

BAR BRIEFS

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September 2025

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A Birthday Worth Remembering

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

September always feels like a turning point. The summer pace slows down, school is back in session, and old memories of first days of school resurface. In the middle of it all is a date that might not get much fanfare but is deeply important to those of us in the legal profession: September 17, 1787 — the day the United States Constitution was signed.

Constitution Day offers an opportunity to reflect and appreciate the document that forms the backbone of our nation and our work as attorneys. The day doesn't come with fireworks or long weekends, but it's worth pausing for. The Constitution is the foundation for our government, our courts, and our laws. It protects individual rights and spells out how power is balanced and limited. It is the framework by which disputes are resolved, and individual rights are safeguarded. Without it, the work we do as attorneys would look very different.

For lawyers, the Constitution isn't just something we studied in law school and set aside. It shows up in our work every single day. Whether we're drafting contracts, negotiating settlements, advising a business, or arguing a motion, we're operating within a framework built over two centuries ago. While it's been amended and interpreted through the years, the goal has always been the same: to create a fair and stable system that serves the people. And while enduring, the Constitution continues to offer guidance for an evolving society. Regardless of changing perspectives or political beliefs, its foundational principles remain a steady reference point for how we approach governance and the rule of law.

Here in Macomb County, these principles aren't theoretical, they're visible in daily practice. Our courts provide a fair process for resolving disputes. Our legal community works together, even when we're on opposite sides of a case, because we share an understanding of how the system should function. And our clients trust us to help them navigate the law in a way that protects their rights and interests.

Constitution Day is a good reminder that our role as lawyers is more than winning cases or closing deals, it's about preserving the integrity of the system itself. That can mean standing up for due process, ensuring fair treatment under the law, or simply following procedures with care and respect. Meeting filing deadlines, thoroughly preparing for a hearing, treating opposing counsel with civility, these things quietly uphold the principles that the Constitution stands for.

It's also worth remembering that our role as legal professionals connects us to a long line of people who have worked to make those principles real in everyday life. Judges, legislators, advocates, and countless attorneys before us have all contributed to the ongoing story of how constitutional values are applied. We are part of that story now, and the way we practice law shapes the trust people have in the legal system.

We may not throw the Constitution a birthday party, but we celebrate it in more meaningful ways—through our professionalism, our commitment to fairness, and our dedication to upholding the rule of law. And that's a celebration worth having all year long.

**We may not throw
the Constitution a
birthday party, but we
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16th Judicial Circuit Court – Specialty Treatment Courts

By Justin Pollard, Assistant Prosecuting Attorney



Specialty treatment courts, also known as problem-solving courts, may be the answer to finding your clients the help they desperately need. The Macomb County Prosecutor's Office supports and participates in all of Macomb County Circuit Court's specialty treatment court programs. Currently, the 16th Judicial Circuit Court Specialty Court Department has five programs available for alternative sentencing. All programs are certified with the State Court Administrator's Office. The five specialty treatment courts are:

1. **Adult Drug Court**
Program Judges: Hon. Joseph Toia and Hon. Rachel Rancilio
2. **DWI/Sobriety Court**
Program Judge: Hon. Julie Gatti
3. **Mental Health Court**
Program Judge: Hon. Sandra Harrison
4. **Veteran's Treatment Court**
Program Judge: Michael Servitto
5. **Swift and Sure Sanctions Probation Program**
Program Judge: James Maceroni

These programs provide eligible defendants with an opportunity to undertake an alternative experience to the traditional probation process. From substance addiction to mental health issues, these programs can provide your client with a range of resources that may not be available to someone going through the traditional criminal court system. Each specialized treatment court provides its own uniquely focused alternative form of probation which can help defendants achieve extremely beneficial results due to an improved quality of life, while simultaneously strengthening the Macomb County community through reduction of recidivism rates.

Traditionally, the court process is adversarial in nature with the prosecution and defense on opposing sides while the judge remains neutral. However, these specialty treatment courts place representatives from all parties on the same team with the same goal... helping participants to better their lives by connecting them with focused treatment and rehabilitative services that seek to address the underlying causes of criminal behavior. In turn, the whole community benefits from a

reduction in jail time, reduced recidivism rates, and reduced docket congestion. Importantly, each specialty treatment court also incorporates a multidisciplinary team of vital professionals, probation/parole officers, Macomb County Community Mental Health counselors and medical professionals, and a 16th Circuit Court Specialty Court Coordinator who operate as a collaborative team to develop and implement individualized plans for each program participant.

Every treatment court has a specialized docket designed to treat drug addiction, mental health disorders, and those with co-occurring disorders (a simultaneous presence of two or more mental health conditions and/or substance abuse disorders). Although the eligibility criteria for each court's participants is different, every court's overall focus is helping individuals achieve stability by improving overall wellness and mental functioning. Team members seek to understand each participant's unique behavioral disorders and develop a community-based plan to help that participant combat their respective substance abuse and/or mental health issues.

Each participant's success is achieved through continuous intensive treatment combined with constant judicial and community supervision. Participants can expect regular court appearances (initially weekly but become less frequent as a participant advances in the program), frequent random drug tests, regular counseling and group therapies, medication management, job training, community service requirements, and community mental health interventions. Each program maintains its own incentive and sanction programs to ensure compliance. When a participant properly utilizes these specialized interventions and support services, they realize an improved quality of life, become productive members of the community, and can overcome the life challenges that contribute to their involvement in the criminal justice system.

Grant funding enables the specialty courts to help alleviate the stresses placed on defendants by the financial burdens which typically accompany drug testing, electronic monitoring, transportation issues caused by license suspensions/revocations, three-quarter housing, etc. Consequently, participants are more freely able to focus on accomplishing their probationary requirements and improving overall functional health.

Without exception, these participants will work harder than someone subject to a standard probationary sentence, but will find empowerment through improved self-worth and will gain the tools they need to maintain a healthy lifestyle. As a result, participants gain organizational skills, learn how to create and operate in structured life environments, and benefit from understanding how to properly take accountability for their actions. In certain situations, participants may qualify for the restoration of driver's license privileges under the Specialty Court Interlock Program (*See MCL 257.83 and MCL 600.1084*). Furthermore, statutory provisions may allow participants who successfully complete their respective program to become eligible for a further reduction in charges than what was established in the original plea agreement.

Spots are limited! Each treatment court applicant must meet certain legal and clinical criteria for eligibility. Below is a general overview of court schedules and initial criteria an applicant must meet:

Adult Drug Court Program

Meets Tuesday and Wednesday afternoon

Eligibility criteria:

- 18 Years or older
- Macomb County resident
- Drug use motivated crime
- Primary Substance Use Diagnosis
- No serious, chronic or persistent mental illness
- Cannot have participated previously in the ADC program at 16th JCC; Not currently in another treatment court
- Prosecutor approval needed

"It's the power of the second chance. Everyone who enters our program is high risk, high needs, and usually facing prison guidelines. We focus on treatment rather than punishment, and endeavor to build trust through honesty and empathy. We deal in hope rather than dope. Without hope what do we have left? Hope is the greatest gift you can give someone. When they fail to see their own significance, with hope, they still have a reason to keep trying and striving to maintain long-term recovery and reach their potential."

— **Hon. Joseph Toia**

"Most people think that drug court belongs with criminal judges. However, being the first family court judge to take on a drug court docket, I believe that it makes sense as addiction is a family disease. I have been fortunate enough to use my position as a judge to help repair family units and nothing I do is more fulfilling than helping my drug court participants with their journey to healing."

— **Hon. Rachel Rancilio**

DWI/Sobriety Treatment Court Program

Meets Wednesday afternoon

Eligibility criteria:

- Alcohol only: OWI-3rd, OUIL-3rd
- 18 years or older
- Macomb County resident
- Primary alcohol use disorder diagnosis
- Not currently in another treatment court
- Prosecutor approval needed

"Show Up. Try Hard. Tell the Truth. Our 16th Judicial Circuit Court DWI Sobriety Treatment Court motto is simple, but the work is not. I wish the average citizen could see the work the participants do in our treatment courts, and the work the teams do to help those participants succeed. Today, our Sobriety Court celebrated the graduation of two people who have restored their relationships with family members, maintained employment, maintained sobriety, drive (restricted) with an ignition interlock device, and addressed, with qualified therapists who truly care, trauma or other factors that could trigger alcohol use or relapse. Investing time, resources, and energy in treatment courts is an investment in safer streets, stronger families, and a healthier community. These programs can change lives by helping break the cycle of addiction and associated negative impacts on society and represent the best of what our justice system can be."

— **Hon. Julie Gatti**

Mental Health Treatment Court Program

Meets Wednesday afternoon

Eligibility criteria:

- 18 years or older
- Macomb County resident
- Primary mental health diagnosis; severe persistent mental illness (SPMI)
- No CSC offenses
- Not currently in another treatment court program
- Prosecutor approval needed

"Our goal in the Macomb County Mental Health Court is to reduce recidivism and improve public safety by offering programming to those criminal defendants who suffer from severe and persistent mental illness. I tell our participants that probation is a second chance, but treatment courts are a gift. We do have a lot of requirements, but we provide all of the support necessary for success. Our grant pays for all treatment and testing. We also assist, when necessary, with the payment of transportation, tethers, housing and more. We see complete transformations in our graduates who have taken control of their lives by fully engaging in treatment."

— **Hon. Sandra Harrison**

Veterans Treatment Court

Meets Thursday afternoon

Eligibility criteria:

- 18 years or older
- Veteran with a discharge other than dishonorable
- Not a capital crime
- No CSC offenses
- No residency requirements
- Not currently in another treatment court program
- Prosecutor approval needed

“Our Veteran’s Treatment Court (VTC) is designed to treat the physical, emotional and psychological injuries which precipitated the criminal conduct of some of our U.S. Armed Service veterans. Having presided over VTC for over seven years, I have learned that this program’s benefits go well beyond a reduction in recidivism. Rather, the VTC gives our community the opportunity to give back to those who protected this nation and preserved our freedoms by providing resources to improve their quality of life. Our partnership with the Department of Veterans Affairs and Macomb County Veterans Services is integral to ensuring our participants receive their rightful benefits that have gone unclaimed such as access to housing, disability compensation, and medical care.”

— **Hon. Michael Servitto**

Swift and Sure Sanctions Probation Program

Meets only when a violation occurs

Eligibility criteria:

- Eligibility is completed through the MDOC probation, the eligibility sheet is attached to the PSI report.
- High risk felony probationers with a history of non-compliance
- Macomb County resident
- Must not be one of the excluded offenses listed on the statute (*See MCL 771A.6*).
- Must score a medium or high on COMPAS, specifically violence and recidivism

“Swift and Sure is geared primarily for defendants who may otherwise be sent to the MDOC. It is an intensive probation program. Any technical violation is treated immediately by summoning the probationer to court for an informal hearing within the next three days. If they take responsibility for the violation, they know the sanction will be up to three days of incarceration. Our participants usually did not have much of a structure growing up. The program is designed to afford structure and instill responsibility. Obviously, with the ultimate goal of any sentence that the defendant does not reoffend. We often have participants who have multiple violations. However, we are encouraged by many individuals who seem to “get it” at some point and really turn a corner. Some of the statements read by these participants at their graduations have

been profound and uplifting. We have room for more participants, and if any attorneys have questions I am happy to discuss it.”

— **Hon. James Maceroni**

If you’re interested in having your client screened, you must apply through the Circuit Court Specialty Court Programs. A specialty treatment court application is submitted by defense counsel to the Specialty Courts Department. One application is all that is needed. Once submitted, that application will be reviewed for possible eligibility into ALL programs (except for the Swift and Sure Program.) Please complete the application entirely and do not leave out information as it could delay the process. Please also note:

- A plea must be entered. In some cases, the presiding Judge will take the plea under advisement and allow the plea to be withdrawn if the defendant is not accepted.
- The presiding judge must approve the submission of the application on the record, or the judge may sign the application.
- All pending/open circuit court cases must be included on the application.
- Please do not submit the application directly to the prosecutor’s office.
- The PSI may be submitted with the application, if available.
- The application process may take up to four to six weeks.
- Please note: If an applicant has any out-of-county warrants, especially felonies, the application will be denied until the warrants are resolved. If the applicant has in-county warrants, district or circuit, the specialty court program will try to help get them resolved.
- You may email the application to: treatmentcourts@macombgov.org or submit it in-person at the 16th Circuit Court on the 6th floor, Specialty Courts Department.
- Some courtrooms have printed applications available in conference rooms. Printed applications are also available on the 6th floor in the Specialty Court Department, or they can be found online at: <https://www.macombgov.org/departments/16th-judicial-circuit-court/specialty-courts>

The prosecutor’s office can help facilitate a resolution to some of your more difficult cases and/or clients with placement into one of these specialized treatment courts. Please reach out to the prosecutor assigned to your case and get the process started.

The Macomb County Prosecutor’s Office is truly thankful for all the time and effort that each program judge puts into their respective specialty treatment court. Although they have busy dockets, these judges find the time to undertake this job because they care and understand that it is important to the community. Without their hard work and dedication, none of this would be possible. Also, thank you to Christina Wohlfield, Court Services Director (for the 16th Judicial Circuit Court), for providing information related to eligibility criteria and application requirements.



AI in the Legal Profession: Opportunity, Obligation, and the New Divide

By Cheyenne Harden, CEO, Cyber Protect, LLC



A Moment of Choice for Law Firms

Artificial intelligence (AI) is no longer a theoretical or futuristic concept; it's here. And it's reshaping the way attorneys research, draft, analyze, and interact with clients.

Law firms today face a choice: **adapt to this new landscape or risk falling behind.** Those who embrace AI can enhance efficiency, refine insights, and meet the growing expectations of their clients. Those who resist run the risk of looking outdated—and losing both clients and talent.

Why AI Matters for Lawyers

AI is not a replacement for good lawyering. It can't replicate judgment, advocacy, or ethical reasoning. But what it can do is **amplify** those skills. Think of it as another tool in your toolbox—one that can save you time, uncover hidden details, and help you focus on the human aspects of practicing law.

Efficiency You Can Feel

AI can automate repetitive tasks, such as reviewing documents, drafting templates, and verifying compliance. That means more hours freed up for higher-value work—such as strategic thinking, client counseling, or courtroom preparation.

Sharper Insights

Machine learning algorithms can scan case law, contracts, or discovery documents far faster than any associate. They can highlight patterns or risks you might not see right away. Used correctly, AI becomes a second set of sharp eyes.

Meeting Client Expectations

Some clients are becoming aware of these tools, and many expect their lawyers to utilize them. They want faster turnaround, lower costs, and data-driven insights. A company that ignores AI risks appears outdated.

The Cost of Resistance

Hesitation has its own risks. Here's what we're already seeing:

- **Clients Moving Elsewhere:** Competitors using AI can deliver faster results at lower costs. That's a tough pitch to beat with "business as usual."
- **Losing Young Talent:** New attorneys—especially digital natives—expect to use modern technology. Firms that resist innovation risk losing promising staff to competitors who embrace it.
- **Ethics & Professional Standards:** Competence today includes technological competence. Courts and bar associations are increasingly clear: attorneys must understand the benefits and risks of using (and not using) relevant technology.

The Growing Divide

We're already seeing a split in the profession.

- **Firms Adopting AI:** They're rethinking pricing models, improving client service, and building reputations as forward-looking.
- **Firms Avoiding AI:** They're often working harder just to keep up, with shrinking margins and growing client dissatisfaction.

That gap is widening fast. Just as email and e-discovery became standard, AI is on track to do the same. The question is not whether this will happen but when.

The Ethical Angle

For lawyers, this isn't just about keeping pace with technology. It's about fulfilling professional duties.

- **Competence:** Staying up-to-date with tools that affect legal practice is now part of competence.
- **Confidentiality:** Using AI means being cautious about how and where client data is stored or processed.
- **Supervision:** Just as lawyers must supervise associates, they must also supervise AI outputs. These tools can assist, but they are not infallible.

In short, the ethical obligations remain the same—AI just adds a new dimension.

Practical Steps for Firms

Not every firm needs to overhaul its systems tomorrow. But here are a few concrete ways to get started responsibly:

1. **Educate Yourself and Your Team:** Understand what AI can and can't do. Build familiarity before making major changes.
2. **Pilot Projects:** Start small—maybe with document review, research, or contract analysis. See how it works in practice.
3. **Update Firm Policies:** It is critical to clarify how AI can be used in your firm. Define data security expectations and review vendor agreements carefully.
4. **Choose Vendors Wisely:** Make sure platforms meet confidentiality standards and have clear answers about data handling.
5. **Train and Supervise:** Provide staff training and always double-check AI outputs. Think of AI as a clerk or assistant—it helps, but it still needs review.

AI as an Amplifier, Not a Threat

The most important thing to remember is this: AI doesn't replace attorneys. It amplifies them. It handles the tedious tasks, gives you sharper insights, and frees you up to focus on the work that requires judgment, persuasion, and experience.

"Law firms that harness AI today will set the pace for tomorrow's profession, proving that technology and advocacy together can raise the bar for client service and legal excellence."



Foundation Highlights

By Sherrie L. Detzler,
MCBA President-Elect and MCBF President

First and foremost, last month I mistakenly missed sharing that our outgoing secretary, Gene Casazza, is one of your Macomb County Bar Foundations Directors for 2025-2026. Thank you, Gene, for your continued service. We sincerely appreciate you.

As you are reading this, we are thick into the month of September and working diligently to establish and foster our Lawyer-Teacher Partnership programs. Starting with our elementary reading program on Constitution Day, reading the U.S. Constitution from A to Z. More information to follow.

We are excited and hope this will be one of many classroom events this year with our members collaborating with teachers in our community. Please share our interest with any teachers in your network.

Other events planned for the upcoming months include our annual Feed the Need community outreach, Holiday Raffle fundraiser, and Trustee recruitment project. Speaking of which, we invite you to consider becoming a Macomb County Bar Foundation Trustee. As a Trustee, you will be recognized for your \$150 contribution in furthering the Foundation's mission to help identify, initiate, and support law related education projects and programs in our community.

It is up to the people in a community and culture to take care of each other. As a member of the bar, you see firsthand that it is only through the whole community that great care for each other can occur. In the words of George Washington "Let your heart feel for the afflictions and distress of everyone, and let your hand give in proportion to your purse." Become a Trustee Today!

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Kirk, Huth, Lange & Badalamenti, PLC Inducted into Macomb Foundation Hall of Fame

Kirk, Huth, Lange & Badalamenti, PLC is so honored to be inducted into the 2025 Macomb Foundation Hall of Fame by the Macomb County Chamber of Commerce. We are an AV-rated, multi-practice law firm in Macomb County specializing in business litigation, municipal law, labor and employment, real estate, land use and planning, and probate law. The firm began in 1992 with a partnership between Robert Kirk and Robert Huth and has grown consistently based on the founding philosophy that professional and aggressive legal services are best provided by an experienced, mid-size law firm. Partners now also include Craig Lange, Raechel Badalamenti, Patrick McKay and Elizabeth Morris.

We are proud of the commitment everyone at Kirk Huth makes to Macomb County, its businesses and residents. So many at the firm support and coach local baseball, hockey and soccer teams. Our attorneys also support local organizations including Friends of Foster Kids, Maggie's Wigs 4 Kids of Michigan, FACE Addiction Now, Turning Point, RSA Foundation, Love for A Child, MCREST, Utica Community Schools and the UCS Foundation, and Variety Children's Charity. We also serve Impact100 Macomb County, a charitable organization that has funded high-impact grants awarded to Rainbow Connection, and have been providing years of meals and support for the full season of Detroit Loyola High School's football team.

We are a full-service law firm meaning we have the expertise for the full range of a client's legal needs from board meetings to business plans, from problem-solving to contract and ordinance writing, from zoning and licensing to administrative hearings, and from investigation to the courtroom and on appeal.

We are so proud of our commitment to public-sector clients that include the City of Warren, Shelby Township, Harrison Township, Mount Clemens, Clinton Township, the City of Fraser and Grosse Pointe Woods. The longevity of these important client relationships gives us great pride as we press forward in continuing our mission to serve in Macomb County.

Kirk Huth Lange & Badalamenti, PLC address: 19500 Hall Road, Suite 100, Clinton Township, Michigan 48038. Phone: 586-412-4900. Email: rbadalamenti@KirkHuthLaw.com.



Warner Partner Matthew K. Casey Inducted into Macomb Foundation Hall of Fame

Matthew K. Casey, executive partner of Warner Norcross + Judd LLP's Macomb County office, has been inducted into the Macomb Hall of Fame by the Macomb County Chamber of Commerce.

The Macomb Foundation's Hall of Fame honors individuals, civic groups, communities and companies that have made significant contributions to improving the local economy, family and community life. Now in its 25th year, the Hall of Fame dinner took place Thursday, Aug. 21 at The Mirage in Clinton Township.

"Each year, we are inspired by the remarkable people and organizations who help Macomb County thrive," said Kelley Lovati, president and CEO of the Macomb County Chamber and Macomb Foundation. "Their service, innovation and generosity make our community stronger, and it's an honor to celebrate them through the Hall of Fame."

A lifelong Macomb County resident, Casey focuses his legal practice on business law with a specialization in banking. He represents financial institutions in commercial loan documentation, workouts and litigation. As executive partner, he leads the operations of Warner's Macomb office, which includes more than a dozen attorneys from across the firm's 15 industry groups and 18 specialized practice groups. Together,

they serve commercial and industrial businesses throughout Michigan's third-most populous county and beyond.

Casey is also a member of Warner's Aerospace and Defense Industry Group. He frequently works with companies and military installations within Macomb County's defense corridor, which includes nearly 700 businesses supporting 70% of what a soldier "shoots, drives, flies, wears, eats or uses for communications," according to Macomb County statistics.

An engaged community leader, Casey serves on the boards of Advancing Macomb, the Macomb Community College Foundation and the Macomb County Chamber. He is a graduate of Leadership Macomb and has been recognized by *Best Lawyers in America*®, *Michigan Super Lawyers* and *DBusiness* Top Lawyers.

Casey is a member of the State Bar of Michigan and the Macomb County Bar Association, where he serves on the civil practice committee. He lives in Washington Township with his wife, Christine. They have two adult sons.

About Warner

By providing discerning and proactive legal advice, Warner Norcross + Judd LLP builds a better partnership with our clients. One of Michigan's largest law firms, we're focused on providing the best legal solutions and exceptional client service to organizations throughout the world.



Madison's Mt. Clemens Lawyers Softball League

By Charles Trickey III, Commissioner

The Madison's Mt. Clemens Lawyers Softball League completed its fifteenth season, with the Hamel-Goetz team, managed by Bobby Penrod of Secrest Wardle, winning the championship on August 13th. A post game party at the league sponsor, Madison's Pub, was sponsored by The Resolution Center.

The trophy presentation was made by the Macomb County Bar Association President, Farrah Ramdayal-Howard.



Pictured left to right are: Logan Porada, David Porada, Jesse DePauw, Anthony Misuraca, Shyler Engel, Bobby Penrod, MCBA President Farrah Ramdayal-Howard, Robert Figa, Erich Goetz, Daniel Callaway, Brandon Hagaman, Joseph Giacalone, Jack Ottenwess, Ethan Carey

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Shadyside Park July 28th, 2025



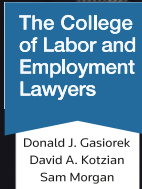


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REGISTRATION TYPE: MACOMB, LAPEER, ST. CLAIR unless otherwise stated
Register at <https://cdam.wildapricot.org>

EVIDENCE BOOT CAMP E (IN PERSON)

October 3, 2025 | 9:00 AM
Macomb County Public Defender Office | Mount Clemens
REGISTRATION CODE: MOLSC76

2025 FALL CONFERENCE - TBA

November 7 & 8, 2025 (WILL BE UPDATED CLOSER TO EVENT)



Denis LeDuc
District Court Judge, Retired
drleduc586@gmail.com
586-265-5999
denisleduc.com



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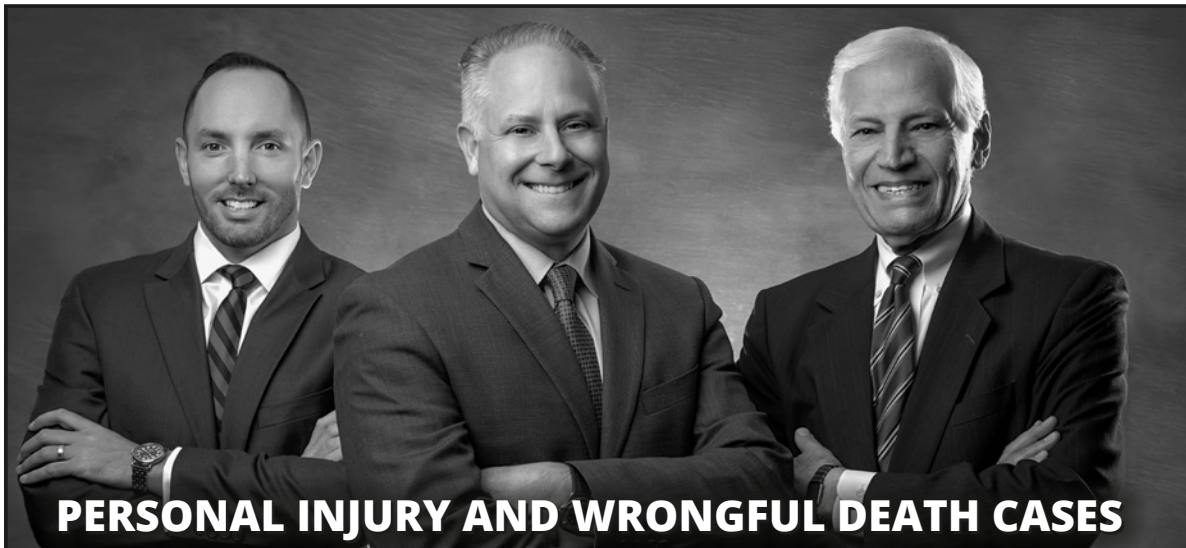
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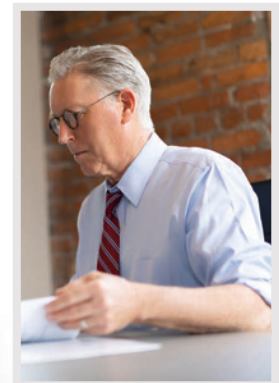
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WLAM Macomb Region

FALL GOLF MIXER

FRIDAY, OCTOBER 3, 2025
ST. CLAIR SHORES GOLF CLUB
22185 MASONIC, ST. CLAIR SHORES, 48082

9:00 A.M. SHOTGUN START

18 HOLES OF GOLF WITH CART
LUNCH, DRINK TICKETS AND DINNER TO FOLLOW

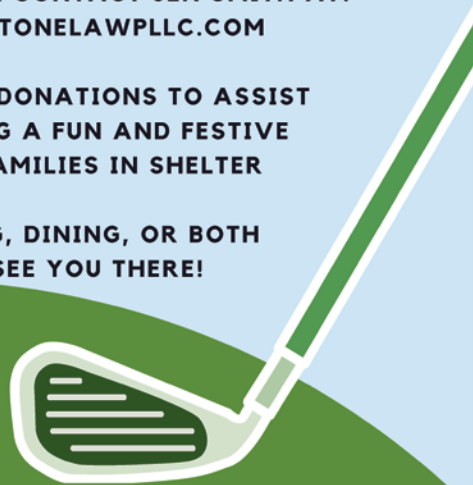
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