

# BAR BRIEFS



Official Publication of the Macomb Bar Association

February 2026

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# Presidents Day: Why it Matters

*By Farrah Ramdayal-Howard, President,  
Macomb County Bar Association*

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Presidents Day is one of the few holidays on the calendar that is not about celebration in the traditional sense. It does not commemorate a single event or victory. Instead, it recognizes an office; and the idea that leadership, when exercised responsibly, is shaped by history, tradition, and public trust. It is a holiday rooted not in spectacle, but in continuity.

The holiday began as Washington's Birthday to honor his role in the founding of the nation. In 1879, it became a federal holiday, initially recognized only in Washington, D.C., and later expanded nationwide. Over time, the observance evolved to honor not just George Washington, but Washington and Abraham Lincoln and then later, the presidency itself. The holiday acknowledges the importance of the office across generations rather than focusing on any single individual.

That evolution is significant. Presidents Day shifted from a personal commemoration to an institutional one. It became less about celebrating a person and more about recognizing the enduring role of leadership within a constitutional system. The holiday serves as a reminder that the presidency is larger than any one term, era, or political moment.

For attorneys, this holiday offers an opportunity to reflect on the role of institutions in maintaining public trust. Courts, bar associations, legislatures, and executive offices function properly only when the people within them respect both their authority and their limits. The law does not depend on personalities; it depends on structure, process, and continuity.

Presidents Day reminds us that leadership is not about prominence. It is about stewardship. Effective leaders understand that their role is temporary, but the institutions they serve must endure. They act with the awareness that their decisions will outlast their tenure and shape what follows. That principle applies not only to the presidency, but to judges, bar

leaders, and attorneys entrusted with positions of responsibility throughout the legal system.

Lawyers occupy a unique position in this framework. As officers of the court, we are trained to value precedent, process, and restraint. We understand that the legitimacy of the system depends not on who holds power at a given moment, but on whether the rules are applied consistently and fairly. That shared understanding is one of the profession's greatest strengths.

This is where bar associations play a critical role.

Bar associations serve as institutional anchors. They preserve professional standards, foster mentorship, and provide continuity across generations of attorneys. Like the presidency itself, their effectiveness depends on participation and respect for the role they play, not on any single individual or ideology.

Presidents Day is a reminder that institutions do not sustain themselves. They require engagement, responsibility, and a collective

commitment to something larger than individual interests. When attorneys invest in their professional institutions, they help ensure stability, credibility, and public confidence in the legal system as a whole.

Presidents Day ultimately reminds us that strong institutions endure because people are willing to invest in them. The same is true of the Macomb County Bar Association. Our Association reflects a shared commitment to professionalism, service, and the integrity of the legal system in our community. Its strength does not rest with any one leader or board, but with the collective involvement of its members. When attorneys participate, they help preserve the standards and traditions that define our profession. Presidents Day reminds us that the strength of any institution lies not in who leads it at a given moment, but in the willingness of its members to uphold it over time.

**Presidents Day reminds us  
that leadership is not  
about prominence.**

**It is about stewardship.**

# In Memoriam

## Carole Ann Murray

June 23, 1945 - January 13, 2026

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Carole Ann Murray, born June 23, 1945, passed away peacefully on January 13, 2025. Carole originally studied to be a nun, and then changed courses and became a teacher at St. Cecilia Catholic School in Detroit. As a single mother looking to support her sole daughter, Elizabeth Sidwell, she later returned to school to become a lawyer. This was an extremely courageous decision as there were very few female lawyers at that time. She became a lawyer in 1979. Originally, she practiced with her brother, William J. McGrail, Jr.

Carole was a mentor to and inspired many people, especially women, to become lawyers. Perhaps her teaching background led her to be a mentor to many people in the bar association. As for me, she took me on drug busts and had me handle many exams as a law student. Her only condition was “don’t tell your mother.” She encouraged me to pay it forward when my brother was in law school.

She was an assistant prosecutor in the Macomb Prosecutor’s office from 1983 to 2005, where she was the Chief of the Drug Unit (the highest ranking ever held by a female lawyer at that time) and the Chief of Training and a Principal Trial Attorney where she was responsible for the training of 65 assistant prosecutors. She later joined the Wayne County Prosecutor’s Office from 2008-2017 where she prosecuted homicides and sexual assaults. Retiring from prosecution a few years ago, she started her own practice accepting court appointments. She was very proud to start a successful new business at age 76.

She is survived by attorneys Walter McGrail, her brother, and nieces and nephews Linda McGrail, Jim McGrail, and Paige McGrail. She was predeceased by her brother, Bill McGrail, for whom she gave the most moving and “hard to follow” eulogy. Carole taught many young lawyers not only how to be a good

lawyer but, more importantly, how not to be a lawyer. She called everyone “buddy.”

I came across a resume she wrote a few years ago (at age 77). Her words, exemplify who she was:

Beginning in the late ‘60s as a campus organizer for Robert F Kennedy and continuing regularly for my entire adult life, I have generously donated my time and money supporting worthwhile political and judicial candidates. On occasion volunteering 15 to 20 hours a week on major campaigns by assisting with mailings, phone banks, door to door contacts, sign distribution, poll assignments, etc. while simultaneously working a demanding full time job.

On other occasions, I merely provided financial assistance, and have supported candidates from both political parties as well as nonpartisan judicial nominees. My efforts were the result of a sincere belief that every citizen has the obligation to be of service and promote the common good by electing qualified representatives.

We are hosting a 5:01 on March 12, 2026 at Madison’s Pub in Mt. Clemens in her memory. Light refreshments and a cash bar will be provided. Please come share your memories of Carole. We will be taking donations to establish a scholarship in her name.

*By Linda McGrail*



*Carole Ann Murray*

# Prosecutor Lucido Implements “Two-and-Through” Policy to Reduce Court Delays, Limit Adjournments; Attorneys Advised to File Deviation Requests Promptly

*By Esther E. Wolfe, Communications Director, MCPO*



Macomb County Prosecutor Peter J. Lucido has implemented a new policy designed to reduce court delays and ensure that crime victims receive timely justice.

For years, repeated continuances and inconsistent scheduling practices have contributed to backlogs in the court system, delaying case resolution and straining judicial resources. These delays disrupt law enforcement scheduling, burden court staff, and create uncertainty for victims, witnesses, and families who rely on the justice system for closure. The “Two-and-Through” policy is intended to bring predictability and accountability to case progression while preserving judicial discretion.

The initiative allows assistant prosecuting attorneys to consent to no more than two adjournments per case at the request of a defense attorney for any reasonable reason. After two adjournments, prosecutors must either object to any further continuances or obtain approval from Prosecutor Lucido. Judges, of course, retain full discretion to grant additional adjournments as necessary.

However, certain adjournments do not count toward the two-adjournment limit. These include when attorneys are awaiting laboratory results from the Michigan State Police or evaluations from the Forensic Center, accident reports, or medical examiner reports. Finally, adjournments resulting from when the lead defense attorney is in a continuing trial in another court, family emergencies, sickness, death, or court unavailability do not count toward the limit.

Repeated delays can take a significant emotional toll on victims and witnesses, who are often required to rearrange work schedules, secure childcare, and repeatedly relive traumatic events. Prolonged timelines also increase the risk of fading memories and decreased witness participation. The Two-and-Through policy is designed to minimize these impacts and reinforce the message that victims’ time and well-being matter.

Counsel should be aware of this policy when planning to submit deviation requests and when agreeing to dates for Preliminary Exams. Deviation requests must be filed timely and should not be delayed. After the second adjournment, assistant prosecuting attorneys will object to a third adjournment

— even when the request is to allow additional time to file a deviation request. The Prosecutor’s Office therefore reminds attorneys to prepare their cases diligently and submit deviation requests as early as possible.

The policy also clarifies expectations for the defense bar. Defense counsel is encouraged to request discovery promptly and to evaluate the need for deviation requests and expert witnesses early in the life of a

case. These practices are intended to ensure that cases proceed without unnecessary delay.

“Justice delayed is justice denied,” Prosecutor Lucido said. “This policy is about keeping our system fair, efficient, and focused on the rights of victims who deserve to see their cases resolved without unnecessary delay.”

The Office has improved discovery and case-management procedures, ensuring that most materials are provided to defense

**Two adjournments.  
No more without approval  
— and deviation requests  
must be filed promptly.**

counsel within one business day and often on the same day evidence is requested. Lucido emphasized that setting clear expectations and encouraging preparation helps move cases forward more efficiently.

The policy is part of broader initiatives under Lucido’s leadership to enhance efficiency, transparency, and accountability. Recent efforts include streamlining digital evidence management, expanding community outreach and victim advocacy programs, and piloting new initiatives to improve communication with law enforcement and the courts.

With more than 80 assistant prosecuting attorneys and additional support staff, the Macomb County Prosecutor’s Office handles thousands of felony and misdemeanor cases each year, working closely with local police departments, victim services, and community organizations to ensure timely, fair, and effective justice.

Looking ahead, the Prosecutor’s Office expects the Two-and-Through policy to reduce case backlogs, improve scheduling predictability, strengthen victim participation, and increase overall public confidence in the criminal justice system. By setting firm expectations and emphasizing early preparation, the office aims to ensure that cases move forward without unnecessary delay while maintaining fairness for all parties involved.

The “Two-and-Through” initiative reflects the office’s continued commitment to upholding the rule of law, safeguarding victims’ rights, and strengthening public confidence in the criminal justice system.

The Two-and-Through policy establishes a firm limit on case adjournments and makes clear that deviation requests are expected to be submitted in a timely manner, ensuring that cases proceed efficiently while preserving judicial discretion and protecting victims’ rights.



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# Divorce and Immigration in the USA

By Timothy P. Flynn and  
Frank L. Briguglio, Clarkston Legal



Over the past six months, people have been contacting our law firm to inquire about the effects of a divorce on their immigration status. Conversely, we've had some of our former clients reach out to inquire whether a family member should get married to an expired green card holder or undocumented alien.

## New Immigration and Deportation Policies

The Trump Administration has introduced a sea change in how immigration law is enforced across the United States. From a policy perspective, the new administration is prioritizing the identification and deportation of illegal aliens.

Because of this new policy focus, certain at-risk groups are seeking to either speed up their inchoate marriage to a U.S. citizen, or they are putting the brakes on an imminent divorce proceeding.

Not all undocumented aliens are being equally targeted. In fact, more recently, undocumented immigrants in various economic sectors such as food and beverage services, hospitality, and commercial landscaping, have received special attention. Workers in these sectors are in the "no go" or "slow go" zones and may not feel the brunt of the new immigration and deportation policies.

## Immigration and Divorce

Divorce has a significant impact on a resident alien's immigration status. Getting divorced affects visa applications, renewal of green cards, and residency status.

Many conditional residents have their marriage to a United States citizen to thank for their residency in the United States. Conditions are placed on the resident because the marriage to the U.S. citizen is relatively new. Although these conditions can be eliminated, their removal depends on an ongoing valid marriage and cooperation of the applicant's U.S. citizen spouse.

If a conditional resident is involved in a divorce proceeding, they need to be the first spouse to complete and

submit form I-751. A successful I-751 filing will remove the conditions on the applicant's green card.

When a divorce is final, a pending green card application becomes more complex. The marriage may need to be factually tested and proven to be valid, causing a delay in the immigration process. A dependent visa holder may not be considered to have lawful status following the divorce. At this point, an immigration law specialist is highly recommended; preferably one that is familiar with the divorce process.

## Conditional Residency and New Marriages

Marriage and therefore divorce have serious impacts on an immigrant's journey through the elaborate immigration laws of the United States. The legislative history of key components of the legislation addresses fraudulent marriages, colloquially known as "green card marriages". The legislative wisdom behind the law is that, the longer the marriage, the less likely it is fraudulent for purposes of obtaining advantages in one's immigration status.

Accordingly, conditional residence applies to marriages that are less than two years. In other words, such residents receive a conditional two-year green card.

In a legitimate marriage, a couple works together and both spouses file form I-751 together, to remove the conditions before the two-year green card expires. Obviously, a divorce proceeding puts sand onto the gears of this process, exposing the applicant to immigration uncertainty and potential deportation. For example, once a couple in a new marriage -less than two years- is separated, they can no longer jointly file form I-751. The applicant separated from his spouse will need to file a waiver and submit evidence of the validity of the marriage.

If the couple completes their divorce process with a judgment of divorce, dependent visa holders find themselves on precarious immigration footing; such residents are vulnerable to deportation.

Because of such shaky ground, some divorced conditional residents try to shift to employment based [H1B] or student

visa footing to remain legally in the country. The conditional resident must act quickly or risk triggering an unlawful presence due to their newly acquired divorcee status.

### Sponsor's Continuing Responsibilities After Divorce

In the event of a completed divorce, the responsibilities of a sponsor continue even though the sponsor is now an ex-spouse of the conditional resident. When an immigrant holds conditional residence through marriage, the immigrant's sponsor's responsibilities are significant. Those legal duties include financial support, reimbursement of public benefits, reporting requirements such as address changes, and other legal liabilities.

The sponsor's duties continue until the immigrant becomes a United States citizen, departs the United States, or becomes financially independent through a consistent employment metric. Both the immigrant and the United States government can take legal action against the sponsor to enforce their financial support obligations.

Divorce does not obviate the sponsor's obligations to the immigrant. Therefore, many ex-spouses seek to cooperate in establishing the marriage validity so that the immigrant's financial hardship does not become their financial hardship.

From time to time, our law office has been involved in cases where the support negotiations do not involve child or spousal support but rather, a sponsor's financial support obligation of a conditional immigrant resident; a person they thought would be a life-long spouse. In such cases, the divorce judgment usually includes a provision obligating the spousal sponsor to continue paying the immigrant even after the marriage is dissolved through divorce. Even if both spouses agree to certain terms of continued financial sponsorship, the United States government's interest remains separate and apart from any agreement between the spouses.

### Removal Proceedings After Divorce

In short term marriages involving a conditional resident, divorce can trigger removal proceedings for the immigrant. Therefore, the conditional resident must proffer solid evidence that the marriage was genuine and not done for purposes of immigration status.

Such evidence includes verification of joint account activity, long-term investments, commingled social media data, photos of significant life events such as vacations, anniversaries, religious ceremonies, and similar occasions.

Another component of a solid defense includes proffered evidence of the hardships caused by divorce. Evidence of financial difficulties; evidence of challenges associated with maintaining adequate housing; and evidence of mental

and physical health risks are crucial to supporting a hardship petition.

### Timing is Important with Immigrant Divorces

Every couple is different. Sometimes, based on acute conflict, a divorce proceeding is imminent and cannot be "scheduled". In other cases, when two spouses are amicable, a divorce can be timed to optimize a conditional resident's immigration status.

In most cases, the issuance of the green card [permanent or conditional] is crucial to the timing of a divorce proceeding. If at all possible, a divorce should not be filed until after the issuance of a green card.

Again, the length of an immigrant's marriage is significant. If a divorce is filed prior to the completion of the two-year conditional green card period, heightened scrutiny of the validity of the marriage comes into play, triggering complex evidentiary submissions of the type referenced above.

Hopefully, the immigrant spouse has as their spouse a United States citizen that is compassionate and understands the risks and challenges to illegal residency in this great country of ours. Especially now, when the priorities at the federal level are those of deportation for illegal immigrants, care must be taken before proceeding with divorce.

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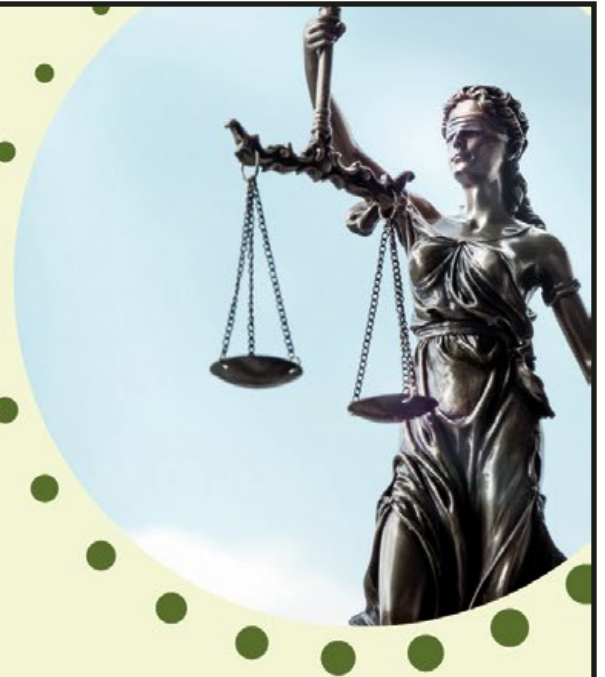
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# Warner Norcross + Judd LLP Names Nine Attorneys as Partners

The new partners are Sarah R. Bileti, Daniel S. Brookins, Sarah Harper, Alexandra E. Haywood, Catherine H. Jacobs, Nina E. Lucido, Ashley E. Racette, Matthew E. Sierawski and Timothy H. Smith. Brookins, Harper, Haywood, Jacobs and Sierawski are based in Grand Rapids. Bileti, Racette and Smith are based in Detroit, and Lucido is based in Macomb County. All are members of the State Bar of Michigan.

“We are delighted to welcome each attorney to the partnership,” said Mark Wassink, managing partner of Warner. “Their commitment to providing excellent legal counsel, building strong partnerships and delivering exceptional client service epitomizes the spirit of Warner. They will each make strong contributions to their practice areas and to our continued growth as a firm.”

### Macomb partner

**Nina Lucido** concentrates her practice in trusts and estates, tax and business succession planning and corporate operations. She is experienced with tax planning, charitable giving, trust administration, estate settlement and other areas for individuals, families, nonprofits and family offices.



Lucido has been recognized by Michigan Super Lawyers on its Ones to Watch list in 2025 and Best Lawyers: Ones to Watch list since 2024. Super Lawyers recognized her as a Rising Star in 2024.

Lucido is a member of the Financial and Estate Planning Council of Metro Detroit and the Women Lawyers Association of Michigan. She is a graduate of Leadership Macomb. Lucido is a member of the ABA, Macomb County Bar Association and Italian American Bar Association of Michigan.

Lucido holds a bachelor’s degree with honors from the University of Michigan and a law degree summa cum laude from MSU College of Law, where she was the notes editor of the Michigan State University Law Review. She completed a program at the Institute for Comparative Law & Jurisprudence at the University of Bialystok in Poland through MSU.

### Detroit partner

**Sarah Bileti** concentrates her practice on immigration law with a focus on domestic and international employment-based immigration matters that span employee work authorization, corporate restructuring challenges and Form I-9 compliance. She represents clients in health care, information technology, engineering, automotive, financial services, higher education, pharmaceuticals and energy, proactively developing strategies to address potential obstacles before they arise



to ensure a smooth and efficient journey. Bileti chairs the firm’s Immigration Practice Group, co-chairs the International Business and Trade Industry Group and launched the Talent Without Borders blog, which provides immigration updates impacting workforce planning and compliance.

Bileti was named to the Best Lawyers®: Ones to Watch list from 2021-23 and received JD Supra’s Reader Choice Top Ten Award for immigration law in 2025. She is a member of the American Immigration Lawyers Association, or AILA, and serves on the AILA National Business Steering Committee. She is licensed to practice in both Michigan and Colorado.

Bileti holds a bachelor’s degree from the University of Michigan, a master’s from Sotheby’s Institute of Art and her law degree from Wayne State University Law School.

### Detroit partner

**Ashley Racette** is a commercial litigator who advises clients on complex business and contractual matters. She



focuses her practice on supply chain conflicts and contractual disputes, representing automotive and other supply chain clients at all stages of business and contractual disputes.

Racette has been recognized on the Best Lawyers in America: Ones to Watch list in 2026 and Best Lawyers Detroit: Ones to Watch since 2021. Michigan Super Lawyers recognized her

as a Rising Star in 2025. She serves on the Women's Committee for the Eastern District of Michigan Bar Association.

Racette holds two bachelor's degrees from the University of Louisville and a law degree summa cum laude from MSU College of Law, where she was the associate editor of the Michigan State Law Review.

### Detroit partner

**Timothy Smith** is a litigator representing clients in both state and federal courts. His practice focuses on appeals,



supply chain conflicts, contractual disputes, complex commercial litigation and constitutional litigation.

Smith has been recognized on the Best Lawyers in America: Ones to Watch list in 2026 and Best Lawyers Detroit: Ones to Watch list in 2024. He is licensed to practice in both Michigan and New York.

Smith holds a bachelor's degree summa cum laude from Middlebury College and a law degree magna cum laude and Order of the Coif from the University of Michigan Law School, where he was a contributing editor of the Michigan Law Review.

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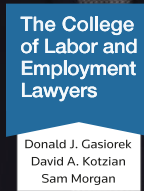
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### LEGAL ASSISTANT NEEDED

Lori Finazzo's devoted legal assistant of over 35 years, Linda Irwin, is retiring. Lori Finazzo is a solo practitioner in Mount Clemens who practices exclusively in family law, consisting of divorce, custody, and mediations, only in Macomb County. We are looking for a full or part-time, highly skilled legal assistant with extensive experience who can help run our small but busy office. Must be experienced in all aspects of domestic practice, calendar management, file management, client billing, etc.

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## UPCOMING SEMINARS

REGISTRATION TYPE: MACOMB, LAPEER, ST. CLAIR unless otherwise stated  
Register at <https://cdam.wildapricot.org>

### DRIVER'S LICENSE RESTORATION (ZOOM)

March 27, 2026 | 12:00 PM

REGISTRATION CODE: MLSC76

### A IS FOR ATTORNEY (IN PERSON)

March 12, 2026 | 9:30 AM | Auburn Hills Marriott, Pontiac

REGISTRATION CODE: MOLSC81 - OPENS SOON

### 2026 SPRING CONFERENCE (12 HOURS)

March 13 & 14, 2026 | 9:30 AM

Auburn Hills Marriott, Pontiac

REGISTRATION CODE: MLSC78

### SKILLS TRAINING 101 (16 HOURS)

September 17 & 18, 2026 | Oakland County Bar Association

REGISTRATION CODE: MOLSC80 - OPENS SOON

**SAVE THE DATE**

# TOPGOLF OUTING

TUESDAY  
**MARCH 24**  
6PM

IT'S TIME TO WORK ON  
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**M | B**

**MACOMB BAR ASSOCIATION**

EST. 1906

*February*  
**5:01 pm**

Thursday, February 12<sup>th</sup> 2026

Hosted by:

**G** **GREEN LIGHT**  
**L E N D I N G**

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