

# MICHIGAN STATE BAR FOUNDATION

## 2017 PRESIDENT'S REPORT TO THE MEMBERS



*Alfred M. Butzbaugh  
President*

*70th Annual Members Meeting*

*September 27, 2017, 2:00 p.m.*

*Cobo Center*

*Detroit, Michigan*

**MICHIGAN STATE BAR FOUNDATION  
2016-2017 TRUSTEES**



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**MICHIGAN STATE BAR FOUNDATION  
FELLOWS OFFICERS AND FOUNDERS**



**Officers, 2016-2017**

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# **Michigan State Bar Foundation**

## **2017 PRESIDENT'S REPORT TO THE MEMBERS**

*Alfred M. Butzbaugh, President*



### **70TH ANNUAL MEMBERS MEETING**

September 27, 2017  
2 p.m., Cobo Center  
Detroit, Michigan

**Michigan State Bar Foundation**  
**President's 2017 Report to the Members**  
**Alfred M. Butzbaugh, President**

## **INTRODUCTION**

I am pleased to provide this 2017 report to you. This year marks the Michigan State Bar Foundation's 70<sup>th</sup> Anniversary. The Michigan State Bar Foundation's mission is to provide 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.

Since its inception in 1947, the Michigan State Bar Foundation has made 2,078 grants totaling more than \$206 million. Nonprofit legal aid programs receive the largest share of the Foundation's grants to assure access to justice for all. The Foundation also supports programs that improve the administration of justice by educating children and adults about their legal rights and responsibilities, the justice system and opportunities to resolve conflicts outside the courtroom.

During the last year, the Foundation grants and projects described in this report have made a meaningful difference for low-income families and the justice system. Additional information about the Foundation and its public interest programs can be found on the Foundation's website at [www.msb.org](http://www.msb.org).

## **FOUNDATION FELLOWS**

Almost 1,500 distinguished Michigan lawyers and judges are currently Foundation Fellows. They are elected for their professional excellence and community contributions. Since the program was established in 1984, Fellows have contributed almost \$1.9 million to support the Foundation's law-related public service programs. Without contributions and leadership from the Fellows, many activities described in this report would not be possible.

## **FOUNDATION AWARDS**

The Michigan State Bar Foundation is honored to give three awards this year. These award recipients represent the highest traditions of the legal profession through their dedication to their profession, their community and to access to justice.

### **FOUNDERS AWARD –**

#### **Linda K. Rexer**

The Founders Award is the Foundation's highest honor. The Founders Award recognizes lawyers who exemplify professional excellence and outstanding community contributions.

For almost three decades, Linda Rexer directed the Foundation in its mission to provide leadership and funding to improve access to justice, particularly through civil legal aid for the poor, and for improvements in the administration of justice. Ms. Rexer served as the first Executive Director of the Michigan State Bar Foundation. During her tenure, the Foundation grew to an entity that has awarded up to \$11 million annually. Ms. Rexer provided state and national leadership for access to justice. Ms. Rexer was a founding member of the State Bar of Michigan's Access to Justice Task Force in 1997 and was most recently the co-chair of the Committee on Justice Initiatives (CJI). One of Ms. Rexer's many legacies and proudest accomplishments, was the creation of the national award winning Michigan Legal Help Program. Ms. Rexer had the visionary leadership and fortitude to understand the continuum of services needed and the necessity of a statewide online resource for pro se litigants to access information. Ms. Rexer received many national awards and State Bar of Michigan Awards. In 2016, Ms. Rexer received the State Bar's highest award, the Roberts P. Hudson Award, honoring her legacy overflowing with long-lasting

improvements to access to justice for all in Michigan.

### **ACCESS TO JUSTICE AWARDS –**

The Access to Justice Award honors persons who have significantly advanced access to justice for the poor in Michigan.

#### **Angela Tripp and Michigan Legal Help**

Ms. Angela Tripp has devoted her career to serving the poor. After receiving her law degree from Northeastern University School of Law in 2003, she immediately started working as a staff attorney for Prison Legal Services of Michigan. In 2005, she was hired by Legal Services of South Central Michigan as a staff attorney and in 2012 became the co-director of the Michigan PLP, the entity that administers several statewide advocacy organizations including the Michigan Poverty Law Program. Ms. Tripp also is the Director of the Michigan Legal Help Program. She has been involved since Michigan Legal Help's inception and has led the implementation into the future. The Michigan Legal Help Program is responsible for the statewide website (MichiganLegalHelp.org) for self-represented litigants and its affiliated Self-Help Centers around the state of Michigan. Since the public launch of the Michigan Legal Help website and through June 30, 2017, the website has had over 11.4 million page views; 3.78 million visitor sessions and in June, 2017, visits to the website averaged 28,000 per week.

Ms. Tripp has been invited to speak nationally about the Michigan Legal Help Program and was a presenter in 2015 at Legal Services Corporation's Fourth Annual White House Summit on Increasing Access to Justice. Ms. Tripp has received many awards and most recently she was nominated for the Michigan Lawyers Weekly Leader in the Law.

#### **Ari Scharg and Edelson PC**

Edelson PC is a consumer privacy and technology firm that actively promotes and advocates for access to justice. In 2017, low-

income individuals in Michigan benefited from two large cy pres awards that were directed to the Access to Justice Fund by Ari Scharg, a partner at the firm. The cases were both federal class action lawsuits involving the personal privacy rights of Michigan residents. Mr. Scharg is proud to support access to justice in his home state of Michigan. Edelson PC has been recognized as "pioneers in the electronic privacy class action field" and for its unwavering commitment to access to justice by the Chicago Bar Foundation and the Illinois Bar Foundation. Mr. Scharg co-chairs the firm's Case Development and Investigations Group, sits on the Executive Oversight Council for the Array of Things, and chairs the Illinois State Bar Association's Privacy and Information Security Section.

### **FUNDING SOURCES**

The IOLTA (Interest on Lawyers Trust Accounts) program was adopted by the Michigan Supreme Court in 1990. Under IOLTA, the Foundation receives interest on lawyers' pooled trust accounts which hold client funds that are too small in amount or held for such a brief period to generate net interest over costs to benefit the client. Many Michigan banks help provide more revenue for the Foundation's public interest grants by waiving fees on IOLTA accounts (see [www.msbf.org/iolta/HonorRoll.pdf](http://www.msbf.org/iolta/HonorRoll.pdf)).

IOLTA provides revenue designated by the Michigan Supreme Court for public purposes, with seventy percent (70%) of net IOLTA proceeds allocated for civil legal aid to the poor. In addition, 15% of net IOLTA funds are allocated for improvements in the administration of justice (AOJ). The Foundation also administers Filing Fees Funds.

The Foundation administers and manages the Access to Justice (ATJ) Campaign. The Access to Justice Campaign is a partnership with the Foundation, State Bar of Michigan and Michigan's civil legal aid programs to seek

private donations to increase access to civil legal aid for the poor. The Access to Justice Fund has received more than \$16.5 million in contributions and pledges since its inception in 1997, including almost \$5.2 million now growing in a permanent endowment. ATJ Fund donations, as well as endowment earnings, help legal aid agencies assist low-income families throughout Michigan to stay safe from family violence, prevent homelessness, access medical care, obtain child support and resolve other critical civil legal needs.

Since the last Foundation members meeting, the Foundation distributed \$752,516 designated by ATJ Fund donors for individual nonprofit legal aid programs. Also, earnings from several designated ATJ Fund endowments were allocated for those agencies. The Michigan State Bar Foundation is working with partners to explore opportunities to expand the ATJ Fund. For information about how to support the ATJ Fund, see [www.atjfund.org](http://www.atjfund.org).

## OTHER HIGHLIGHTS

In 2017, Linda Rexer retired, and the Foundation welcomed Jennifer Bentley as its new Executive Director. For 20 years, Ms. Bentley has been a staff attorney and manager in legal aid programs, most recently serving as chief development officer to lead efforts for expansion and growth at the Michigan Advocacy Program. She has been involved in statewide and national work to increase resources for civil legal aid to the poor. She holds a certificate in Fundraising Management from the Indiana University School of Philanthropy. She received her J.D. from the Indiana University School of Law and B.A. from Aquinas College.

Ms. Bentley is passionate about access to justice and is honored to serve as the Foundation's Executive Director. Ms. Bentley is also pleased that the Foundation Trustees are honoring Linda Rexer with the Founders Award.

Foundation representatives continued to participate in the State Planning Body which includes civil legal aid and indigent defense providers, bar and bench leaders, the State Bar of Michigan and the Foundation. Its work involves projects that can be addressed collectively to improve the delivery of legal aid for the poor. In addition, Foundation representatives continue to serve on State Bar of Michigan's committees that address the delivery of legal services.

## LEGAL AID GRANTS

The Foundation's two major grant programs are: 1) support for civil legal services to the poor and 2) improvements in the administration of justice. During the last year, the Foundation made annual grants of \$7,452,830 for nonprofit civil legal aid agencies. Detailed descriptions of the Foundation's grant programs, application forms, criteria and other information can be found at [www.msb.org](http://www.msb.org).

Supporting civil legal aid for the poor is the Foundation's largest grants program. Five statewide programs and seven regional programs received annual legal services grants to support the delivery of civil legal services to the poor. Despite these resources and impressive efforts by the state's nonprofit civil legal aid programs to achieve efficiencies and innovations, the need remains far greater than available resources.

A State Bar study showed legal aid programs must turn away nearly half of those who seek their help due to lack of resources. An American Bar Association study has also estimated that no more than 20% of the civil legal needs of the poor are being met each year. More than 3.15 million people in Michigan qualify for free legal aid because their income is below 200 percent of the federal poverty guidelines (\$40,840 a year for a family of three). The recent *Justice Gap Study* completed by the Legal Services Corporation, found that 70% of low-income household have experienced a civil

legal aid problem last year.

Each year, legal aid offices funded by the Foundation help approximately 55,000 low-income families in Michigan. Legal aid helps individuals trapped in abusive relationships, veterans denied benefits, older adults and families facing wrongful evictions or foreclosures.

Legal aid offices provide a full range of legal assistance from advice to full representation in court. Some legal problems can be prevented by informing clients of their legal rights and responsibilities. Talking with an attorney about a problem before action is taken often helps prevent the legal problem from getting worse.

Legal aid achieves positive results for the families they are able to assist. Last year, 17% of the clients were helped with limited services such as, filling out forms, calling a landlord or reviewing documents, so that disputes could be worked out without going to court.

Legal aid programs also help a significant number of clients prevent legal problems or seek community solutions, such as referrals for human service help, legal education, and community outreach or trainings. Also, working with the State Bar and local bars, legal aid programs have recruited and supported pro bono attorneys who gave 42,223 hours of free legal help last year to educate and serve low-income families.

Through their work every day, nonprofit legal aid offices keep families safe from domestic violence, help individuals with disabilities obtain access to health care, or protect an older adult's home from predatory lenders, educate a community about their legal rights and responsibilities, or otherwise assist with civil legal needs.

## ADMINISTRATION OF JUSTICE GRANTS

In the last decade, the Foundation has distributed almost \$2.2 million in Administration

of Justice Grants for projects that improve the administration of justice through law-related education, conflict resolution, or assisting the delivery of civil legal aid to the poor. The Foundation's Administration of Justice (AOJ) grants provide funding for innovative ideas and are often project based grants.

Receiving an AOJ grant often creates opportunities for recipient organizations to obtain additional or matching funding from other sources. Also, AOJ grantees may work together as a result of Foundation grant conditions encouraging collaborative efforts. Many partnerships forged while working together on AOJ grant projects have lasted long after the project was finished.

This year, the Foundation provided funding for the following AOJ grants:

**University of Detroit Mercy School of Law** and partnering with United Community Housing Coalition 36<sup>th</sup> District Court was awarded up to \$20,000 toward the cost of implementing a new Housing Law Clinic at the University.

**CASA for Kids, Inc.** received funding up to \$12,000 toward the cost of expanding their services, of advocating for children under court jurisdiction due to abuse and neglect to assist the court with administering justice and permanence for these children, into Ingham County.

**Conflict Resolution Services** received up to \$2,535 toward the cost of developing and printing outreach materials to educate individuals about conflict resolution and the advantages of using these types of services.

**Legal Aid of Western Michigan** was awarded \$23,624 toward the cost of their Medical Legal Partnership Pilot Project a partnership with Cherry Health.

**Michigan Supreme Court Learning Center** was awarded funding of \$15,000 to update the content, modernize the technology, and enable online access to modules from the Learning Center's "A Day in Court: An Interactive

Experience Project.”

**State Appellate Defender Office (SADO)** received funding of up to \$24,300 toward the cost of enhancing and updating SADO’s website.

This year, the Foundation also distributed the following funds:

**Cohn Bar Excellence Program** received \$1,899 from the Foundation’s Irwin I. Cohn Memorial Fund toward four scholarships for local/special bar association representatives who could not otherwise attend the State Bar of Michigan’s Bar Leadership Institute.

**Michigan Legal Help** received \$400,000 to support ongoing operations.

This past year, the Foundation also received a large national cy pres award and was able to have an additional grant process and funded the following multi-year grants:

**Michigan Advocacy Program - Michigan Poverty Law Program** received up to \$5.5 million to support ongoing operations and expansion of the Michigan Foreclosure Prevention Project.

**Michigan Advocacy Program – Michigan Legal Help** received up to \$1 million to support ongoing operations and expansion of a user-friendly interactive website ([www.MichiganLegalHelp.org](http://www.MichiganLegalHelp.org)), and a number of affiliated local self-help centers.

**Michigan Community Resources** received up to \$500,000 to support ongoing operations with community redevelopment statewide.

**Lakeshore Legal Aid** received up to \$1.5 million to help coordinate a statewide intake process working with Michigan Legal Help.

## CONTRIBUTIONS

Many of the Foundation’s charitable programs would not be possible without tax-deductible gifts to the Foundation.

### Foundation Membership:

Foundation membership is open to all members in good standing of the State Bar of Michigan upon payment of dues.

### Foundation Fellows:

Fellows who meet the criteria of professional excellence and service to community are elected by the Foundation Trustees after nomination by other Fellows. Fellows make a membership financial pledge at three levels of membership: Patron, Supporting and Fellow. Existing Fellows may upgrade their membership category at any time. Life Fellows have no further financial obligation; however, many Life Fellows continue to make voluntary donations.

### Memorial/Tribute Fund:

Gifts in memory of deceased individuals may be made to the Foundation’s Memorial Fund. Donations may also be made to the Foundation’s Tribute Fund, which honors accomplishments of living persons.

### Michael Franck Fund for Professional Responsibility:

This fund was established in memory of the long-time Executive Director of the State Bar of Michigan to support projects promoting professional responsibility.

### Access to Justice Fund:

The Access to Justice Fund supports civil legal aid for the poor, including building a permanent statewide endowment to generate future revenue and supporting local legal aid program fundraising through the Access to Justice Fund. The Access to Justice Campaign is a partnership of the State Bar of Michigan, the Michigan State Bar Foundation and Michigan’s nonprofit civil legal aid providers. For more information see [www.atjfund.org](http://www.atjfund.org).



## MICHIGAN STATE BAR FOUNDATION PRESIDENTS

Alfred M. Butzbaugh	2016 - Present	*Mary H. Zimmerman	1972 - 1974
Margaret J. Nichols	2000 - 2016	*Henry L. Woolfenden	1968 - 1972
Michael G. Harrison	1991 - 2000	*Fred Roland Allaben	1954 - 1968
Charles R. Rutherford	1985 - 1991	*Philip A. Hart	1952 - 1954
Norman Otto Stockmeyer, Jr.	1982 - 1985	*Glenn C. Gillespie	1947 - 1952
Wallace D. Riley	1974 - 1982		

## CHAIRS OF THE FELLOWS OF THE MICHIGAN STATE BAR FOUNDATION

Charles R. Rutherford	2011 - Present	*Stephen C. Brandsdorfer	1987 - 1989
*Hon. Julian A. Cook, Jr.	1993 - 2011	John A. Krsul, Jr.	1986 - 1987
Julia D. Darlow	1992 - 1993	Joseph L. Hardig, Jr.	1984 - 1986
*Joel M. Boyden	1989 - 1992		

## FOUNDERS AWARD RECIPIENTS

Linda K. Rexer	2017	Patrick J. Bruetsch	2008
George Googasian	2016	*Kimberly M. Cahill	2008
Jon Muth	2016	*Hon. Julian A. Cook, Jr.	2007
*Hon. Harold Hood	2015	Charles R. Rutherford	2006
*Hon. Hilda Gage	2014	Wallace D. Riley	2005
*John W. Cummiskey	2010	Dennis W. Archer	2004
Hon. Avern L. Cohn	2009		

## ACCESS TO JUSTICE AWARD RECIPIENTS

Ari Scharg and Edelson PC	2017	*Holli J. Wallace	2014
Angela Tripp and Michigan Legal Help	2017	Hon. Chad C. Schmucker	2013
Marilyn Mullane	2015	Candace Crowley	2012
*Michael C. Chielens	2014	Robert F. Gillett	2011

\*Deceased

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# ACCESS TO JUSTICE FUND CUMULATIVE DONOR SOCIETIES

*Acknowledging gifts from the ATJ Campaign's inception through 8/31/2017*

## **JUSTICE SOCIETY (\$500,000+)**

Anonymous  
Dickinson Wright PLLC  
Dykema Gossett PLLC  
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State Bar of Michigan  
W.K. Kellogg Foundation  
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Bodman PLC  
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## **HUMANITARIANS (\$50,000-\$99,999)**

Anonymous  
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Hon. Avern L. Cohn

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Price Heneveld LLP  
Sommers Schwartz, PC  
State Bar of Michigan Business Law Section  
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Thrun Law Firm, PC

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Pepper Hamilton LLP  
Sinas, Dramis, Brake, Boughton & McIntyre, PC  
Smith Haughey Rice & Roegge  
Arthur and Elizabeth Snell  
Richard A. Soble and Barbara L. Kessler  
Janet K. Welch and George W. Hare

Note: Law firm gifts may include contributions and pledges from individual members of the firm whose gifts are also noted separately.

## **2017 PRO BONO CIRCLE OF EXCELLENCE**

Recognizing law firms and corporations that met the State Bar of Michigan's Voluntary Pro Bono Standard

### **LEADERSHIP LEVEL (\$500 per attorney average in financial donations)**

Barris, Sott, Denn & Driker, PLLC	Kline Legal Group PLC
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Crippen, Urquhart & Weber, LLP	Pepper Hamilton LLP
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Dickinson Wright PLLC	Rhoades McKee PC
Dykema	Glenn A. Saltsman PLC
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Fett & Fields PC	Soble Rowe & Krichbaum LLP
Foley & Lardner LLP	Thomas, Garvey & Garvey, PLLC
Ford Motor Company	Thrun Law Firm, PC
Goethel Engelhardt, PLLC	Varnum LLP
Gruel Mills Nims & Pylman PLLC	Warner Norcross & Judd LLP
Honigman Miller Schwartz and Cohn LLP	Willis Law
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Kerr, Russell and Weber, PLC	

### **EXCELLENCE LEVEL (\$300 per attorney average in financial donations)**

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# ATJ FUND - SUPPORTING CIVIL LEGAL AID TO THE POOR IN MICHIGAN

The State Bar of Michigan, the Michigan State Bar Foundation and Michigan's nonprofit civil legal aid programs encourage all Michigan lawyers to contribute to the Access to Justice Fund **statewide permanent endowment** to generate ongoing and sustainable revenue to support civil legal aid throughout the state. Donations to this fund support the provision of civil legal services in every part of the state. You may also designate your Access to Justice Fund donation for an **individual legal aid program** for that program's operations or endowment. A list of eligible partner programs appears below. To make a donation, see [www.atjfund.org](http://www.atjfund.org).

## REGIONAL CIVIL LEGAL AID PROGRAMS WITH OFFICES LOCATED THROUGHOUT THEIR REGION

- Lakeshore Legal Aid\* (E & M)
- Legal Aid & Defender Association Civil Law Group\* (M)
- Legal Aid of Western Michigan\* (W)
- Legal Services of Eastern Michigan\* (E)
- Legal Services of Northern Michigan\* (N)
- Legal Services of South Central Michigan - Michigan Advocacy Program\* (S)

## PROGRAMS PROVIDING STATEWIDE SERVICES

- Access to Justice Fund Statewide Endowment\*\*
- American Civil Liberties Union Fund of Michigan
- Community Legal Resources\*  
(A Division of Michigan Community Resources)
- Elder Law of Michigan\*
- Farmworker Legal Services\*
- Michigan Elder Justice Initiative\*
- Michigan Immigrant Rights Center\*
- Michigan Indian Legal Services
- Michigan Legal Help\*
- Michigan Migrant Legal Assistance Project
- Michigan Poverty Law Program\*



## OTHER LEGAL AID AND SPECIALITY PROGRAMS LOCATED IN MICHIGAN

- Access to Bankruptcy Court
- Bay Area Women's Center
- Blue Water Safe Horizons
- Center for Civil Justice
- Counsel and Advocacy Law Line – LLA\*
- Detroit Metropolitan Bar Association Foundation  
Access to Justice Programs\*
- Diocese of Kalamazoo Immigration Assistance Program
- First Step Legal Advocacy Project
- Free Legal Aid Clinic
- Freedom House
- Guild/Sugar Law Center
- HAVEN\*
- International Institute of Metropolitan Detroit
- Jewish Family Service - Legal Referral Service
- Justice For Our Neighbors Southeastern Michigan
- Justice For Our Neighbors - West Michigan  
Legal Assistance Center, Kent County
- Michigan Legal Services\*
- Michigan Protection and Advocacy Service
- MSU College of Law Clinical Law Programs
- Neighborhood Legal Services Michigan
- Salvation Army William Booth Legal Aid Clinic
- Sixty Plus, Inc., Elder Law Clinic
- Student Advocacy Center of Michigan
- Underground Railroad Civil Legal Program
- University of Detroit Mercy School of Law Clinical Law Programs
- University of Michigan Law School Clinical Law Programs
- Washtenaw County/EMU Legal Resource Center
- Wayne State University Law School Clinical Law Programs

\*Programs followed by an asterisk (\*) seek designated endowment funds in addition to designated gifts for current operations.  
\*\*The ATJ Fund Statewide Endowment produces earnings to support civil legal aid services throughout Michigan.



The ATJ Campaign is a partnership between the State Bar of Michigan, the Michigan State Bar Foundation and Michigan's civil legal aid programs to increase resources for civil legal aid to the poor in Michigan. Contributions to the ATJ Fund are received and administered by the Michigan State Bar Foundation according to the ATJ Fund guidelines located at [www.msb.org/atjfund](http://www.msb.org/atjfund).

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**MICHIGAN STATE BAR FOUNDATION**

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