

MICHIGAN

Open Justice Commission (eliminating bias), *Pro Bono*

This state's summary includes reports from the following:

[Detroit Metropolitan Bar Association](#)

[Grand Rapids Bar Association](#)

[Michigan Courts](#)

[Oakland County Bar Association](#)

[State Bar of Michigan](#)

The [Michigan Courts](#) continue to strengthen their collaborative efforts with the State Bar of Michigan, other justice system agencies at the state and local level, and community-based organizations to enhance and improve programs and services to the public. These efforts are exemplified by the following:

- Working with the State Bar of Michigan on joint efforts to develop solutions and programs that will address various forms of discrimination and bias including racial, ethnic, gender and disabilities
- Working with the State Bar of Michigan on providing improved services and access for poor and low income citizens to the legal system
- Continuing to develop and expand treatment-based court programs such as drug courts, juvenile, and family courts
- Expanding the opportunity for courts to develop programs, services, and court improvement projects that meet local needs through the creation of Next Generation Trial Courts
- Developing and issuing state rules and guidelines for the use of expanded ADR programs
- Establishing a state level testing and certification program for foreign language court interpreters
- Initiating various projects to improve the technology used in the courts and how courts can share information with other federal, state and local agencies
- Establishing an Intergovernmental Council within the Supreme Court to enhance communications between the judicial branch and the other branches of government (both at the state and local level)
- Establishing the Council of Chief Judges. The Supreme Court also now appoints all of the trial court chief judges. This further enhances and facilitates a coordinated approach to judicial administration in our 246 trial courts.
- Continuing to develop information and programs for court users, such as brochures, videos, and *pro se* programs and services
- Working to improve the way juries are selected and treated

The State of Michigan is building a *new Hall of Justice*, scheduled to open in the fall of 2002. The facility is designed to pull together all aspects of the judicial branch of government in the capital area. An important segment of this six-story building is a public Learning Center, a 3,800 sq. ft. exhibition space dedicated to improving understanding of the judicial system and how it affects the lives of Michigan citizens and teaching the history of the Michigan Supreme Court. The Learning Center is also

collaborating with statewide educators and museum personnel to create educational materials for school children. The center is designing lesson plans, a Web site, and other technology-oriented materials to help achieve this goal. The court is putting together an advisory council of museum officials, the public, educators, and bar officials. Tours of the facility will be coordinated with the Michigan State Capital and the Michigan Historical Center to provide a comprehensive lesson of all three branches of government. For further information about the Hall of Justice, contact Vicky Kruckeberg, Learning Center Coordinator, Michigan Supreme Court, G. Mennen Williams Building, 525 W. Ottawa, 2nd Fl., Lansing, MI 48933; 517/373-5027; kruckeberg@jud.state.mi.us

General Contact: John D. Ferry, Jr., State Court Administrator, State Court Administrative Office, 309 N. Washington Square, Lansing, MI 48909; 517/373-2222; fax: 517/373-7517; ferryj@jud.state.mi.us

The [State Bar of Michigan](#)'s Open Justice Commission is actively involved in thirty-five programs and projects related to the elimination of bias and discrimination based on gender, race, ethnic origin, religion, sexual orientation, and disability within the judicial system and the legal profession. In its mission statement, the Commission is specifically charged with responsibility to "increase public confidence in the fairness of the legal profession and the equal application of law for all citizens."

The goals of the Commission are reflective of the nationwide agenda only recently adopted by five leading judicial and legal organizations that came together to design and endorse a National Plan for Action on Public Trust and Confidence in the Courts. Those organizations are the Conference of Chief Justices, National Conference of Judges, National Association of Women Judges, the National Center for State Courts, and the American Bar Association.

It is important to note that the national findings are consistent with conclusions reached by gender, race, and other open justice initiatives at the state level. Michigan is no exception. In 1989, the Michigan Supreme Court Task Forces on Racial/Ethnic Issues in the Courts and Gender Issues in the Courts completed their studies. They included two years of extensive citizen, judicial, and lawyer surveys, data collection and research, and seventeen statewide public hearings.

The Task Forces concluded that the perception of bias adversely affects justice and that the perception often is based in reality. Race, ethnicity, gender, and other special populations were key factors determining the degree of public trust and confidence. Ten years later, the same issues are prominent on our profession's public agenda, and the same disturbing findings remain valid.

A principal objective of the Commission is to implement the recommendations of the 1989 reports. The conclusions of the national conference emphasize the importance of that mission. The Commission has the potential, on behalf of under-represented groups, of expanding its reach to the larger issue of lack of public confidence in the courts.

The Commission is in the process of implementing educational programs related to cultural awareness, juvenile justice, and sexual orientation for judges and lawyers. To the extent that it succeeds, it will expand the knowledge and awareness of both lawyers and judges, encouraging an environment of inclusion and fairness. The Commission's jury representation project recognizes the importance of and urges broad citizen participation in the legal system. Additionally, the Commission will produce best practices manuals on juvenile justice, court administration and jury initiatives for Michigan courts and bar associations that are considering undertaking their own public trust projects. Initiatives such as the Domestic Violence *Pro bono* Project unite a large and diverse group of stakeholders into a working coalition with a common purpose: to identify and train attorneys to represent low-income domestic violence victims in civil proceedings.

Contact: Lorraine H. Weber, Consultant on Open Justice, State Bar of Michigan Open Justice Commission, State Bar of Michigan, 306 Townsend Street, Lansing, MI 48933-2083; 800/968-1442, ext.

6335; fax: 517/482-6248; jhershkowitz@mail.michbar.org; <http://www.michbar.org/oj/content.html>

The [Detroit Metropolitan Bar Association \(DMBA\)](#), which ran the 1995 Michigan Justice Conference, continues to execute initiatives improving local access to legal services and public perception of the justice system. Through the Volunteer Lawyers Program, DMBA members are provided opportunities to participate in a variety of *pro bono* programs. The Detroit Legal Services Clinic represents a partnership between the DMBA, large law firms and corporate legal departments, and area legal service providers and community outreach organizations. On scheduled Thursday afternoons, a law firm or legal department “hosts” a clinic by providing attorneys that meet with and agree to represent low-income individuals with civil cases. The Volunteer Civil Law Project provides an opportunity for individual attorneys to provide *pro bono* representation of low-income individuals with civil cases. Street Law Clinic, a collaborative effort of the DMBA and the National Lawyers Guild, is an advice-only clinic to assist residents of the metropolitan Detroit area with their legal questions by providing free information and legal advice.

The DMBA administrates the M.E.L.L. (Medical, Educational, Legal, and Law Enforcement) Safe Choices Program, which was spearheaded eleven years ago by current Detroit Mayor Dennis Archer. The program assigns teams of volunteers from the medical, legal, and law enforcement professions to a Detroit elementary/middle school to share a “no-use” gun, alcohol, and drug message and to emphasize the value of education, hard work, honesty, and self-respect.

Contact: Sandra A. York, Director of Special Projects, Detroit Metropolitan Bar Association, 645 Griswold, Suite 3550, Detroit, MI 48226; 313/961-6120, ext. 214; fax: 313/961-0842; sayork@voyager.net

The [Oakland County Bar Association](#) reports the following justice improvement activities: The *Public Advisory Committee on Judicial Candidates*, comprised of OCBA members and community members, assembles every two years before judicial elections to do research and provide independent ratings of all of the candidates.

The *Professionalism Committee* has established a professionalism listserv and is conducting a professionalism rules series—an informal discussion group open to anyone. The committee has developed a civility program that recruits attorneys to serve as anonymous counselors when an attorney calls to report another attorney who is behaving unprofessionally.

A circuit court and a district court *bench/bar conference* are held annually to (1) improve the relationship between the bench and bar, (2) work together to adapt to and implement new court rules, and (3) discuss ongoing or new challenges in law practice.

A newly created *Family Law Task Force*, composed of Oakland County family law judges and attorneys, develops remedies to the confrontational atmosphere that can occur in family law cases.

Contact: Lisa M. Stadig, Executive director, Oakland County Bar Association, 1760 S. Telegraph, Suite 100, Bloomfield Hills, MI 48302-0181; 248/334-3400; fax: 248/334-7757; e-mail: lstadig@ocba.org; www.ocba.org

The [Grand Rapids Bar Association](#) received a 2001-01 model/demonstration grant from the ABA Office of Justice Initiatives to implement a legal assistance center. In a unique blending of efforts between the Grand Rapids Bar Association, the courts, Legal Aid of Western Michigan, over 40 community organizations, county and city officials, and the State Bar of Michigan, the Legal Assistance Center will offer one-stop access to justice for all citizens, but particularly the poor and under-served – those who are unsure or have been unable to access the system. Citizens involved with a legal matter or perceived legal matter may choose to access the Center via the Internet, in person, and/or by telephone. The Center will

provide one entity that brings together government, the courts, and over 40 community organizations to solve problems.

Contact: Deirdre Toeller-Novak, Grand Rapids Bar Association, Waters Building, 161 Ottawa Avenue NW, Suite 203-B, Grand Rapids, MI 49503