



# MICHIGAN COURT OF APPEALS

**2015 ANNUAL REPORT**



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# Introduction



On January 12, 2015, the Court of Appeals marked the 50th anniversary of its first day of operation. The Court commemorated that landmark event in several ways during 2015, culminating in a celebration in April attended by many dignitaries, including the Lieutenant Governor and Michigan's Attorney General.

During its history, the Court has issued over 151,700 dispositive opinions dealing with many of the most important legal issues that have faced the State of Michigan and its people, and the Court has been widely recognized as one of the premier intermediate appellate courts in the country. We are rightly proud of the 50 years of distinguished service to the people of the State of Michigan by the men and women, both judges and staff, who have served on the Court.

The Court of Appeals, which began operation in 1965 with a bench of nine judges, currently consists of 27 judges. The Court is divided into four geographic districts for election purposes and has office locations in each of those districts: District I - Detroit, District II - Troy, District III - Grand Rapids, and District IV - Lansing.

In addition to the judges, approximately 170 employees work in the Court's Judicial Chambers, Clerk's Office, Research Division, Information Systems Department, Finance Office, and Security Department. While our work force is roughly 25% smaller than ten years earlier, the hard work, innovation, and productivity of the judges and staff have allowed the Court to thrive and be recognized as a leader in court management. The judges and staff continually focus on improving the speed at which cases move through the Court; providing accessible, transparent operations; and delivering high quality judicial decisions.

As detailed in this report, 2015 was another successful year for the Court. The Court posted a 102% clearance rate, the third year in a row achieving a rate above 100%. Significant improvement was made in timeliness with the average age of cases disposed by opinion reduced by 10% from the prior year. The Court also made sharp reductions in the age of pending cases.

The hard work and dedication of the judges and staff of the Court, past and present, have made the remarkable accomplishments of the past 50 years possible. I offer my thanks and regards to all who have served the Court during that time. On behalf of the judges of the Court, I also offer thanks and best regards to our esteemed colleague, Judge Pat M. Donofrio, who retired from the bench in September 2015 after many years of distinguished service to the Court. Judge Donofrio's great intellect and friendship will be missed.

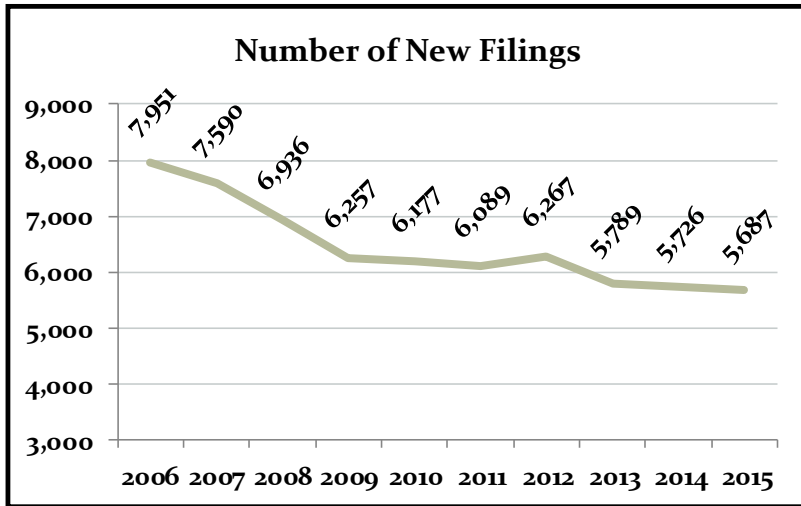
—Chief Judge Michael J. Talbot

# Court Performance

## New Filings

The Court of Appeals received 5,687 new case filings in 2015. This was a slight decrease from 2014. The graph to the right depicts the volume of new filings with the Court over the past ten years.

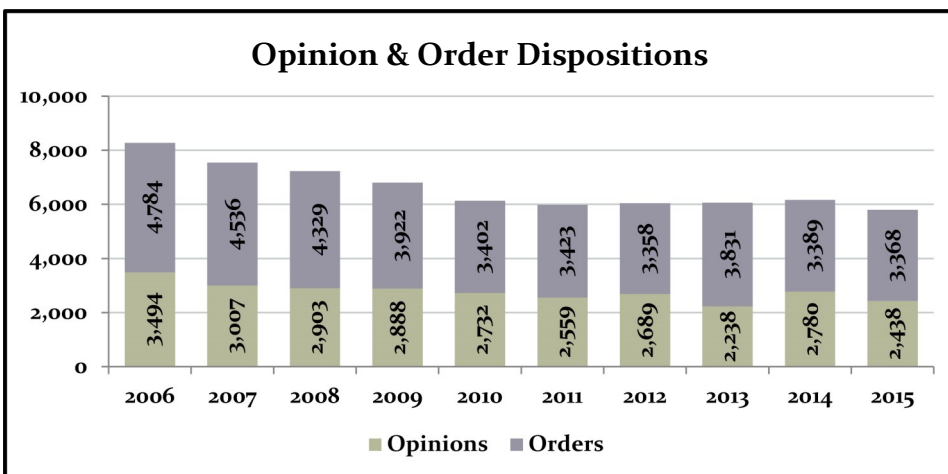
Appeals by right made up about 53% of new filings in 2015, while 45% were discretionary appeals, and 2% were “other” case initiations (e.g., original actions). Roughly 51% of the cases were civil and 49% were criminal. Discretionary appeals from guilty plea convictions accounted for approximately one-third of all criminal appeals. Appeals from termination of parental rights cases made up about one-sixth of all civil appeals.



## Dispositions

Cases filed with the Court of Appeals are resolved by order or opinion. Dispositions by order usually occur in discretionary appeals, while dispositions by opinion typically occur in appeals by right or in discretionary appeals that have been granted. Dispositions by opinion take longer because of the time periods allowed by the court rules for transcript preparation, briefing, and record transmission, and because they generally receive reports on the relevant facts and applicable law by staff attorneys, are scheduled for oral argument, and are submitted for plenary consideration to three-judge panels.

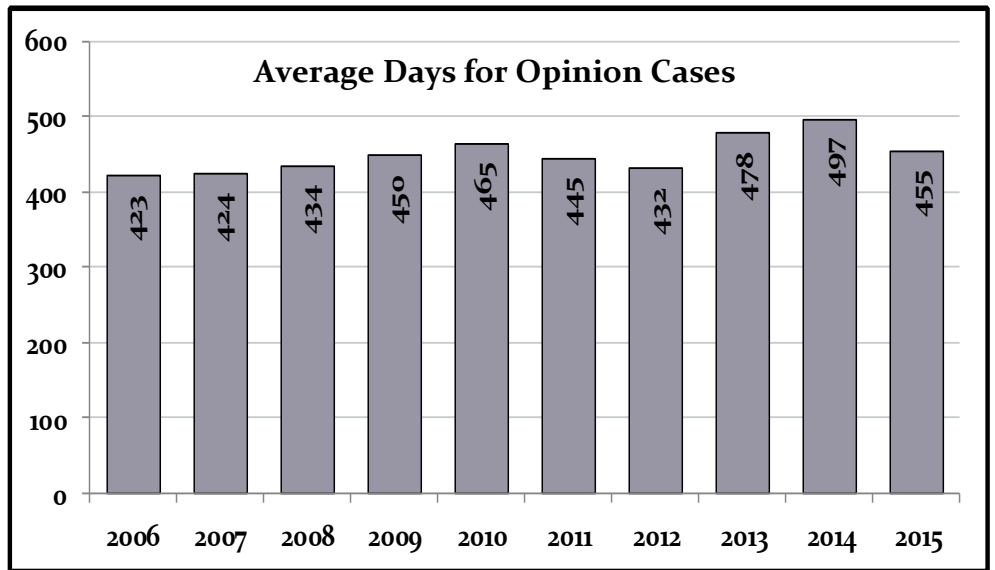
In 2015, the Court issued 2,438 opinions and 3,368 dispositive orders for a total of 5,806 dispositions. The graph below shows the number of opinion and order dispositions over the past ten years. As



shown, dispositions for 2015 were considerably lower than in prior years. The reduction in dispositions was due, in part, to the statutory reduction from 28 to 27 judges at the beginning of 2015.

## Delay Reduction

In 2001, it took on average 653 days for the Court to dispose of a case by opinion. Recognizing that such a delay was unacceptable, the Court voluntarily undertook an ambitious plan in 2002 to reduce the delay in dispositions so that 95% of all cases would be decided within 18 months. Under the delay reduction plan, the average time to disposition by opinion

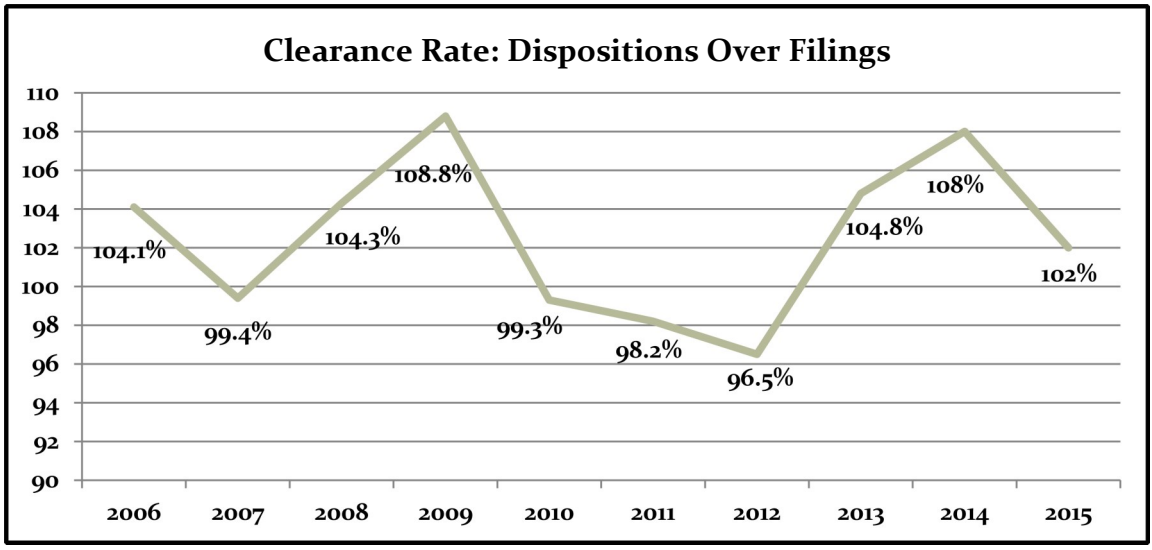


dropped to 603 days in 2002, 554 days in 2003, 494 days in 2004, 449 days in 2005, and 423 days in 2006. Thus, between 2001 and 2006, the average time to disposition by opinion cases was reduced by 230 days. As shown in the preceding chart, the average days to opinion disposition has fluctuated slightly in subsequent years, due in part to reductions in the number of staff attorneys employed by the Court, but the Court has generally been able to maintain its delay reduction gains. For 2015, the Court took an average of 455 days to opinion disposition, the lowest rate since 2012.

The Court also separately tracks the average disposition times of various matters expedited by statute, court rule, or court order. In 2015, the average disposition time of all expedited cases was 279 days. Included in that group are the child custody and termination of parental rights appeals, for which the average disposition time in 2015 was 264 days. These numbers are significantly lower than the 2014 average of 290 days for all expedited cases and 274 days for custody and termination appeals. To put this in context, the pre-delay reduction averages were 351 days for all expedited cases and 325 days for child custody and termination appeals.

## Clearance Rate

The clearance rate reflects the number of cases disposed by the Court during the year compared to the number of new cases filed. In 2015, the Court achieved a clearance rate of 102%, disposing of 5,806 cases while receiving 5,687 new filings. The graph at the top of page 7 shows the Court's clearance rate since 2006. As indicated, 2015 was the third straight year that the Court achieved a clearance rate above 100%.

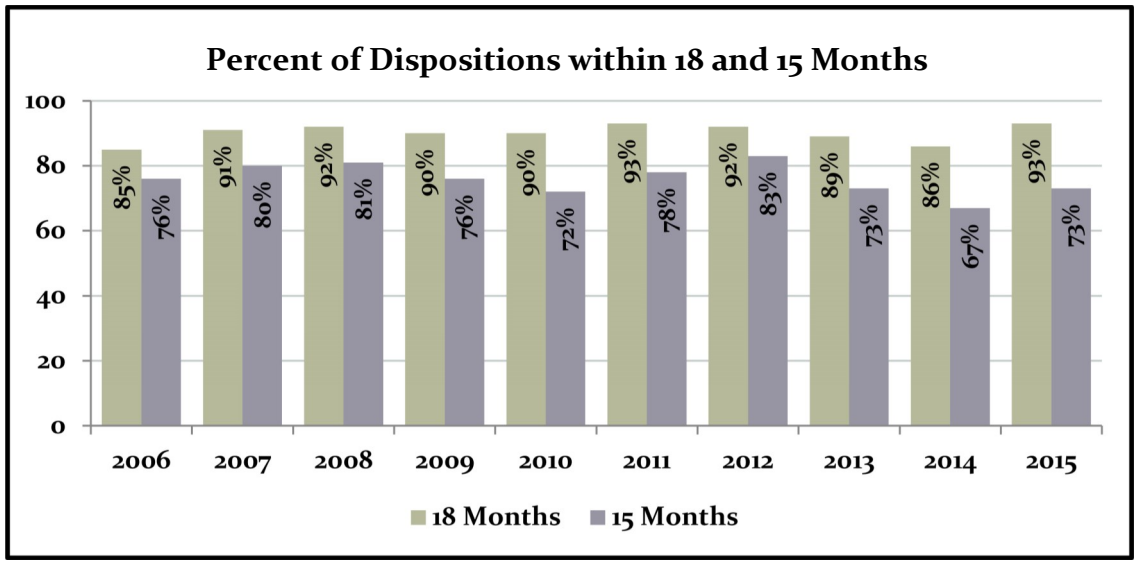


## Percentage of Dispositions within 18 and 15 Months

For the delay reduction effort that began in 2002, the Court set a goal of disposing of 95% of all cases within 18 months of filing. In the first year of delay reduction, 65.8% of all cases were disposed within 18 months of filing. For opinion dispositions only, about one-third were disposed within that time period. By comparison, in 2015, 93% of all cases and 84% of opinion cases were disposed within 18 months; these are the highest rates the Court has ever achieved.

In 2012, the Court set a more ambitious goal of deciding 95% of all cases within 15 months of filing. In 2015, 73% of all cases and 39% of opinion cases were decided within 15 months.

The chart below shows the percentage of all cases disposed within 18 months and 15 months for the past ten years.



# Judicial Chambers

## Court of Appeals Judges

In 2015, the Court of Appeals began the year operating with 27 judges, including Judge Michael F. Gadola who joined the Court by gubernatorial appointment at the end of 2014 to the vacancy created by the retirement of Judge William Whitbeck in November 2014. On September 30, 2015, Judge Pat Donofrio retired from the bench, and Colleen A. O'Brien joined the Court by gubernatorial appointment one month later. The judgeships are divided into four districts for election purposes, but the judges sit statewide in panels of three, rotating with two other judges with equal frequency and among the three courtroom locations (Detroit, Lansing and Grand Rapids). Published opinions of the Court of Appeals are controlling across all four districts unless and until reversed or overruled by a special conflict panel of the Court or by the Supreme Court.

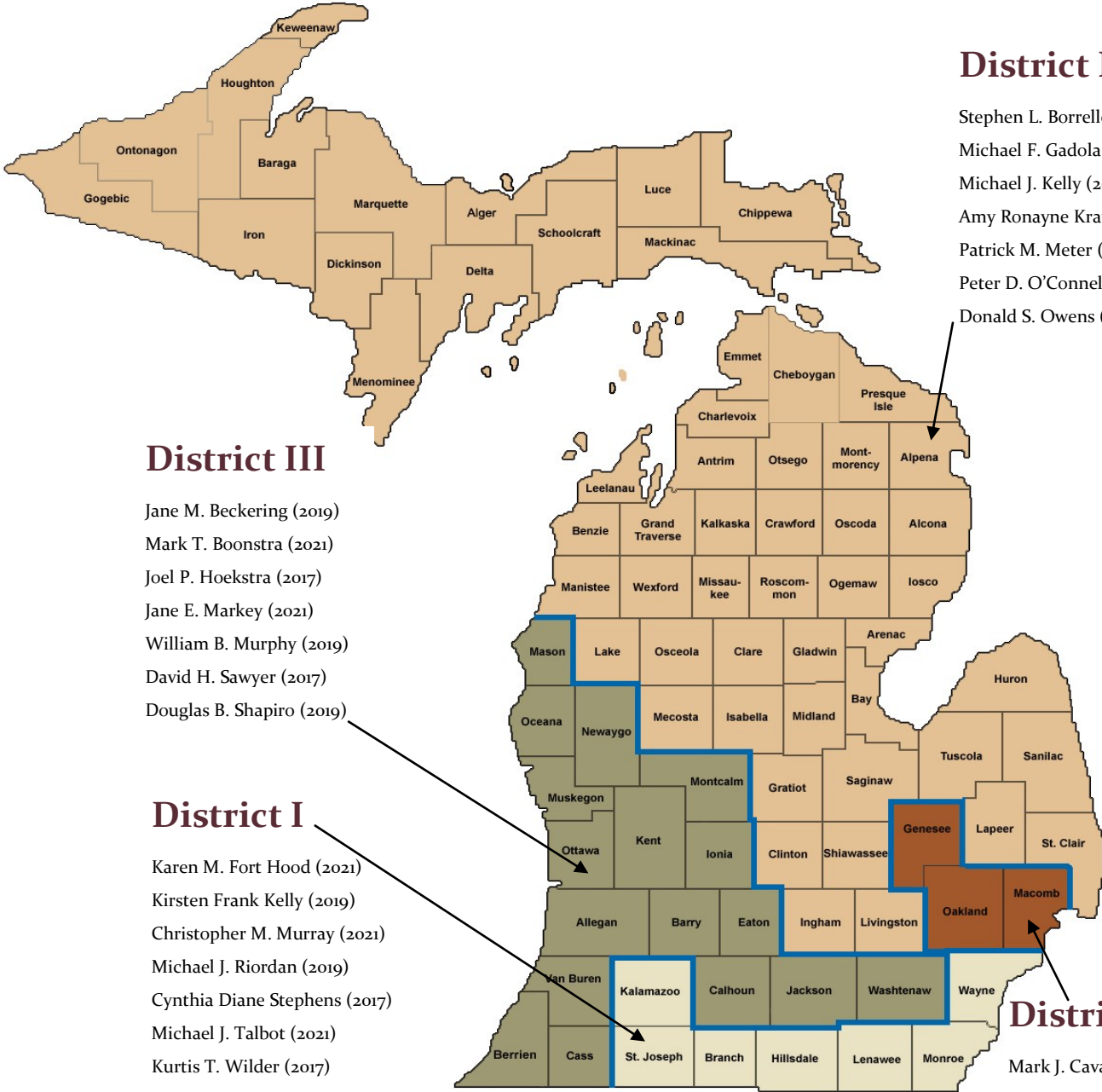


*Photograph by Trumpie Photography*



# Judges by District in 2015

Year that Current Term Expires Indicated in Parentheses



## District III

- Jane M. Beckering (2019)
- Mark T. Boonstra (2021)
- Joel P. Hoekstra (2017)
- Jane E. Markey (2021)
- William B. Murphy (2019)
- David H. Sawyer (2017)
- Douglas B. Shapiro (2019)

## District I

- Karen M. Fort Hood (2021)
- Kirsten Frank Kelly (2019)
- Christopher M. Murray (2021)
- Michael J. Riordan (2019)
- Cynthia Diane Stephens (2017)
- Michael J. Talbot (2021)
- Kurtis T. Wilder (2017)

## District IV

- Stephen L. Borrello (2019)
- Michael F. Gadola (2017)
- Michael J. Kelly (2021)
- Amy Ronayne Krause (2021)
- Patrick M. Meter (2021)
- Peter D. O'Connell (2019)
- Donald S. Owens (2017)

## District II

- Mark J. Cavanagh (2021)
- Pat M. Donofrio (2017)\*
- Elizabeth L. Gleicher (2019)
- Kathleen Jansen (2019)
- Colleen A. O'Brien (2017)\*\*
- Henry William Saad (2021)
- Deborah A. Servitto (2019)

\* Resigned effective September 30, 2015  
 \*\* Appointed effective October 26, 2015.

## Judicial Assistants

The Judicial Assistants perform a wide variety of secretarial and administrative tasks to assist the judges in operating the judicial chambers in a confidential and professional manner. A few examples of these tasks include scheduling and maintaining the judges' calendars, preparing files for motion dockets and case calls, submitting and tracking votes and memos concerning motion docket and case call matters, docketing the receipt and transmission of lower court records, proofreading and cite-checking opinions, typing bench memoranda, draft opinions, and original correspondence, and monitoring various case management lists.

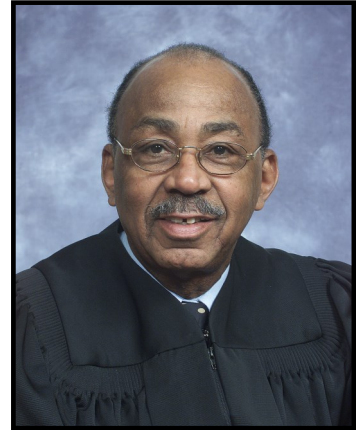
## Law Clerks

Each judge employs a single law clerk to assist him or her in handling the large volume of motion docket and case call matters assigned to the judge. The law clerks read the appellate briefs of the parties and the staff reports written by Research Division attorneys, conduct independent research on the issues, and review the lower court files and transcripts to recommend appropriate resolutions of the issues and dispositions of the appeals. The law clerks also rewrite draft opinions written by the Research Division to reflect the judge's writing style or to add statements of facts and analyses of the legal issues. Further, the law clerks assist the judges in drafting concurrences and dissents, as well as those opinions where publication is recommended by the Research Division attorneys. In 2015, approximately 342 civil and criminal appeals were assigned to the judicial offices for preparation of a bench memoranda and/or draft opinions by the law clerks. The judges were assigned these cases without reports as a way of advancing the Court's delay reduction goals.

## In Memoriam

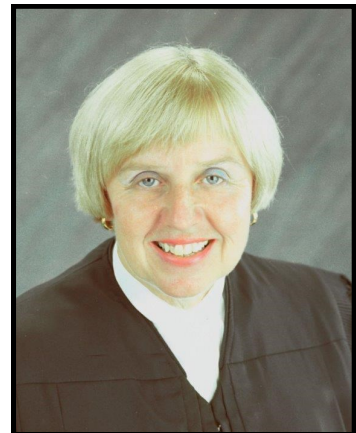
### *Former COA Judge Harold Hood*

Judge Harold Hood, age 84, passed away on May 5, 2015. Judge Hood, who was born in Hamtramck, Michigan, earned his undergraduate degree from the University of Michigan. He then joined the United States Army and served in Korea. Upon his discharge, Judge Hood earned his law degree from Wayne State University in 1959. After founding his own law firm, Judge Hood became an Assistant Corporation Counsel for the City of Detroit in 1961, and subsequently served as an assistant U.S. Attorney for the Eastern District of Michigan, becoming chief assistant in 1973. From 1973 until 1982, Judge Hood served progressively as a judge of the Detroit Common Pleas Court, Detroit Records Court, and Wayne County Circuit Court. On December 27, 1982, Governor William Milliken appointed Judge Hood to the Michigan Court of Appeals. Judge Hood was re-elected three times and served as Chief Judge Pro Tem during 2002 before retiring at the end of his final term on January 1, 2003.



### *Former COA Judge and MSC Justice Elizabeth (Betty) Weaver*

Justice Elizabeth (Betty) Weaver, age 74, passed away on April 21, 2015. Justice Weaver, who was born in New Orleans, Louisiana, earned her undergraduate degree from Newcomb College in 1962 and her law degree from Tulane University in 1965. After practicing law in Louisiana, Justice Weaver moved to Glen Arbor, Michigan, in 1973, to begin working as a teacher for the Leelanau and Glen Lake Schools. In 1974, she was elected probate/juvenile judge for Leelanau County and was re-elected in 1976 and 1982. In November 1986, she was elected to the Michigan Court of Appeals, and was re-elected in 1992. Justice Weaver was then elected to the Michigan Supreme Court in 1994, and served as chief justice from 1999 to 2001. She retired from the bench in August 2010.



# Clerk's Office

## Overview

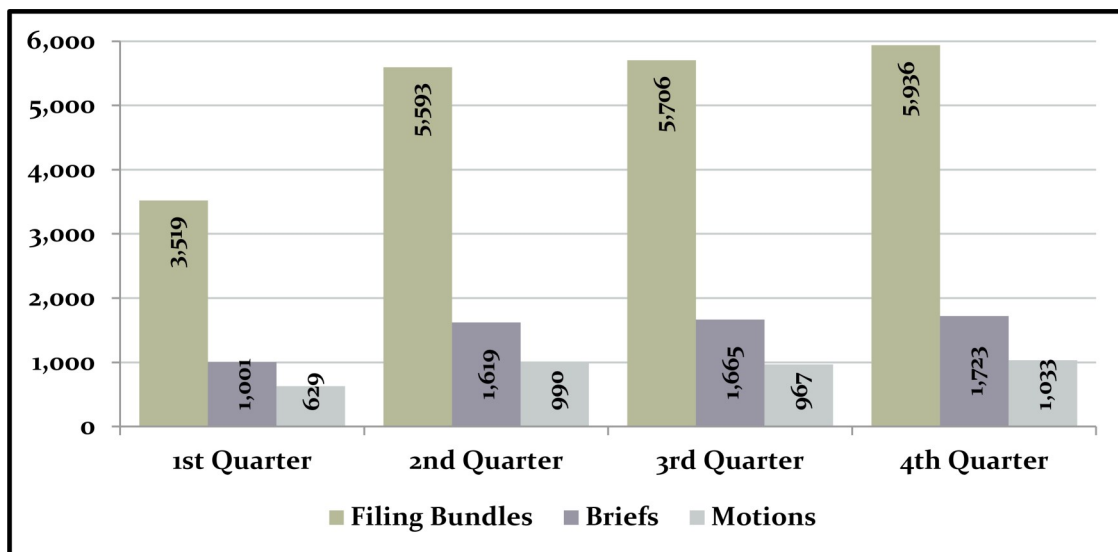
The Court of Appeals Clerk's Office is comprised of four office locations: District I in Detroit, District II in Troy, District III in Grand Rapids, and District IV in Lansing. Generally, each office is tasked with handling the Court files that arise from the trial courts located in the counties that comprise that election district and with supporting the work of the judges elected to that district.

As of the end of 2015, the Clerk's Office had 31 full-time employees. Managers and staff in the four locations handle a variety of tasks, including opening new case files, docketing incoming filings, reviewing new cases for jurisdiction and compliance with the court rules, and issuing orders. The Lansing district office also schedules case call matters and releases the opinions resolving those appeals. Importantly, the Clerk's Office is often the public face of the Court in that it communicates with counsel and the parties, as well as prospective litigants, trial courts, and media representatives.

## Electronic Filing

In 2014, the Court of Appeals, in coordination with the Michigan Supreme Court, worked with ImageSoft Inc. of Southfield to develop a new electronic filing system. In January 2015, the Courts went live with ImageSoft's e-filing solution, known as TrueFiling, for all case types on a voluntary basis. TrueFiling replaced the e-filing system provided by Tyler Technologies that had been in place with the Court of Appeals since 2006.

Over the first 12 months with the TrueFiling system, the Court has seen steady growth in the number of filings made through the system. As shown in the following graph, overall filings for the year increased each quarter. Filers are able to combine related filings for a case into filing bundles to make the filing process more efficient.

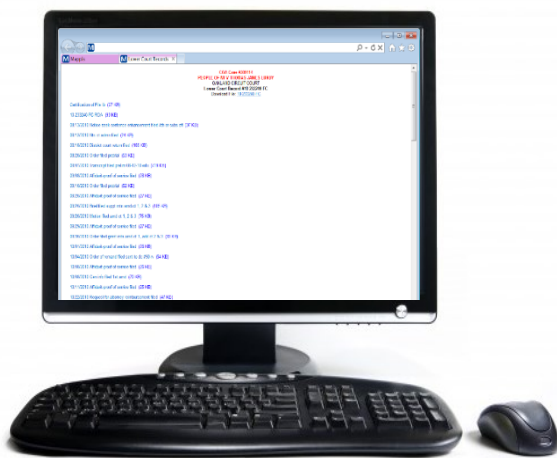


When e-filed documents are received and docketed, a link to the document is created in the Court's case management system. The judges and staff can immediately access the document from any location connected to the Court's network. In addition to the benefits of ease-of-use and accessibility, as the volume of e-filing increases, the need for the Court to devote resources to scanning, transporting, and copying documents is reduced.

## Electronic Records

Just as an increasing number of documents are filed and stored electronically, more lower court and tribunal records exist in electronic form only. In 2011, the Court set up a File Transfer Protocol (FTP) server to receive the electronic records on appeal from lower courts and tribunals.

The Court regularly receives records in electronic format directly from the Public Service Commission, Alpena Circuit Court, Grand Traverse Circuit Court, Macomb Circuit Court, Ottawa Circuit Court, Oakland Circuit Court, St. Clair Probate Court, and the Court of Claims. Having records accessible electronically through the Court's case management system allows the judges, law clerks, and staff attorneys to access the records simultaneously and instantly, and greatly reduces costs associated with the physical transfer of the printed records.



**E-records enable the judges, law clerks, and staff attorneys to access the records simultaneously and instantly.**

## Mediation Pilot Project

Effective October 1, 2015, Administrative Order 2015-8 authorized the Court of Appeals to establish a one-year pilot project to study the feasibility of a mediation program for appeals. Under this program, the Court identifies recently-filed, complex civil appeals that may benefit from mediation; the goal being settlement of some or all of the issues.

Cases selected are ordered to mediation and the parties are allowed an opportunity to select their own mediator, with the mediator's fees being split between the parties. Parties may confidentially request to have their case included in the program or, if selected by the Court, may ask to have their case excused from the program. While still in the early stages, the mediation project has already achieved some remarkable results.

In the first three months of the pilot project, 44 appeals were placed in mediation. Of this first group of cases, 15 settled during mediation and nine more are still working with their mediator. The Court removed eight cases from mediation at the request of the parties, two were removed for other reasons, and 10 appeals completed mediation without settlement.

From these early results, it appears that the Court could achieve settlement in roughly 33% of cases selected. Settling a case early in the appeal allows the parties to avoid much of the cost of appellate litigation. While the numbers are small, each complex civil case settled preserves significant Court resources which can be focused on other appeals.

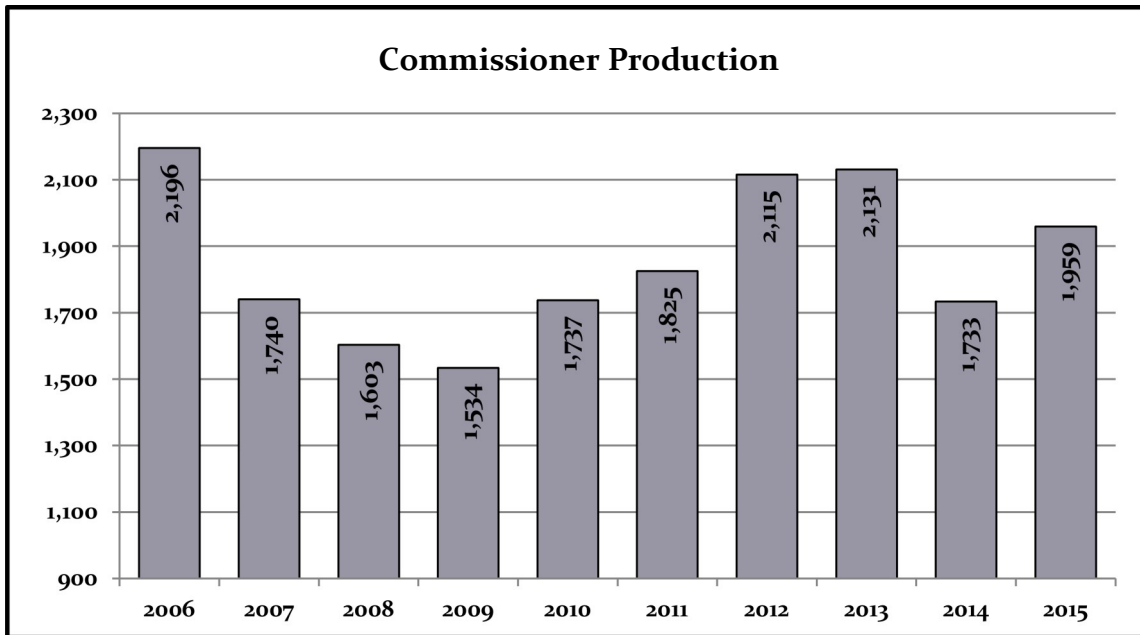
The Court will continue to collect data on the pilot project and report the results to the Michigan Supreme Court at the end of the one-year period.

# Research Division

## Commissioners

The commissioners are experienced staff attorneys whose primary functions are to prepare written reports and proposed orders for (1) applications for leave to appeal (which are discretionary appeals) and any accompanying motions, (2) original actions, such as complaints for writs of habeas corpus, superintending control, and mandamus, and (3) motions to withdraw as counsel in termination of parental rights appeals and criminal appeals. The commissioners also review incoming emergency applications and work closely with the judges to resolve priority matters on an expedited basis. They are also responsible for the jurisdictional review of applications and original actions and for ensuring the pleadings comply with the Michigan Court Rules. The commissioners are located in each of the four district offices — Detroit, Troy, Lansing, and Grand Rapids.

In 2015, the commissioners prepared reports in 1,959 leave applications and miscellaneous matters. The graph below shows the production of commissioner reports for the past ten years.



## Research, Senior Research and Contract Attorneys

Research attorneys are typically recent law school graduates who are hired for a period of one to three years. Although these graduates are primarily recruited from in-state law schools, the Research Division also made an on-campus recruitment visit in 2015 to the University of Notre Dame Law School in Indiana. In addition, many students from other out-of-state law schools were interviewed at the Research offices in Detroit, Lansing, and Grand Rapids. In 2015, the research staff represented the in-state law schools of Michigan State University, Thomas M. Cooley, University of Michigan, University of



Detroit Mercy, and Wayne State University, and the out-state law schools of Ave Maria (Naples, FL), DePaul (Chicago, IL), Chicago-Kent (Chicago, IL), Georgetown University Law Center (Washington, D.C.) Notre Dame (South Bend, IN), University of Toledo (Toledo, OH), Valparaiso (Valparaiso, IN) and University of Illinois at Urbana-Champaign (Champaign, IL). Most research attorneys ranked in the top five percent of their graduating classes.

The research attorneys generally prepare research reports in cases that are determined to be easy to moderately difficult.<sup>1</sup> A research report is a confidential internal Court document that contains a comprehensive and neutral presentation of the material facts with citation to the lower court record, a recitation of the issues raised by the parties, a summary of the parties' arguments, a thorough analysis of the law and facts on each issue, and a recommendation as to the appropriate disposition. In cases involving non-jurisprudentially significant issues, which do not require a published opinion, the research attorneys also prepare rough draft opinions to accompany the reports. The judges and their law clerks are responsible for preparing those opinions when publication is recommended, as well as editing, refining, or rewriting the rough draft opinions provided by the research attorneys.

Senior research is comprised of experienced attorneys who have worked as a research attorney and as a law clerk to one of the Court's judges, and/or who have worked in private practice or at other courts. Unlike the research attorneys, the tenure of the senior research attorneys is not for a limited duration. The primary function of senior research attorneys is to prepare research reports in the longer or more complex cases for case call. The content of these research reports is the same as those prepared by the research attorneys, but the cases are typically more difficult in nature.<sup>2</sup> The main office of senior research is located in Detroit, but several attorneys also work in Lansing and Grand Rapids.

Contract attorneys work for the Court on a contractual basis, primarily preparing reports and rough draft opinions for a significant number of routine criminal and civil appeals, as well as for routine termination of parental rights (TPR) appeals. Most of the contract attorneys previously worked for the Court in research. The contract attorneys now work from their homes and are not otherwise engaged in the practice of law.

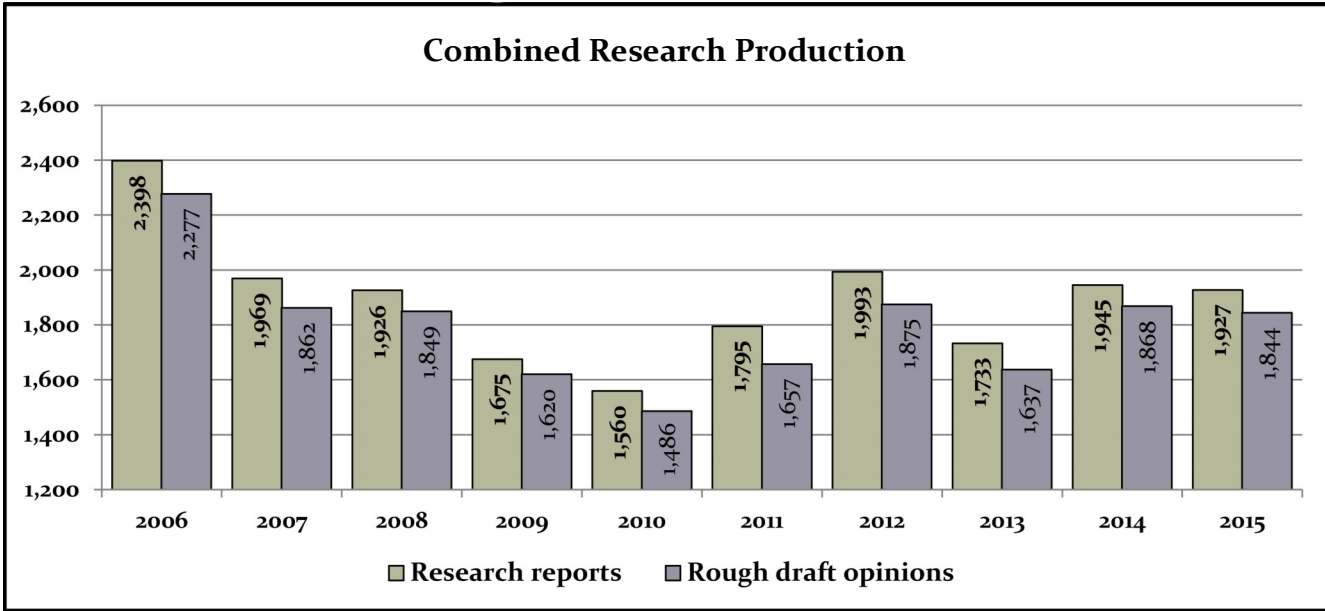
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<sup>1</sup> When cases are ready for reports from the Research Division, an experienced staff attorney reviews the lower court records and appellate briefs and, based on established criteria, assigns a day evaluation to them. The day evaluations represent how long it should take an average research attorney to complete reports in the cases. The day evaluations are calculated in whole numbers only (i.e., no fractions of a day). Research attorneys generally work on cases that are evaluated at six days or lower, and are expected to complete the reports within the day evaluations of the cases, as measured on a monthly basis.

<sup>2</sup> Senior research attorneys generally work on cases that are evaluated at seven days or more (see footnote 1, *supra*). They have higher production requirements than the research attorneys and are expected to complete the reports in approximately 25% less time than the day evaluations.



Combined, the research attorneys, senior research attorneys, and contract attorneys prepared 1,927 research reports and 1,844 rough draft opinions in cases that were submitted on case call. The graph below compares the combined production numbers from 2006 to 2015.



The number of research reports and rough draft opinions produced annually by the Research Division correlates directly with the staffing levels and average day evaluations of the cases for any given year. The table below shows the number of research and senior research attorneys, as well as the average day evaluation of the cases, for 2015 and the prior nine years. The decline in the number of research attorneys in 2015 occurred due to a higher than normal departure of attorneys for internal and outside employment opportunities.

	Number of Research & Senior Research Attorneys	Average Day Eval of All Cases Screened
2006	42.8	3.99
2007	37.5	4.15
2008	36.4	4.06
2009	36.8	3.95
2010	32.4	3.99
2011	35.3	3.88
2012	45.4	4.05
2013	44.6	4.15
2014	45.4	4.10
2015	39.2	4.00

# Court of Claims

## Clerk's Office

After the Court of Claims became a function of the Court of Appeals on November 12, 2013, a separate clerk's office for the Court of Claims was established within the Court of Appeals' Lansing district office. With two full-time employees dedicated to Court of Claims work and a separate case management system, the clerk's office docketed the filings for the Court, supports the Court of Claims' work of the four judges, responds to inquiries from parties and practitioners, coordinates court sessions, and issues opinions and orders.

All Court of Claims filings are scanned on receipt by staff allowing the Court to maintain a fully electronic record of each of its case files. This use of technology allows the judges and their staff to access the case filings from any location, as well as allowing the clerk's office to file its records electronically with the Court of Appeals.

## Court Performance

At the start of 2015, 154 cases were pending in the Court of Claims. While the majority of the cases involved tax matters, the caseload included a variety of civil claims brought against the state, including highway defects, medical malpractice, prisoner litigation and other damage claims. Through the year, the Court received 298 new filings and 17 cases were reopened. Therefore, for the entire year, the Court had a total caseload of 469 cases.

The Court disposed of 330 cases during 2015. Comparing the new filings of 298 and the 17 cases reopened, to the 330 dispositions for the year, the Court of Claims achieved a clearance rate of 105% for the year. At the close of 2015, the Court's pending caseload was 139 cases. The following table details the Court's reported caseload statistics for 2015.

2015 Caseload Statistics	Habeas Corpus	Mandamus	Highway Defect	Medical Malpractice	Contracts	Constitutional Claims	Prisoner Litigation	Tax Related Matters	Other Damage Claims	Totals
Beginning Pending	0	0	8	7	7	9	7	78	38	154
New Filings	4	8	9	10	21	14	17	81	134	298
Reopened	0	0	0	0	4	1	0	6	6	17
<b>Total Caseload</b>	<b>4</b>	<b>8</b>	<b>17</b>	<b>17</b>	<b>32</b>	<b>24</b>	<b>24</b>	<b>165</b>	<b>178</b>	<b>469</b>
Disposed by Court	0	2	6	3	8	7	5	74	36	141
Transferred by Joinder	0	0	0	4	0	0	0	16	36	56
Dismissed by Party	0	0	2	5	5	3	0	45	22	82
Dismissed by Court	4	4	2	0	2	7	15	1	13	48
Placed on Inactive Status	0	0	1	1	0	0	0	0	1	3
<b>Totals</b>	<b>4</b>	<b>6</b>	<b>11</b>	<b>13</b>	<b>15</b>	<b>17</b>	<b>20</b>	<b>136</b>	<b>108</b>	<b>330</b>

## Judges

At the end of April 2015, the initial 2013 judicial assignments to the Court of Claims expired for Chief Judge Michael J. Talbot, and Judges Deborah A. Servitto, Amy Ronayne Krause, and Pat M. Donofrio. In the 18 months since their appointment by the Michigan Supreme Court, the judges guided the Court through its transition to the Court of Appeals with great efficiency. They adopted policies and practices that brought the Court caseload current and ensured that parties received efficient, high-quality decision making, all while maintaining a full appellate caseload with the Court of Appeals.

Effective May 1, 2015, the Michigan Supreme Court reappointed Judge Talbot as Chief Judge, and appointed Judges Stephen L. Borrello, Mark T. Boonstra, and Cynthia Diane Stephens to two-year terms on the Court of Claims. As demonstrated by the Court's caseload statistics, the new judges have maintained the same high-level of service to the public in their dual role with the two Courts.



*Photograph by Rick Browne*

**Deputy Clerk Angela Davis reviewing a file with Clerk Morgan Adams.**

# Court Highlights

## 50th Anniversary Celebration

The year 2015 marked the 50<sup>th</sup> Anniversary of the Michigan Court of Appeals. To commemorate the events and accomplishments of the Court over fifty years, a committee chaired by Judge William Whitbeck began to meet in mid-2014 to plan a celebration at the Hall of Justice in Lansing. A press release regarding the celebration of the Court's 50<sup>th</sup> Anniversary was issued on January 12, 2015, fifty years from the date of the Court's opening. In the press release was a "by the numbers" sheet which included the following Court facts:

- ◆ The Judges of the Court of Appeals have issued over **151,700** dispositive opinions in the Court's first **50** years. Of those, roughly **28,365** are published opinions that are reported in the **306** volumes of the Michigan Appeals Reports.
- ◆ **82** Judges have served on the Court of Appeals bench – **41** reached the Court of Appeals initially by election and **41** were by appointment of the Governor. **13** judges have gone on to serve on the Michigan Supreme Court and **3** others were subsequently appointed to the federal bench.
- ◆ **28** years by current Judge David H. Sawyer represents the longest term of service as a Judge of the Court of Appeals. The shortest term of service was **1.5** years by Judge John D. Watts; one of the original members of the Court, he died in office in June 1966.
- ◆ **3** employees have served the Court of Appeals for more than **40** years. Elizabeth Pyzik was the last of the Court's original employees when she retired in 2009. Excluding time off for college and the Peace Corps, Liz was with the Court for almost **41** years. Current employees Annie Madigan and Barbara Buckley will achieve **41** and **40** years of service respectively in 2015.
- ◆ The Court of Appeals centralized research staff was a **1<sup>st</sup>** of its kind when Chief Judge T. John Lesinski introduced it in 1968, possibly his most lasting legacy to the Court. Since its inception, **1000's** of young attorneys started their careers with the Court and have gone on to distinguished careers as practitioners, judges, justices, and court administrators, making a remarkable impact on Michigan jurisprudence.

On April 30, 2015, a Special Session of the Court was convened at the Hall of Justice. The Special Session opened with a procession of current and former judges of the Court. Following introductory remarks by Chief Judge Michael Talbot, Bishop Earl A. Boyea gave the invocation. Chief Judge Pro Tem Christopher Murray introduced the 30 current and former judges who were seated behind the bench, including current Michigan Attorney General Bill Schuette and eight current and former Justices of the Michigan

Supreme Court, seven of whom had served on the Court during their judicial careers. Lieutenant Governor Brian N. Calley spoke on behalf of Governor Rick Snyder, highlighting the Court's professionalism and reputation of being a model appellate court in the nation. Judge William Murphy then delivered a memorial tribute to the 32 judges who had served on the Court of Appeals but were deceased. Chief Judge Talbot then spoke about the Court's accomplishments during its first 50 years, and announced the unveiling of a portrait of former Chief Judge T. John Lesinski in the Lansing courtroom. The portrait of former Chief Judge Robert J. Danhof, which had been unveiled in 2005, had been hung in the Lansing courtroom across the aisle from Judge Lesinski's portrait in the week leading up to the ceremony. Judge Cynthia Diane Stephens delivered a benediction, and former Court Officer Bob Bertee adjourned the proceedings.

Following a short break for the taking of a photograph of the judges behind the bench, Christy McDonald moderated a historical panel consisting of Justice Cavanagh, Judge William Whitbeck, Otto Stockmeyer, Julie Isola Ruecke, and Denise Devine. The late afternoon events concluded with a cocktail reception held at and hosted by the State Bar of Michigan.

Those who were unable to attend in person from the Detroit, Troy and Grand Rapids Offices were able to participate in the ceremonies via video conferencing. Many current, former and retired colleagues attended these local celebrations.



*Photograph by Rick Browne*

**First row:** Judge David Sawyer, Judge Jane Markey, Judge Peter O'Connell, Judge Kurtis Wilder, Judge Stephen Borrello, Judge Jane Beckering, Judge Elizabeth Gleicher, Judge Michael Kelly, Judge Douglas Shapiro, and Judge Amy Ronayne Krause

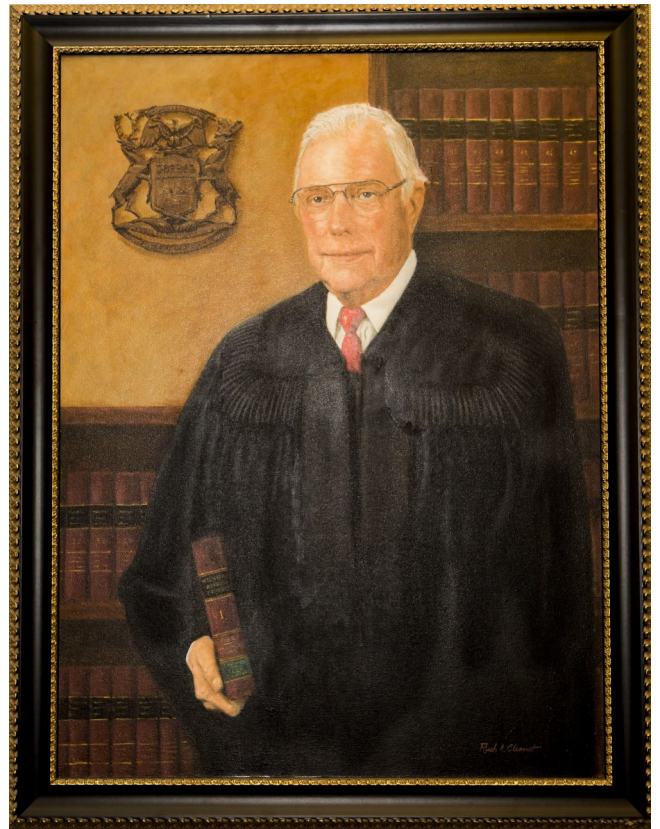
**Second row:** Chief Justice Robert Young, Jr., Justice Charles Levin, Judge Michael Riordan, Judge Mark Boonstra, Justice Stephen Markman, Judge Roman Gribbs, Justice Alton Davis, Judge Michael Gadola, Judge E. Thomas Fitzgerald, Justice Maura Corrigan, Judge Jeffrey Collins, Judge Richard Bandstra, Judge Bill Schuette, Judge William Whitbeck, Justice David Viviano, Justice Michael Cavanagh, Judge Cynthia Diane Stephens, Chief Judge Michael Talbot, Chief Judge Pro Tem Christopher Murray, Justice Marilyn Kelly, and Judge William Murphy





*Portrait Artist Rush A. Clement*

**First Court of Appeals Chief Judge, T. John Lesinski, served from 1965-1976**



*Portrait Artist Rush A. Clement*

**Second Court of Appeals Chief Judge, Robert J. Danhof, served from 1976-1992**

50th Anniversary Committee:

Judge William C. Whitbeck, Chair, Chief Judge Michael J. Talbot, and Judges Elizabeth L. Gleicher, William B. Murphy, David H. Sawyer and Cynthia Diane Stephens

Current Administrators and Staff: Deborah Allen, Denise Devine, Angela DiSessa, Claudette Frame, Jimmy Patrick, Russell Rudd, Julie Isola Ruecke, Lori Zarzecki and Jerry Zimmer

Former Chief Clerk Sandra Mengel, Sandra Clark, Bruce Timmons, John Nevin, Stacy Selleck, Carrie Pickett-Sampson, Rachael Drenovsky, Janet Welch, Doreen Dobias, and Liisa Speaker

## Employee Service Recognition

In June of every year, the Court recognizes current employees who have celebrated a five-year incremental anniversary with the Court during the preceding twelve months. In 2015, service recognition ceremonies were held to honor 18 employees who represented 370 years of combined service.

Name	Title (Office Location)	Years
Annie Madigan	Judicial Assistant, Troy	40
Barbara Buckley	Docket Clerk, Lansing	40
Lori Zarzecki	District Clerk, Grand Rapids	35
Denise Devine	Information Systems Director, Lansing	30
Jeff Parthum	Research Supervisor, Detroit	25
Denetra Gleton	Docket Clerk, Detroit	25
Margot Stallard	Judicial Assistant, Troy	25
Vicki Malacina	Senior Research Attorney, Lansing	25
Carol Lindbert	Judicial Assistant, Troy	20
Annette Bailey	Judicial Assistant, Grand Rapids	20
Mike Wolcott	Docket Clerk, Lansing	20
Rick Browne	Case Screener, Lansing	15
Kim Harbus	Law Clerk, Troy	15
Stephan Fellows	Law Clerk, Lansing	10
Nick Krieger	Law Clerk, Detroit	10
Howard Epperson	Information Systems Deputy Director, Lansing	5
Michelle Harrison	Senior Research Attorney, Detroit	5
Erin Birkam	Senior Research Attorney, Detroit	5

## Ace Award

The Ace Award is named after Donald L. (“Ace”) Byerlein, who served as court administrator from the Court’s inception in 1965 until his retirement in 1997. Mr. Byerlein was known for being conscientious, dedicated, loyal, selfless, upbeat, civil, and possessed a “can-do” attitude. In 1998, the Court created the annual Ace Award in honor of Mr. Byerlein as a way to recognize current Court employees who possess those same qualities. The Ace Award is given to an outstanding employee (or employees) who was nominated by his or her peers and selected by a committee of judges and administrators.

The winner of the 2015 Donald L. Byerlein “Ace” Award was Lorraine Stokes, who works in the Detroit Clerk’s Office. A reception to honor Lorraine was held in Detroit on June 25, 2015. At the ceremony, it was noted that the qualities used to describe Lorraine as a nominee were loyal, professional, happy, upbeat and cheerful.

The 2015 selection committee included Judge Jansen (chair), Chief Judge Talbot, Donald L. “Ace” Byerlein, Chief Clerk Jerry Zimmer, Research Director Julie Isola Ruecke, and Judges Ronayne Krause, Markey, Servitto, and Wilder.



*Photograph by Rick Browne*

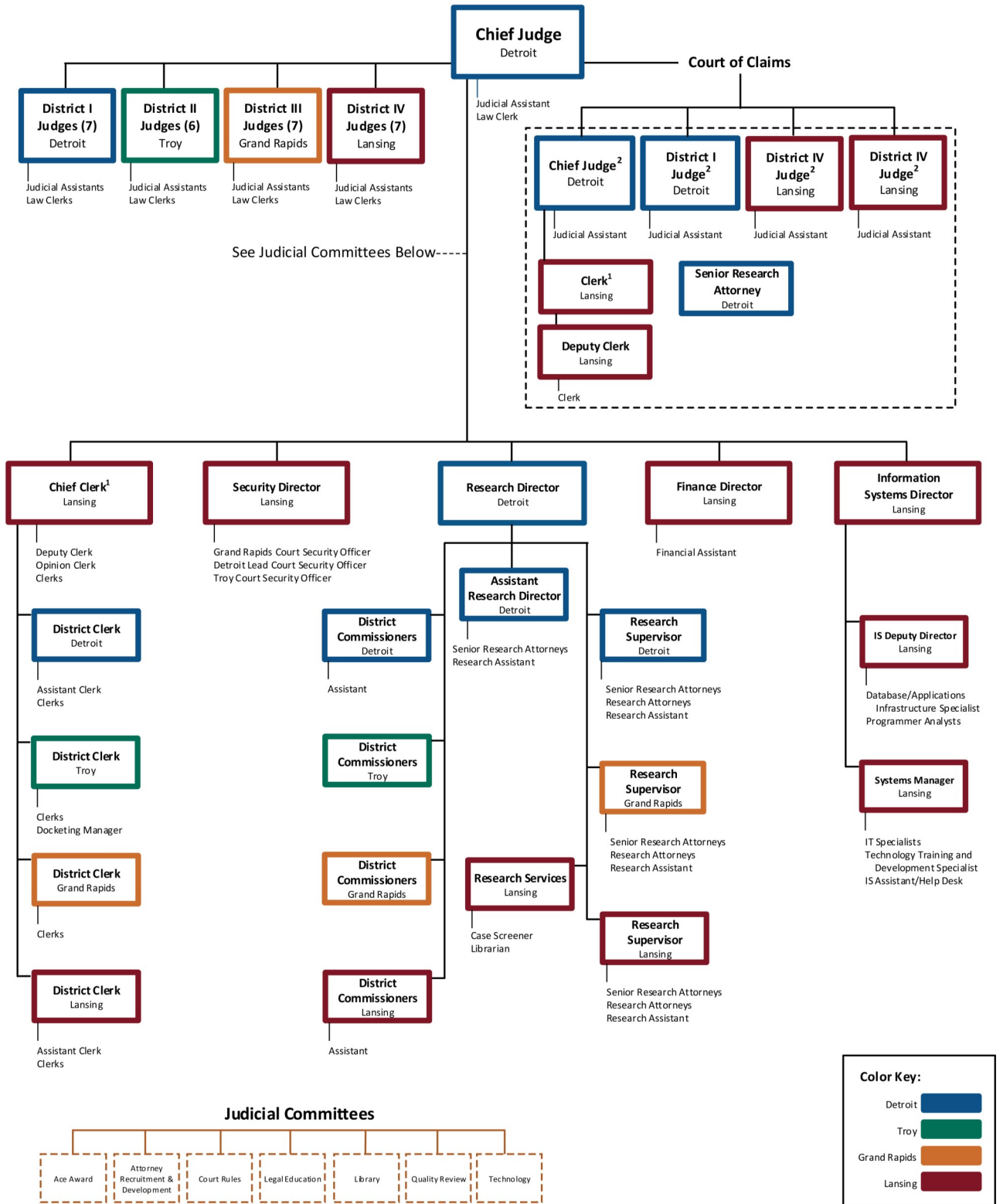
**ACE Award Winner Lorraine Stokes and her daughters. From left to right, Lark, Lorraine, and Ashley.**



## Prior Ace Award Honorees

Year	Ace Award Recipient(s)	Office Location
2014	Rita Bacon, Judicial Assistant	Detroit
2013	Russell Rudd, Finance Director	Lansing
2012	Irene Coffee, Judicial Assistant	Grand Rapids
2011	Kathy Donovan, Technology Training Specialist	Lansing
2010	Matthew Johnson, Docket Clerk	Troy
2009	Anna Campbell, Judicial Assistant	Detroit
2008	Martha Sutton, Judicial Assistant	Lansing
	-and- Claudette Bexell Frame, Judicial Assistant	Lansing
2007	Rebekah Neely, Programmer (awarded posthumously)	Lansing
2006	Bob Kwiatkowski, Lead Court Officer	Detroit
2005	Thomas Rasdale, Assistant Clerk	Lansing
2004	Carol Abdo, PC Network Specialist	Lansing
	-and- Bobbie Dembowski, Commissioner Assistant	Lansing
2003	Elizabeth Gordon, Research Support	Lansing
2002	Suzanne Gammon, Judicial Assistant	Saginaw
2001	Mark Stoddard, District Commissioner	Grand Rapids
2000	John Pratt, Court Officer	Lansing
1999	Deborah Messer, Judicial Assistant	Petoskey
1998	Mary Lu Hickner, Deputy Clerk	Lansing

# Organizational Chart



<sup>1</sup> The Chief Clerk is the same person for the Court of Appeals and the Court of Claims.  
<sup>2</sup> These Judges are also Judges for the Court of Appeals.

# Directory

**Jerome W. Zimmer, Jr.**  
**Chief Clerk**

Hall of Justice  
925 West Ottawa Street  
P.O. Box 30022  
Lansing, MI 48909-7522  
(517) 373-2252

**Julie Isola Ruecke**  
**Research Director**

Cadillac Place  
3020 West Grand Boulevard  
Suite 14-300  
Detroit, MI 48202-6020  
(313) 972-5820

## **District I Clerk's Office – Detroit**

John P. Lowe, District Clerk  
Cadillac Place  
3020 West Grand Boulevard  
Suite 14-300  
Detroit, MI 48202-6020  
(313) 972-5678

## **District II Clerk's Office – Troy**

Angela DiSessa, District Clerk  
Columbia Center  
201 West Big Beaver Road  
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Troy, MI 48084-4127  
(248) 524-8700

## **District III Clerk's Office – Grand Rapids**

Lori Zarzecki, District Clerk  
State of Michigan Office Building  
350 Ottawa NW  
Grand Rapids, MI 49503-2349  
(616) 456-1167

## **District IV Clerk's Office – Lansing**

Kimberly S. Hauser, District Clerk  
Hall of Justice  
925 West Ottawa Street  
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(517) 373-0786

## **Denise Devine** **Information Systems Director**

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Court of Appeals website address: <http://courts.mi.gov/courts/coa>



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