

# Bar Briefs

A professional portrait of Hon. Teri Lynn Dennings, a Black woman with dark hair styled in an updo, wearing a black judicial robe with a blue scarf. She is smiling slightly and looking towards the camera. The background is a dark, neutral color.

March 2022

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16th Circuit Court



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# Bar Briefs

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# Macomb Bar Foundation's Law Day Program

*By Sean Blume,  
President of Macomb Bar Foundation*

# M | B

## MACOMB BAR FOUNDATION

It would be hard for me to pick a favorite Macomb Bar Foundation program, just like it would be hard to pick a favorite child. However, if the only measure is the enthusiasm and excitement of the co-chairs running the program, the Law Day program may be a winner. Macomb County Circuit Court Judge Matthew Switalski and attorney Lori Finazzo have been co-chairing the Law Day program for years and I recently got an opportunity to talk to Lori about her involvement with the program.

Lori explained that each year Law Day provides an opportunity for the Macomb Bar Foundation to join other groups throughout the United States to educate the public on the role of law in our society and



to emphasize the historical significance that law has played in the foundation of our country.

Following guidance from the American Bar Association and the State Bar of Michigan, the Bar Foundation coordinates soliciting and receiving submissions from local students, and then hosts an annual ceremony to celebrate the efforts put forth by the students and teachers.

With the Macomb Intermediate School District as a partner, the Foundation reaches out to the 200 plus elementary and middle schools to offer students the opportunity





presented by a combination of Macomb County Circuit and District Court Judges and other local dignitaries.

Lori said that while she loves the engagement with the schools to prepare for the event, her favorite part of Law Day had to be the awards reception at the end of the competition. She said there is nothing like seeing the participants in person where you also get to hear from them about their entries.

One year, Lori explained, a student turned his paper into a pot of soup where it was made up of the Bill of Rights. Another year, one of the students used a sandwich to explain the topic. She said you never know what the topic is going

to participate in a judged competition, where they interpret what the year's topic means to them. Another 14 private and charter schools are also invited to participate.

Students in grades 1 through 4 get to design a poster, while participants from grades 6 through 8 write essays. Historically, the Bar Foundation has received thousands of essays and hundreds of posters for the competition. A committee of volunteer attorneys meet and read every essay, and review every poster, eventually selecting the top three essays and posters for grades 1 through 8.

The winning students and their families are invited to attend a ceremony as close to May Day (May 1<sup>st</sup>) as possible. The event has historically been held at the Macomb County Board of Commissioners on the 9<sup>th</sup> floor of the Macomb County Administrative Building in Mt. Clemens., with the awards being



to mean to the children, and how they are going to express that creatively.

In 2021, the reception was conducted virtually. The same rules applied, and the submissions were all judged and voted on, with the winners being awarded certificates and prizes during a Zoom Ceremony.

This year's program has already kicked off and all indicators are that it will conclude with an in-person awards reception, although the location may change to accommodate social distancing. The 2022 Law Day topic is Toward a More Perfect Union: The Constitution in Times of Change. I encourage everyone to watch the *Bar Briefs* for the announcement of the awards reception, and to attend the reception where we will spend a some quality time supporting our local leaders of tomorrow.



# 2022 Criminal CLE's

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---

## **A is for Attorney: IN PERSON**

March 10, 2022 • 9:30 AM

Auburn Hill Marriott Pontiac: 3600 Centerpoint Parkway, Pontiac

**MACOMB REGISTRATION CODE: MOLSC2**

**REGISTRATION TYPE: MACOMB, LAPEER, ST. CLAIR**

## **CDAM 2022 Spring Conference: IN PERSON**

March 11, 2022 • 9:00 AM

Auburn Hills Marriott, Pontiac: 3600 Centerpoint Parkway, Pontiac MI

**MACOMB REGISTRATION CODE: MLSC24**

**REGISTRATION TYPE: MACOMB, LAPEER, ST. CLAIR**

## **CDAM Evidence Boot Camp C: IN PERSON**

March 25, 2022 • 9:00 AM

Oakland County Bar Association, 1760 S. Telegraph Rd., Ste 100, Bloomfield Two

**MACOMB REGISTRATION CODE: MOLSC3**

**REGISTRATION TYPE: MACOMB, LAPEER, ST. CLAIR**

## **CDAM Evidence Boot Camp D: IN PERSON**

May 13, 2022 • 9:00 AM

Oakland County Bar Association, 1760 S Telegraph Rd Ste 100, Bloomfield Hills, MI 48302

**MACOMB REGISTRATION CODE: MOLSC4**

**REGISTRATION TYPE: MACOMB, LAPEER, ST. CLAIR**

## **A is for Attorney: IN PERSON**

July 21, 2022 • 9:30 AM

Radisson Plaza Hotel, 100 W. Michigan Avenue, Kalamazoo

**MACOMB REGISTRATION CODE: MOLSC5**

**REGISTRATION TYPE: MACOMB, LAPEER, ST. CLAIR**

## **CDAM Summer Conference**

July 22, 2022 • 9:00 AM

Radisson Plaza Hotel at Kalamazoo Center, 100 W. Michigan Ave., Kalamazoo

**MACOMB REGISTRATION CODE: MLSC25**

**REGISTRATION TYPE: MACOMB, LAPEER, ST. CLAIR**



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# Circuit Court Corner

*By Macomb County Circuit Court  
Administration*

## Welcome Referee Maryanne Spryszak-Hanna

The Macomb County Friend of the Court is pleased to welcome the newest referee, Maryanne Spryszak-Hanna. Referee Spryszak-Hanna graduated from Wayne State University in 1982 and the University of Detroit Law School in 1985. She has had an extensive family law practice over the years, as a contract attorney for Wayne County handling paternity establishment cases; at the Women's Justice Center in Detroit for two years of practice in Family Law with an emphasis on PPOs; and running her own practice focusing primarily on family



law. In 2018, she began her employment with the Macomb County Friend of the Court as a Judicial Service Officer, and was recently promoted to referee.. Referee Spryszak-Hanna is currently assigned to Judge Dennings docket.



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# Getting to Know Our Newest Circuit Court Judge: The Honorable Teri Lynn Dennings

By Dawn M. Prokopec, HAAS | PROKOPEC

On December 21, 2021, Judge Teri Lynn Dennings was appointed as our newest Macomb County Circuit Court Judge by Governor Gretchen Whitmer to fill the vacancy left by Judge Mark Switalski's retirement. She took the bench on January 18, 2022. She is the first black judge to serve as a circuit court judge for Macomb County, and her dedication to serve the public and the interests of justice is inspiring. Very early on in her legal career she wanted to become a judge, and she brings with her a passion for justice, a wealth of prior litigation experience, and an open mind in implementing changes to improve the courtroom experience for all. I recently had the pleasure to chat with Judge Dennings, and I extend a warm welcome on behalf of the Macomb Bar.

## Can you tell us about yourself?

I met my husband in 2001 and was married the year after I finished law school. I have one son who is now a young adult. I moved to Macomb County in 2001 when I was a forklift operator at Ford working at Sterling Axle. That same year I decided that I wanted to go to law school, so I enrolled at Wayne State Law School part-time. During law school, I clerked at the United States Attorney's office for the Eastern District of Michigan,

I clerked for the Federal Defender's Office, and I also clerked at a plaintiff's employment discrimination firm, Pitt McGehee. I graduated law school in 2005, and I continued to work at Pitt McGehee for two years. I then wanted to gain experience from the defense perspective, so I became an associate at Kitch in their labor and employment group. Around 2008, I wanted to explore becoming a judge, and I was given the opportunity to join the Social Security Administration where I gained experience drafting opinions, reviewing records, and doing a lot of writing. I eventually wanted to get back into litigation because I missed the courtroom, so I took a position with Miller Cohen representing public labor unions and representing employees in employment discrimination. I then joined Wayne County to get more experience in negotiations and collective bargaining where I negotiated agreements, was a hearing officer, and I also monitored EEOC charges and the EEOC supervisor while I was there. I joined Deldin law in 2017, where I expanded my

practice to business litigation. When Deldin Law merged with Schenk & Bruetsch, I left private practice and joined Consumer's Energy as in-house counsel where I served as counsel for labor and employment, immigration, employee benefits, DE&I, compliance, and executive compensation matters. I remained at Consumer's Energy



until my appointment to the bench. Over the years, I also taught at Eastern Michigan University, the University of Michigan-Dearborn, and the University of Michigan Law School. I am also a two-time breast cancer survivor, and there are few things in life that are harder than that, so hopefully I can help families realize how blessed they are even when they don't feel like it.

### **How is it going so far?**

So far so good. I am still trying to get a grip on what my processes will be. I really want to get my head and hands around things before I decide what things I might want to change and what processes I will keep. For now, most things are status quo, but we are experimenting with moving things around and scheduling in specific time slots. However, when I am setting trial dates certain, I am sending directives of what I believe will eventually become my permanent trial procedures. I come from a business litigation background in practicing in different courts, and there are some things that I would like to translate over to the family bench to make things more organized to make my job easier and to make it easier on the litigants. Some of the changes just have to do with the way things are docketed. I do not want to have trials docketed if they are not actually trial dates certain. If it is not a trial date certain, I would like it to be docketed as a pretrial so that is a change I may implement. I also plan on changing how motions in line are heard. I do not want to hear those motions on the day of trial, and I want those motions to be heard before trial so that everyone walks in to trial knowing who the witnesses are, what the proposed exhibits are, and who or what is excluded.

### **Do you require your client's to be present for status conferences and settlement conferences?**

We are still following the status quo. Currently status conferences are conducted by the Friend of the Court referees, and I have discussed with Referee Nichols his thoughts on whether to continue requiring parties to appear at the status conferences since those conferences are more of a docket management hearing. I believe we will be implementing a change there. In terms of settlement conferences, I do not have a definitive process for client appearances yet. On one hand, clients do often like to see what is going on and hear the status of their case, and there is always the benefit of engaging in actual settlement negotiations if possible. On the other hand, I also am aware that there are times where the settlement conference continues to be more of a docket management hearing rather than a hearing where settlement discussions

are really occurring. If there are two attorneys involved, then I would assume that the attorneys would know whether their clients are necessary.

### **What motions are you handling and what motions are being heard by the Friend of the Court?**

We are still maintaining the status quo. This is only my second week on the bench, but the docketing process may change in the future.

### **How will your prior experience affect and impact your role as a judge?**

I think that my professional background in business and civil litigation brings practical experience that will help shape and manage how my courtroom runs. I do think that some of that background will translate over into my operating procedures as we discussed. In terms of the particular area of family law, I have had many life experiences that certainly give me an understanding of family dynamics either through my own life experiences or through experiences of my friends and family members. I have raised an 18-year old son and have handled all of the challenges that come along with parenthood and marriage, and I often have often tried to figure out how my son sees the world to fully understand his perspective. We share a love of music, but are drifting farther apart in agreement on what to play on car rides. I have also represented all types of clients on both sides of the "v" which gives a solid foundation for objectivity and relating to the people and attorneys before me.

### **Philosophies on parenting time?**

I am aware that there are various philosophies on parenting time. For now, my approach and my philosophy is to look at every case individually. Every case has its own facts and its own factors. Sometimes even with similar facts, the relief may make sense in one case but not the other. I want to look at each case individually and look at the arguments and facts and decide each case accordingly.

### **Any pet peeves yet?**

I do not have any pet peeves yet. I can say though that I am timely. If my docket starts at 9:00 a.m., then I am ready to go at 9:00 a.m. However, I also recognize that attorneys have other cases they are handling at the same time so I do understand that delay is inevitable sometimes. I would also call myself an over-preparer so I do read all pleadings before I take the bench.

### Zoom or in person?

Although most of my docket continues to be conducted via zoom, we are in the courtroom each day. Certain matters are in person such as trial date certainties, some personal protection hearings, et cetera. However, if the attorneys think that an in-person hearing would be beneficial, we are here in the courtroom and are willing to accommodate that request if possible.

### Will you waive a portion of the 6-month waiting period?

Yes, I will waive for good cause.

### Any hobbies?

All my hobbies are on hold! I love attending concerts, and I am in a concert club. We typically spend our summers attending various concerts. I also love to travel, but that is on hold for now as well. Presently, I continue to enjoy spending quality time with friends and family.

### What do you want us to know about you?

I really have a sincere passion for the law and an interest

in justice and fairness. In accepting Governor Whitmer's appointment, I remain committed to my goal to improve the judicial system for all. I always tell everyone that I am open to suggestions on ways to improve the experience for attorneys and litigants. I do not want anyone to be apprehensive on providing criticisms or suggestions, and I am always willing to listen. That is what I am here for, to serve the public and promote justice.

### Questions for us?

I am always open to hearing what attorneys and litigants would like to see from the Court and its processes. There are a lot of dynamics with referrals, referrals to mediation, referrals to the Friend of the Court, de novo hearings, et cetera, and I would like to hear how the attorneys feel that the processes work and could be improved. I always welcome information that helps me to be able to identify improvements and changes that would make the process and experience better. One of the best sources for this input is the attorneys who are part of this process on a daily basis.

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# Addiction Is a Disease! Are You Providing the Best Resources for Your Clients

*By Retired Judge Linda Davis, Executive Director of Families Against Narcotics*

As our local communities battle an opioid crisis that has gripped our entire nation, Families Against Narcotics (FAN)—a grassroots organization founded in 2007 and based in Macomb County, Michigan—continues to work tirelessly to educate young adults, students, school personnel, parents, law enforcement, judges, doctors, and other health care professionals about the dangers of prescription drug misuse and addiction. By doing so, we are able to help reduce the number of people who become addicted and, subsequently, save lives. FAN offers numerous support services for people who are struggling with or affected by addiction, and all of them are provided completely free of charge.

**Education & Prevention:** FAN believes that education is crucial to prevention, which in turn is crucial to reducing the number of people affected by addiction and erasing the stigma that is associated with the disease. In addition to the monthly meetings that our 20+ Michigan chapters offer, FAN also presents to hundreds of schools, universities, and institutions across the state and nationwide. Recently FAN received a grant that allow us to educate police and attorneys so they better understand how to help the clients they serve

**Monthly Forum Meetings:** FAN chapters have a monthly FAN Forum meeting, where attendees get a chance to increase their knowledge of addiction and enjoy fellowship with people in similar situations. The meetings frequently feature guest speakers or panel discussions that address issues related to addiction and recovery. Family and friends of addicted loved ones, persons in recovery, community leaders, treatment professionals, judges and attorneys and all interested community members are welcome.

“After attending a FAN event, I felt hopeful. I deal with so many clients who struggle with substance use problems. I always feel so helpless. FAN has innovative solutions that are available to my clients. After years of feeling frustrated, I learned that meaningful help is available. These are services that all attorneys need to know are available to them free of charge.”

Ernie Robinette, Attorney at Law

**Hope Not Handcuffs:** Launched in February of 2017, Hope Not Handcuffs brings law enforcement and community organizations together in an effort to find viable treatment options for individuals seeking help to reduce their dependency on prescription drugs, heroin, and alcohol. The concept is simple: Any person who is fighting any kind of addiction can go to any participating police agency or community partner—of which there are more than 110 in Michigan—and ask for help. They will be greeted with support, compassion, and respect, and one of FAN’s trained “Angels” will guide them through a brief intake process and help them get the treatment they need. Since its inception, the Hope Not Handcuffs initiative has provided recovery



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resources to more than 6,700 individuals, giving them a legitimate chance to find recovery. Hope and Healing is a newer, hospital-based version of Hope Not Handcuffs. It

allows people admitted to the hospital or ER due to an overdose the opportunity to seek help, by either calling an 800 number or filling out an online assessment.

**Peer Recovery Coaching:** Peer Recovery Coaches (PRCs) help people who are fighting substance use disorder (SUD) or are new to recovery. PRCs are men and women in long-term recovery who have completed state-certified training, and their experience and knowledge can help guide others and keep them on the right path. Talking to someone who knows exactly what they're going through can greatly improve a person's chance for recovery success.

**Family Recovery Coaching:** Family Recovery Coaches (FRCs) are similar to PRCs, but their purpose is to educate and coach those who have been affected by a loved one's addiction. Addiction is a family disease, and everyone who is touched by it has to work on their own recovery. FRCs can help loved ones heal and improve family relationships.

“As a defense attorney, I encouraged many clients and their families to contact FAN for help in addressing substance use disorders. Now as a judge, I not only continue to encourage those individuals before me to seek help, but I can see first hand the difference it makes when the individual fighting an addiction has a support system such as PRC. The difference the Family Recovering Coaching does for the family as a whole is incredible. For many, it's the first time they receive the necessary education to understand and communicate with one another about addiction. It really helps in the recovery process.”

Hon. Annemarie Lepore  
41A District Court Judge

naloxone training to both individuals and groups. This training not only teaches people how to properly administer this life-saving drug—which can counter the effects of an opioid overdose—but also provides them with a naloxone kit to take home with them, giving them the ability to save lives in their community.

**Sober Living Scholarships:** Transitioning from treatment to a sober way of life can be incredibly challenging, so sober living houses are a valuable resource for those who are new to recovery. The sober living environment, structure, and community provided by these homes can make the transition much easier and improve the odds for long-term recovery. Because of this, FAN offers sober living scholarships to people who are being discharged from treatment and need initial financial assistance. This allows the recipient to focus on their recovery and finding employment, instead of worrying about finances as they move into sober living.

Stronger Together includes a unique 12-step Family Recovery Plan, and offers both an online discussion series and in-person meetings to provide compassion, support, and healing to those who need it.

Whether you are dealing with a client that suffers from substance use disorder, it is important not only to provide them with services that will ensure the courts they are on their way to recovery, but provide them and their families with real opportunity to live a more productive, healthy life style.

Families Against Narcotics (FAN), is a non-profit organization that has been doing groundbreaking work since 2007. Our innovative approach to providing resources and treatment has received national attention. Our services are utilized by courts, prosecutors, the Michigan Department of Corrections and hospitals across the State of Michigan. Defense attorneys need to be aware of what FAN is doing that could assist them in providing the best services for their clients.

**Naloxone Training:** FAN offers Narcan/

# Macomb County Prosecutor Announces Past Bar Association President Gail Pamukov as Conviction Integrity Unit Chief

*By Macomb County Prosecutor's Office*

On January 24th, 2022, Macomb County Prosecutor Peter J. Lucido announced that Gail M. Pamukov will lead the newly-created Conviction Integrity Unit as its chief. Together they held a press conference in the lobby of the Administration building with several exonerees and their families. In recognizing the exonerees, Prosecutor Lucido noted that each had served multiple years in prison.

“This unit is critical to ensuring justice and will work diligently to identify, remedy, and prevent wrongful convictions. While the system usually works, it is not foolproof; failures occur that result in the innocent being convicted and imprisoned,” said Lucido. Lucido is committed to ensuring that assistant prosecutors and law enforcement act with due diligence to support the integrity of the criminal justice system and avoid errors that can result in wrongful convictions.

Pamukov will review claims of innocence to determine whether new evidence shows that a person has been wrongfully convicted. She will be dedicated to conducting a fact-based review of convictions to investigate claims of actual innocence. The decision to set aside a conviction ultimately rests with a judge.

Pamukov is a former registered nurse and attorney of 30 years. She served as pro bono attorney

for Kenneth Wyniemko, who was exonerated after being wrongfully convicted of rape in Macomb County and sentenced to 40 to 60 years in prison. Wyniemko was found innocent and released after serving more than nine years. Pamukov and the Cooley Innocence Project took up the case after Michigan passed a law allowing for the review of post-conviction DNA evidence. Wyniemko's case is featured in the final episode of the docuseries *The Innocence Files*, which is currently available on Netflix.

Pamukov stated, “Creation of the Macomb County Conviction Integrity Unit (CIU) by Prosecutor Peter Lucido is a terrific example of putting into action the ethical responsibility that prosecutors have to implement a remedy if a convicted person is found to be actually innocent. As head of the CIU, I am very excited about the work we will be doing. We will be looking at cases where there are claims of actual innocence based on new evidence. We are holding off on accepting applications until we are fully operational. Please keep an eye on the Macomb County Prosecutor's

website (<https://www.macombgov.org/Prosecutor-Home>) to see when the CIU starts accepting applications.”

Since taking office last January, Lucido has worked diligently to establish the Conviction Integrity Unit as well as hire assistant prosecuting attorneys for other newly created units including the Hate

Crimes Unit, Human Trafficking Unit, Major Crimes Unit, and Environmental Crimes Unit.







# Commercial and Industrial Real Property Tax Appeals

*By Ralph Colasuonno, Aloia Law*

Attention all owners of commercial and industrial real properties in Michigan:

Around the end of February, you should have received in the mail a “Notice of Assessment, Taxable Valuation, and Property Classification” from your local assessor for each parcel of real property that you own. Although you may be tempted to ignore this Notice because it states at the top: THIS IS NOT A TAX BILL, you should retain and examine this Notice carefully. It will list several important items which will help you determine whether to file a valuation appeal to try and lower these taxes.

The Notice will list your property’s Taxable Value (“TV”), its State Equalized Value/Assessed Value (“SEV/AV”), and the increase in these values as compared to the previous year.

The SEV/AV should always be 50% of the property’s true cash value, otherwise referred to as the fair market value. The fair market value is the usual selling price of the property as of December 31 of the previous year, as determined by the local assessor using any method recognized as accurate and related to market value.

The TV is the number on which your property taxes are actually based. In the year immediately following a transfer of ownership of the property, the TV will be the same as the SEV/AV. Until the property is transferred again, the property’s TV can only increase on a yearly basis by 5% or the current inflation rate, whichever is less. Thus, even though the fair market value of your property may continue to go up from year to year (with the SEV/AV tracking that figure at 50%), the TV is capped under Michigan law and should only increase as described above.

If you believe your property’s fair market

value is less than twice the TV listed on the Notice of Assessment, you may have an appropriate valuation appeal. However, to properly appeal the property’s valuation, you must follow the strict statutory deadlines for doing so. For valuation appeals of commercial or industrial real property, you must file your appeal with the Michigan Tax Tribunal on or before May 31. Failure to file by this date means you will lose your right to challenge the assessment for that year.

Remember, a successful valuation appeal which lowers the TV by even a small amount will result in the TV being re-capped at that lower amount which, in turn, will result in lower taxes (and thus tax savings) on a yearly basis moving forward, even though the property’s fair market value continues to increase.

If you have any questions regarding your Notice of Assessment, or should you need assistance in determining whether you have a suitable appeal, please contact Ralph Colasuonno at Aloia Law, at 586 783-3300 or [colasuonno@aloia.law](mailto:colasuonno@aloia.law).

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# Macomb Bar Membership Meeting

**March 31, 2022 • 4pm • Via Zoom**

Featuring

**New Circuit Court Judge**

**Hon. Teri Lynn Dennings**



**Meeting ID: 832 7906 2168 • Passcode: 291997**

**Space is limited. Macomb Bar Members Prioritized.**