Mikkola Michelle Myers Sam Olson Andrea Seiter Jennifer Strauel Patricia Umphrey Tricia Wright

Facilities and Operations Support Izak Gracy Miller Padgett George Shead III • Starting in January 2024, jury management will be home to 3 kiosks that pay juror fees in cash and are connected to the jury management software to track service, payment and maintain an audit record.

The court recently was able to negotiate a contract for cash delivery and kiosk maintenance. This is an upgrade from 1 kiosk to 3 kiosks and will reduce long checkout lines when multiple jury trials are being conducted. The court security director, Lt. Ryan Ulshafer, was a consultant on other details of this upgrade.

• The Family Division Referees have vacated their space on a temporary basis for security and operational upgrades to their current location. They have been relocated to the former referee space on the 1st floor, near the Beach Street Entrance. The timeline for completion is 4-5 months.



BE CAREFUL WHAT YOU WISH FOR



67th District Court Judge Mark C. McCabe writes "Ask the Judge" for the

Tri-County Times.

Be Careful What You Wish For appeared in the September 26th 2023 edi-

The old saying, "be careful what you wish for" goes back to Aesop's Fables and means you can wish for things and get In November 2021, he again them, but they might not always be what you wanted.

The recent Michigan Court of Appeals decision in People v Jackson is a good example.

In 2019, the defendant pleaded guilty to a felony and was sentenced to a jail term followed by three years of probation. He violated his probation in December, 2020 by committing four "technical violations."

A technical violation is when a defendant engages in conduct. which isn't a violation of the law, but is a violation of a probation order such as not drinking alcohol. He pleaded guilty to one of the violations and was allowed to continue his probation.

violated his probation by committing four technical violations and the criminal offense of retail fraud.

Pursuant to a plea agreement, he pleaded guilty to one technical violation with the other four counts being dismissed.

The agreement provided that his probation would be revoked and he'd be sentenced to 30 months to 15 years in prison.

In July 2022, he asked the trial court to review his case because effective April 1, 2021, the maximum penalty for a second technical violation was up to 30 days in jail as the probation statute had been amended.

Since he only had two technical violations, his request was to be resentenced to up to 30 days in jail, but his guilty plea was to stand.

The attorneys and the judge were unaware of the amendment when the second plea was taken.

In response, the prosecutor asked for everything to be set aside and to start over. The

court granted the prosecutor's request.

The appeals court held that granting the defendant's motion would be an improper modification of the plea agreement as there were two parts to it — the guilty plea and sentence.

The case was returned to the trial court for a new hearing. The appeals court added that the defendant could face a more severe sentence if he's again found guilty of violating his probation.

Clearly this wasn't what the defendant wished for.

Another old saying is "choose wisely." Here it's possible the defendant didn't.



JUDGE RICHARD D. BALL

Talk about Santa's helper, the circuit court has its own holiday helper.

Judge Richard D. Ball, retired from 54-B District Court East Lansing and is assigned to the circuit court to preside over felony cases that have been referred to the Virtual Backlog Reduction Docket.

He volunteered to handle the criminal duty judge docket during the holiday period.

As a retired district court judge, he has vast experience with arraignments. Judge Pickell, who would have been on duty, raised no objection to the offer.

Thanks to Judge Ball for being a team player in all regards. -bam



ADOPTION DAY CELEBRATION

Adoption Day 2023
Family Deliveries!

Presiding Family Division Judge John A. Gadola and the adoptions staff celebrated Michigan Adoption Month in November.

Michigan Adoption Month is co-sponsored by the Michigan Supreme Court, Michigan Department of Health and Human Services, Michigan Adoption Resource Exchange, and the Child Welfare Services Division of the State Court Administrative Office. National Adoption Month is part of a nationwide effort to bring attention to the number of foster children waiting for adoption, and to celebrate families who adopt, as well as those who facilitate the process.



There are over 10,000 children in Foster Care in Michigan, including approximately 250 children that are waiting for a loving, permanent home.

The Adoption Department recognizes that there are times when the adoption process is meticulous and exhausting.

We are grateful for the patience that adoptive families endure during the journey and for their perseverance throughout the process.

Back by popular demand, due to convenience for the families, we once again decided to take the celebration to the families out in the community.

The court adoption caseworkers delivered gift bags to randomly selected families to express gratitude for their participation in the adoption process.

The adoptions leadership and staff (Sheonna Hill, Darious Baylock, Heather Davis and Mary Anne Falk) should be commended for their hard work in highlighting both the need and the joy in adopting a child who needs a family. —ri





THE SIMILARITIES AND DIFFERENCES BETWEEN THE CHIEF JUDGE AND SANTA

Similarities

Santa: Come on, we have a job to do! Chief Judge: Come on, we have a job to do!

Santa: Wears glasses Chief Judge: Wears glasses

Differences

Santa: The season will be over tomorrow.

Chief Judge: The season is never over.

The Final Similarity

Santa: Loves his job. Chief Judge: Loves his job.

Ergo, there are more similarities than differences between the Chief Judge and Santa. The end. –bam



HISTORICAL COURTROOMS RECEIVE

JUDICIAL PORTRAIT GALLERY UPDATES

As many of the readers will know or recall, the three historical courtrooms on the third floor and the two on the 5th floor, are the location of judicial portraits of retired judges. The portraits are referred to as "medallions."

In the third-floor middle courtroom, currently occupied by Judge Christenson, there are

medallions of judges who retired before the 1926 Courthouse existed. This courtroom is often referred to as the most historically accurate courtroom and the most worthy of being referred to as the "ceremonial" courtroom.

A side note, the courtroom currently occupied by Judge Newblatt was originally the largest courtroom. The jury room was added after deliberation room was added. construction. The courtroom itself extended to the Saginaw Street façade. Also interesting, the current judge's office was the jury deliberation room.

The judicial secretary office was after the original construction. the judge's office and the space closest to the suite entrance was for the bailiff.



It is also not true to its beginnings since the original mural was removed, a story too painful to relate.

It was recreated from a photograph by local artist Stefan Davidek during the Courthouse Square Project (1997-2003). This courtroom is not in its original state by some interpretation.

> The following judicial medallions were raised to their destination on November 7. 2023 by Steve Heddy and Joseph Katrinic from Artistic Decorating.

Steve Heddy was the Stefan Davidek partner for restoration of the

historical courthouse and Joe was also part of the team. It was like welcoming family back home.

The portrait artist for the medallions was Greg Davidek, nephew of Stefan Davidek. Greg is located in Connecticut and returned

the long-distance work in person when he was back to spend Easter with the local Davidek family.

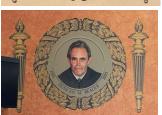
Those judges whose medallions were recently placed were Judge Duncan M. Beagle, Judge Geoffrey L. Neithercut, Judge Richard B. Yuille, Judge Archie L. Hayman and Judge Celeste D. Bell. Because further artistic work by Greg Davidek is not guaranteed, the decision was made to commission Judge Bell's medallion at this time.

Judges who retired from nonhistorical courtrooms will have framed photographs placed in the courtrooms from which they retired as phase II of this project.

Click **HERE** for the judicial gallery publication, 9.28.2007.

The judicial portrait gallery is made possible from private funds raised during the Courthouse Square Dedication Events of 2003. There are no public funds involved with the judicial gallery. -bam







Therefore, this courtroom is not the most historically accurate in some regard, because the jury

The courtroom currently occupied by Judge Bell may have been similar, in that the jury deliberation room was added

GENESEE COUNTY COURTS HOST MILESTONE EVENTS (CONT'D)

(Continued from page 1)

SB410 repealed immunity from product liability for drug companies. The law in Michigan previously provided immunity if the FDA approved the drug and certain other factors were met.

A special note of pride for the Genesee County Circuit Court was that Governor Whitmer signed SB 410 on a table that was original to the 1926 Courthouse (see photo on right). It

was completely restored during the Courthouse Restoration Project.

The 1926 Genesee County Courthouse is on both state and federal registers of historic sites. -

bam

Left to Right: Judge Khary L. Hanible, Governor Gretchen Whitmer, Judicial Law Clerk Alexander Zilinkski, Judicial Secretary Karen Dearlove

Left: Michigan Attorney General Dana Nessel was present for the bill signing





JUSTICE DEPARTMENT HELPS

GENESEE COUNTY YOUTH WITH NEW GRANT

10-05-2023 Flint, Michigan Contact: Shelley Spivack, voutharts.unlocked@gmail.co es for their future.

Youth Arts: Unlocked (YAU) is proud to announce a new federal grant to support highquality arts programming for justice-involved youth aimed at reducing juvenile delinquency, recidivism, and other problem and high-risk behaviors. YAU was one of five programs assisted YAU in securing this nationwide to be chosen for this federal grant awarded through the U.S. Justice Department's Office of Juvenile Justice and Delinquency Prevention.

Numerous studies have shown that introducing arts to troubled youth helps to increase the protective factors that reduce juvenile recidivism. Often mid-Michigan to help our chilyoung people who commit crimes are plagued by deepseated trauma. Art, in its

many forms, helps to heal that trauma and assists these young people in making positive chang-



Congressman Dan Kildee, who

federal grant, stated, "I am proud to have helped secure this critical federal funding for Youth Arts: Unlocked to support youth in Genesee County. This program Beans Cafe in Flint. YAU will supports mid-Michigan children as they improve their physical and mental well-being and devel- 2023, from 6 to 9 p.m. ET at op strong interpersonal skills. In Congress, I will always fight to bring federal funding back to dren and community thrive."

YAU is a nonprofit program founded in 2011 to help justiceinvolved youth unlock the creativity within them to foster pride the story of the multitude of and a sense of self-worth and accomplishment while they are detained and/or on probation. YAU partners with the 7th Judicial Circuit Family Court and the YAU assists in helping them Genesee County Juvenile Justice Center (GCCJC) to offer weekly visual art, dance, theatre, spoken word poetry, and yoga work-

YAU not only brings art to justice-involved youth, but brings their work to the public. Work is currently on display at Good also participate in the Flint Artwalk on Friday, October 13, Sauce Italian American Kitchen. 352 Saginaw Street, in downtown Flint. The art that will be on display has been created by youth detained at GCJJC and youth on probation. Some drawings and paintings are light and

playful, while others depict sadness and tell a story of tragedy and loss. These pieces truly tell experiences these individuals have had in their young lives, both positive and negative. By giving them an artistic outlet, cope and move forward.

YAU is also proud to announce that the Michigan Arts and Culture Council (MACC) also recently selected YAU and the Seventh Judicial Circuit Family Court to receive funding under their Operational and Project Support grant programs. This funding will help support operational costs and support the production, presentation, and creation of art.

For more information, please contact Shelley Spivack at youtharts.unlocked@gmail.com.



MENTAL HEALTH PROFESSIONAL RETIRES,

"GRADUATES" FROM MENTAL HEALTH COURT PROGRAM



Diane Breckenridge, the longtime court liaison with the mental health court program, retired after years of service with Genesee Health System (GHS). In honor of her many

years of service to the mental health court, Diane was celebrated with a surprise "graduation" ceremony during

the weekly session on November 15, 2023. Many members of the community were in attendance to honor Diane, including GHS CEO Danis Russell, Attorneys Major White and Alexandra Nassar, several members of the Sheriff's Department, former court coordinator Amber Gillean, among many others.

Judge Barkey expressed her appreciation during the ceremony, honoring her colleague who has helped hundreds of court participants graduate and lead better lives. Diane has been a part of

the mental health court program es, because you can do it...I've since 2014. She has been an integral part of the program's success, serving as the court liaison with GHS to identify potential participants and coordinate necessary mental health services.

Diane is a tireless advocate for the mentally ill - a truly compassionate person who has improved the lives of countless individuals in the community through her work in the mental health court program and GHS. "I was blessed to do this job. This isn't a job – it's a purpose," said Diane to the gallery in attendance. "I wish the best for all of you. I want all of you to see recovery, to see your success-

met you at your worst and some of you I've seen you at your best. And I love you."

Diane is one-of-a kind. We are so fortunate to have worked with her in the court and community. "It has truly been an honor to observe the magic Diane has performed for the last 10+ years," said Judge Barkey. "Day and night, workdays and weekends. Diane has been incredible. Literally hundreds and hundreds of people have gotten the treatment they need and lived wonderful lives because of her efforts." -so

genesee**LIVING**

Fredricka Savage is the columnist for geneseeLIVING.

Tis' the season to get out and enjoy some of your favorite holiday events. Grab your loved ones and some hot chocolate and experience one of the many events below.

Christmas at a Crossroads

A return of this Holiday favorite after a six-year hiatus, tells the story of the intent behind the coming of Christ and how the Holiday has been transformed into the commercial enterprise it has become.

Two shows on December 16th, & December 23rd 2 PM & 7 PM Price: \$10.00

Christmas Holiday Magic at Crossroads

Make memories to last all year when the spirit of the season fills the streets and shops of Crossroads Village, with thousands of lights sparkling. Join friends and family for an evening ride on the Huckleberry Railroad and watch Village artisans make vintage crafts. You're sure to find gifts for everyone on your list. A family tradition for over 30 years! Price: Adult (13-59): Village only- \$15.00, Train+ Village Combo- \$25.00 Senior (60+): Village only-\$14.00, Train + Village Combo- \$24.00 Children(25 months to 12 years) Village only- \$13.00, Train + Village Combo- \$23.00 Children 24 months and under: Village only- Free,

Train + Village Combo- Free Date: December 16, 17, 20, 21, 22, 23, 28, 29 & 30 Time: 4:00 p.m. - 9:00 p.m. Location: 6140 Bray Rd. Flint, MI 48505

Trail of Lights

Join the Davison Township Parks and Recreation for our 8th Annual Trail of Lights! Listen to Christmas music and enjoy hot chocolate while walking through the magical trails of lights. This year we have 4 nights of Tractor Wagon Rides with limited spaces availa-

Dates: December 21-23 Time: 5:30—8:30 p.m. Location: Karen Miller Event Center 10069 Atherton Rd. Davison, MI 48423 Admission: \$12 Resident | \$15 Non-Residents Walking Trails - \$4 Resident | \$6 Non-Resident Ages 2 & under are free

Bicentennial Park Holiday Walking Night

Tis' the season for giving! Each walking night the proceeds will be donated to a different non-profit organization.

Dates: December 17, 19 & 21 2023

Time: 6-8 p.m. Location: 1505 E. Grand Blanc Rd. Grand Blanc, MI

48439 **Price:** \$10.00

Breakfast with Santa

Date: Sunday, December 17, 2023 **Time**: 10 a.m. -12 p.m. Location: 1072 S. Elms Rd. Flint, MI 48532 Price: Free

Grinch Pajama Party

Come meet the Grinch! Prizes for the cutest, funniest

and most unique and best family PJ's.

Price: \$11 Skate/Blade rental \$5

Date: December 17, 2023 Time: 2:00 p.m. - 5:00 p.m. Location: 5315 S. Saginaw St. Flint, MI 48507

Christmas at Crossroads Holiday Magic Drive Thru

Make memories to last all year when the spirit of the season fills the streets and shops of Crossroads Village, with thousands of lights sparkling from the comfort of your car. Christmas at Crossroads has been a family tradition for over 30 years!

Date: Monday December 18 & Sunday, December 24 Time: 5—9 p.m. (ticket sales end at 8:30 p.m.) Location: 6140 Bray Rd. Flint, MI 48505 Price: \$10 per vehicle

36th Annual Community Menorah Lighting and **Chanuhak Celebration**

Please join us for Chabad of Eastern Michigan's 36th Annual CommUNITY Menorah Lighting & Chanukah Celebration! Hot Latkes & Soup: Music ~ Dreidels ~ Gelt; Camaraderie ~ L'Chaim; Inspiration & Lots of fun. Join our honorable community dignitaries who will be kindling the Menorah and handing out Chanukah Gelt to all participants. Date: December 19, 2023

Time: 5:00 p.m.

Location: 5135 Corunna Rd.

Flint, MI

A Charlie Brown Christmas: **Live on Stage**

Charlie Brown Christmas Meet and Greet Photo Experience Includes: Meet and

Greet Photo Opportunity with Members of the Cast and a Charlie Brown Christmas Laminate, Early Venue Access and Merch Shopping. Photo Experience ticket-buyers must also purchase a ticket to the show. Genesee County Residents SAVE 30% - discount applied at checkout.

Date: December 20, 2023 Time: 7:30 - 9:00 p.m. Location: The Whiting: 1241 E. Kearsley St. Flint, MI 48503 Price: \$15—\$65

Gingerbread Building Competition

Join the gingerbread fun by entering our family gingerbread building competition. Families will start with all the supplies needed to build the houses. Families will have an hour and a half to build the best gingerbread house. Houses will then be put on display for two nights of the Trail of Lights for guests to vote on the Most Creative, Most Festive, Most Delicious Looking, and Best Overall. On Saturday 12/23 we will post the winners of the contest to our Facebook page.

Date: December 21, 2023 Time: 4:00 - 5:30 p.m. Location: 10069 Atherton Rd. Davison, MI 48423 Price: Resident: \$10 per person

Non-Resident: \$12 per person

Post Christmas Bounce Bash

Need to get those kids out of the house? The Dunk Tank Company and Mundy Sportsplex are hosting a post Christmas Bounce Bash at Mundy Sportsplex.

Dates: December 28-30, 2023 Time: 10:00 a.m. - 7:00 p.m. Location: 5423 Hill 23 Dr. Flint, MI 48507

Price: \$10 per child



Hearsay is now available on the Circuit Court website 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

