

SBM STATE BAR OF MICHIGAN

GRAPHIC DESIGN

BRAND KITS



NOMINATION

GENERAL DESCRIPTION OF THE ENTRY

Brand Kits

We're back! After years of living in a virtual world, our momentum finally fully shifted in 2023 to in-person events ... and we found ourselves equipped with a ragtag mishmash (technical term) that didn't look professional, didn't represent the Bar well, and didn't offer any value to attorneys.

Our mission was to have a true presence at events including visually impactful branding. We wanted to provide useful information for attorneys, promote pride in membership, and reinforce our "Here to Help" core messaging. An integral part of the project was also making sure that the branding created by the Communications team didn't sit around collecting dust. To address this, we also created to-go kits to make it easy for staff to take our branding with them whenever and wherever they go.

WHAT WERE THE OBJECTIVES, GOALS, AND AIMS OF THE PROJECT

We are always trying to think of new ways to educate and inform Michigan attorneys about what the State Bar of Michigan is and the services/programs we offer. This project especially serves that purpose. Our goals included:

- Develop a strong brand presence at events (which always, but especially since Covid, was underwhelming).
- Create handouts with useful information to attorneys to reinforce the value of membership and create another distribution outlet for already developed content (aka use what we already have better).
- Make it easy for staff to incorporate brand materials into events and appearances.

DESCRIBE YOUR TARGET AUDIENCE

Michigan attorneys attending SBM events

HOW WAS SUCCESS TO BE MEASURED

1. Create a strong brand presence
2. Provide useful information to attorneys
3. Staff use the Brand Kits

WAS THE PROJECT SUCCESSFUL? HOW? IF NOT, WHY NOT?

Yes.

Create a strong brand presence at events

Our pride was really on the line with this one. The end result was something that reverberated throughout the organization. Staff throughout the building were wowed by our Brand Kit's great visual impact. They were proud to include branding at their events, where we've seen people stop in their tracks when they see our

display. Interest in the handouts also substantiates our strong brand presence.

Provide useful information to attorneys

The Brand Kit materials includes brochures already developed for our Pro Bono and Lawyers & Judges Assistance programs, which were already largely in use. However, by centralizing distribution of materials through the Comms department, we have been able to add cross promotion of current key messages, such as special promotion of our Lawyer Referral Program, Great Lakes Legal Conference, and Face of Justice event. In addition, we worked with our ethics division to create print versions of useful guidebooks and FAQs that previously only existed online.

The best measure of success: We've had to print additional copies of our Lawyers & Judges Assistance Program brochures, all five FAQs, and all three guidebooks. The best direct measurable is the LJAP brochures, which are unchanged and were in use prior to the launch of our Brand Kit. In the previous two years they had a total of 700 brochures printed (and still have a large pile left in stock). In the four months since the launch of the Brand Kit in April 2024, we've distributed in excess of 500 LJAP brochures at events.

Staff use of the Brand Kits

This was a big goal and our most challenging. Essentially, we are asking staff to haul even more materials with them to events. Plus we are changing the way things have always been done. Both of these can sometimes be uphill battles in the bar world. That said, we have been very pleased with our initial success. The Brand Kit first went on display internally in the State Bar building to show staff what we had to offer and then went into official use for the first time April 21 for our Brunch for Bars event. Since then, the Brand Kit was used at our Pro Bono spring seminar (May 21), 50-year member luncheon (May 23), Great Lakes Legal Conference (June 14-15), and Face of Justice/pipeline event (July 26).

WHAT WAS THE BUDGET FOR THE PROJECT?

Creating brand kits was a significant investment, but well worth it. The cost for nine retractable (and easy-to-transport) banners was just under \$1,150. We also invested another \$375 in multi-tier displays and carrying cases for materials. Printing of materials is done in-house at nominal cost.

HOW MANY STAFF WERE INVOLVED AND WHAT WERE THEIR ROLES?

Creation of the Brand Kit was primarily done by the staff designer, but with feedback from at least seven stakeholders and program directors. Other staff also assist by putting the materials on display at events. The content for the handouts themselves had already been developed, but when completed included the work of dozens of staff and volunteer attorneys serving on committees.



SCAN TO SEE
OUR BANNERS
IN ACTION!





THE ETHICAL STANDARDS FOR BECOMING A JUDGE

"All the rights secured to the citizens under the Constitution are worth nothing, and a mere bubble, except guaranteed to them by an independent and virtuous judiciary."

— PRESIDENT ANDREW JACKSON



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INTRODUCTION

Judicial ethics provides standards for judges to ensure an independent and impartial bench. Ethics strengthens and reinforces the trust in the judiciary by promoting the implementation of a culture of excellence for which every judge strives. While there is much ethical guidance for the profession, it is important to know the ethical standards for judicial candidates or appointees to the bench. This guidebook provides the ethical standards for judicial candidates or appointees to the bench. The guidebook is written to provide ethical assistance to those competing or within the transition period prior to assuming their judicial position.^{1,2}

In addition to this guide, judicial candidates may review the Michigan Judicial Institute's *Avoiding Ethical Mistakes in Campaigns* report card for the Michigan Judicial Institute, a confidential resource for lawyers seeking judicial office.

APPLICABLE ETHICS RULES

In accordance with MSCR 8.202, "SBJ lawyer who is a candidate for judicial office shall comply with the applicable provisions of the Code of Judicial Conduct as provided under Canon 5."

Michigan Code of Judicial Conduct Canon 5 states:

All judicial candidates are subject to Canon 1, Canon 2, Canon 4A-4D and Canon 7 of the Code of Judicial Conduct as applicable during a judicial campaign. A successful candidate, whether or not an incumbent, and a judicial candidate who is a lawyer is subject to lawyer discipline for campaign misconduct. An unsuccessful candidate who is a lawyer is subject to lawyer discipline for campaign misconduct.

The referenced Canons in MJC-C 5 are as follows:

- Canon 1: A Judge Should Uphold the Integrity and Independence of the Judiciary.
- Canon 2: A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Activities.
- Canon 4A: A Judge May Engage in Political Activities. Subject to limitations, may not lobby a judge should not individually solicit funds.
- Canon 7: A Judge or Judicial Candidate Should Refrain from Political Activity Inappropriate to Judicial Office.

CANDIDATE ELIGIBILITY AND FILING

A person may become a judge by means of a successful election or appointment by the governor to a vacant judicial office.³ To be eligible for the office of a judge, a person must meet the following criteria:

- Admitted to practice law for at least 5 years⁴
- Be less than 70 years of age.
- Not hold any office in a political party for the position upon appointment or presentation of signs to a qualified elector of the applicable jurisdiction in which the election is sought.⁵

1. This publication does not provide the process for campaigning to be approved, as there are various forums. The guidebook is intended to provide the ethical standards for the implementation of a culture of excellence for which every judge strives. While there is much ethical guidance for the profession, it is important to know the ethical standards for judicial candidates or appointees to the bench. This guidebook provides the ethical standards for judicial candidates or appointees to the bench. The guidebook is written to provide ethical assistance to those competing or within the transition period prior to assuming their judicial position.

UNSOUGHT CONTRIBUTIONS
A committee may accept unsolicited contributions⁶ or indirect contributions,⁷ provided that the contribution is not so large as to give an appearance of attempting to bias the candidate in the candidate's favor.⁸ An unsolicited contribution received by the committee must be reported to the committee prior to the fundraising period. It may be accepted only within the fundraising period.

SOLICITATION OF CONTRIBUTIONS
A judicial candidate may not personally solicit or accept funds.⁹ A campaign committee may solicit and accept contributions from the public, including lawyers, as permitted by law.¹⁰ A judge may, however, personally send a "thank-you" note to a contributor.¹¹

A filing judge may make public statements in support of a candidate and may personally contribute to the campaign¹² but may not solicit contributions for a candidate.

A committee may not solicit or accept funds after the date of the general election.¹³ Contributions dated post-election for the fundraising period but received in the most following cycle of the election may be permitted to pay legitimate campaign expenses.¹⁴

PROHIBITED CONTRIBUTIONS
Contributions must be returned to the donor if the contribution discloses the nature of the contribution. If the contribution has been deposited with the committee, an expenditure from the account must be made to return the prohibited contribution.¹⁵ However, the prohibited contribution has not been deposited, the actual contribution is not retained. Prohibited contributions may be found within the Michigan Campaign Finance Act.

A candidate's committee may not directly or indirectly accept funds from any committee that was established in connection with the candidate's attempt to secure any other judicial or non-judicial office.¹⁶

A candidate and the candidate's family should demonstrate the dignity appropriate to judicial office and should encourage family members to adhere to the same standards of public conduct that apply to the judge.¹⁷ This includes ensuring that prohibited contributions are not accepted.

EXPENDITURES
Information regarding expenditures may be found within the Michigan Campaign Finance Act.

- 14. MJC 79B(1)
- 15. MJC 79B(2)
- 16. CJA 10.1
- 17. CJA 10.2
- 18. CJA 10.3
- 19. CJA 10.4
- 20. CJA 10.5
- 21. CJA 10.6
- 22. CJA 10.7
- 23. CJA 10.8
- 24. MJC 79B(1)



CHANGING FIRMS:

ETHICAL RESPONSIBILITIES FOR LAWYERS AND LAW FIRMS

"In client's interest"



NAVIGATING ETHICAL COMPLEXITIES

CHILD PROTECTIVE PROCEEDINGS FOR I-GALS

"There is no trust more sacred than the one the world holds with children. There is no duty more important than ensuring that their rights are respected, that their welfare is protected, that their lives are free from fear and want and that they can grow up in peace."

— KOFI ANNAN, FORMER SECRETARY-GENERAL OF THE UNITED NATIONS



IOLTA FAQ

FREQUENTLY ASKED QUESTIONS

WHAT FACTORS SHOULD BE CONSIDERED WHEN DETERMINING WHETHER TO PLACE FUNDS IN AN IOLTA OR NON-IOLTA ACCOUNT AND WHO SHOULD I CALL FOR GUIDANCE?

There are several factors to consider when determining whether funds should be placed in an IOLTA or non-IOLTA account. In general, if the funds will earn income for the client or third person in excess of the costs incurred to segregate the funds while held by the lawyer, they may be deposited into a non-IOLTA account. If the funds will not earn more than the direct goodfunds deduction funds in a disciplinary phase (including IOLTA IMPC).¹

The factors for IOLTA analysis, 1.15(a) to date IOLTA. These are:

- a. the amount
- b. the length
- c. the interest
- d. the position
- e. the lawyer and the client
- f. any other

A lawyer will not be in a non-IOLTA account, and

MY CLIENT WANTS TO MAKE TACTICAL DECISIONS ABOUT THEIR CASE. MUST I FOLLOW THEIR DIRECTIONS IF IT IS NOT IN THEIR BEST INTEREST?

It depends. This question often arises when the client demands that the lawyer take action that is not ethically permitted or is not in the client's best interest. Clients have the right to make tactical decisions, but they do not have the right to require the attorney to do something unethical, illegal, improper, or imprudent.²

MRPC 1.2 provides for the scope of representation, which states in part:

"[A] lawyer shall abide by a client's decision as to whether to accept an offer of settlement or mediation resolution of a matter, in a criminal case, the lawyer shall abide by the client's decision, after consultation with the lawyer, with respect to a plea to be entered, whether to waive jury trial, and whether the client will testify. In representing a client, a lawyer may, where permissible, exercise professional judgment to waive or fail to assert a right or position of the client."

Comment: The client has ultimate authority to determine the purposes to be served by legal representation, within the limits imposed by law and the lawyer's professional obligations. Within those limits, a client also has the right to consult with the lawyer about the means to be used in pursuing those objectives. . . . In the event of a conflict, the lawyer should assume responsibility for tactical issues, but should defer to the client regarding such questions as the expense to be incurred and consent for third persons who might be adversely affected.

The intent of the Rules of Professional Conduct is for the attorney to see to it that the client's subjective desires and objectives are the goal of the lawyer, as long as they are not illegal or fraudulent or involve the attorney



ARTIFICIAL INTELLIGENCE FAQ

FREQUENTLY ASKED QUESTIONS

INTRODUCTION

Lawyers use artificial intelligence (AI) increasingly in their legal practices to improve the services they provide to their clients. The definition of artificial intelligence is "the capability of a machine to imitate intelligent human behavior."¹ There are many ways that lawyers may use AI to perform the daily tasks of a law practice and to improve productivity and reduce better legal services to their clients.

All offers outperform advantages and benefits, but it also raises ethical questions that lawyers must consider. Lawyers who know how to draw the line when deciding whether to allow AI to handle the task at hand. Lawyers are both encouraged to stay on top of the latest developments in AI, but at the same time should be careful that their use of AI is consistent with their ethical obligations. Ultimately, it is a balancing act. Lawyers should be aware of the benefits and the limitations of every tool used for the benefit of their client.

The following are general principles that today's lawyers should consider in their daily legal practice when determining how to balance the benefits of AI.

FAQ

APPLICABLE TO THE MICROPRACTICE: A LAWYER OR PRACTICE? Yes. A lawyer or of Professional C. Undiligence or of practice."

WHAT IS A JUDGE'S ETHICAL OBLIGATIONS TO VULNERABLE COLLEAGUES?

Canon 1 requires judges to "participate in establishing, maintaining, and enforcing, and should personally observe high standards of conduct. For the integrity and independence of the judiciary may be preserved." Canon 1A provides that "[a] public confidence in the judiciary is eroded by irresponsible or improper conduct and that a judge should take steps to address the appearance of impropriety." Lastly, Canon 3B(1)(b) provides that "[a] judge should take steps to address the appearance of impropriety by making a referral to the Judicial Commission in order for the judge to receive appropriate services and a possible referral to the Lawyers and Judges Assistance Program. Further, information on what judges need to know about the latest Administrator Program can be found on the Michigan Judicial Institute website located here. Note that contacting the State Bar of Michigan's biometric Administrator Program does not oblige the judge from their reporting requirement under Canon 3B(1)(c)."

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PRO BONO IN MICHIGAN

HELPING YOU **HELP.**

MICHIGAN LEGAL ASSISTANCE PARTNERSHIP PROGRAM

OUR PROGRAMS

PATENT PRO BONO PROJECT
Intellectual property law attorneys are needed to help qualifying inventors through the patent process, which can include filing non-provisional applications and responding to non-final office actions. Clients must meet income and asset eligibility guidelines.

QDRO PRO BONO PROGRAM
Skilled and experienced attorneys are needed to assist with the Qualified Domestic Relations Order Pro Bono Program, which helps low-income people divide pension and similar assets after divorce. Clients are referred to the program from legal aid programs.

TAX PRO BONO PROGRAM
Offering assistance with non-criminal federal and state tax matters, the Tax Pro Bono Program provides service opportunities for attorneys with varying degrees of tax law expertise to help low-income clients. Clients are referred to the program from low-income taxpayer clinics and legal aid programs.

VOLUNTEER TODAY
MICHBAR.ORG/MI-LAPP

“ I WILL NEVER REJECT, FROM ANY CONSIDERATION PERSONAL TO MYSELF, THE CAUSE OF THE DEFENSELESS OR OPPRESSED ”

As attorneys, we swear an oath to uphold justice and to serve, especially, those who cannot defend themselves. The State Bar of Michigan coordinates pro bono service opportunities to help lawyers fulfill their oath and to ensure access to justice for low-income residents of Michigan.

Learn more at michbar.org/Mi-LAPP

WE OFFER MALPRACTICE INSURANCE

The State Bar of Michigan offers malpractice insurance for attorneys providing pro bono service. Attorneys in the Malpractice Insurance for Pro Bono Program can receive professional liability malpractice insurance coverage when serving low-income clients.

HELPING YOU **HELP.**

FOR ADDITIONAL INFORMATION CONTACT

State Bar of Michigan
Justice Initiatives Counsel
(517) 346-6412
PROBONO@MICHBAR.ORG

MALPRACTICE INSURANCE FOR PRO BONO PROGRAM

The State Bar of Michigan offers malpractice insurance for attorneys providing pro bono service who do not have their own malpractice insurance. The Malpractice Insurance for Pro Bono Program can extend professional liability malpractice insurance coverage to participating attorneys providing service to low-income clients.

It provides up to \$1 million of coverage for each claim for professional liability (\$1 million aggregate). For additional policy limits, please visit the website.

Coverage is for clients with incomes at 200% or below the current federal poverty guidelines and liquid assets that do not exceed \$5,000. This is a claims-made policy, and coverage is conditioned upon immediate notification of any potential claim to State Bar of Michigan staff.

APPLY TODAY

A JUSTICE INITIATIVES COMMITTEE AND TAXATION LAW SECTION PROGRAM

TAX PROBLEMS?

The State Bar of Michigan's Tax Pro Bono Program provides an attorney to low-income Michigan residents with state or federal tax issues. All clients must have a referral from a legal aid program.

Assistance is available on non-criminal tax matters, including:

- Liens and levies
- Offers in compromise
- Earned Income Tax Credit eligibility & denials
- Innocent and injured spouse relief

ELIGIBILITY

- Household income is 200% or below federal poverty guidelines
- Less than \$5,000 in liquid assets
- Amount in dispute is \$50,000 or less per year
- Referral from a legal aid program

A JUSTICE INITIATIVES COMMITTEE AND TAXATION LAW SECTION PROGRAM

NEED A QDRO DRAFTED?

The State Bar of Michigan's Qualified Domestic Relations Order Pro Bono Program provides low-income Michigan residents with a volunteer to draft agreements to divide pensions and similar assets after divorce. All clients must have a referral from a legal aid program.

ELIGIBILITY

- Household income is 200% or below federal poverty guidelines
- Less than \$5,000 in liquid assets
- Referral from legal aid program

REQUIRED DOCUMENTS:

1. Judgment of divorce
2. Pension plan statement(s)
3. QDRO drafting instructions from the plan administrators, if available

A JUSTICE INITIATIVES COMMITTEE PROGRAM

NEED A PATENT?

The State Bar of Michigan's Patent Pro Bono Project matches qualifying inventors with volunteer intellectual property law attorneys. Legal services available include filing non-provisional applications and responding to non-final office actions.

ELIGIBILITY

- Must have filed a provisional patent application
- Household income is 200% or below federal poverty guidelines
- Less than \$5,000 in liquid assets
- Successful completion of USPTO certificate training course

LEARN MORE

A JUSTICE INITIATIVES COMMITTEE AND INTELLECTUAL PROPERTY LAW SECTION PROGRAM

SBM | LAWYERS AND JUDGES ASSISTANCE PROGRAM
From Bar to Betterment

ACHIEVE WELLNESS

AND MANAGE LIFE'S TRIALS

HELPING MICHIGAN LEGAL PROFESSIONALS OPTIMIZE THEIR GENERAL WELLNESS

WHO WE SERVE

ATTORNEYS
IN GOOD STANDING
SUSPENDED
DISBARRED
REINSTATEMENT CANDIDATES

LAW STUDENTS
BAR APPLICANTS
JUDGES
FAMILY MEMBERS
COLLEAGUES
OTHER CONCERNED PARTIES

UPCOMING EVENTS

CHECK OUR WEBSITE FOR MORE INFORMATION ON UPCOMING WELLNESS EVENTS AND TO LEARN MORE ABOUT OUR SERVICES.

MICHBAR.ORG/LIAP

SERVICES OFFERED

- FREE CONSULTATIONS FOR LEGAL PROFESSIONALS AND THEIR FAMILIES
- CLINICAL ASSESSMENTS
- SHORT-TERM COUNSELING FOR LAW STUDENTS
- MONITORING
- REFERRALS TO PROPERLY TRAINED, CREDENTIALLED, AND EFFECTIVE PROVIDERS
- VIRTUAL SUPPORT GROUP FOR LAWYERS
- VIRTUAL SUPPORT GROUP FOR LAW STUDENTS

ALL SERVICES ARE CONFIDENTIAL AS REGULATED BY HIPAA.

“ This has been a wonderful experience and I recommend that LIAP maintain their wonderful service to the lawyers and judges and law students of Michigan. ”

— FORMER LIAP PARTICIPANT AND CURRENT PROGRAM VOLUNTEER

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