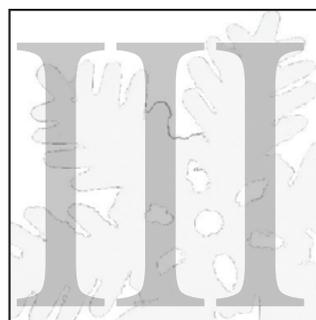

MICHIGAN DEFENSE QUARTERLY

Volume 29, No. 4 April 2013



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MDTC

MICHIGAN DEFENSE TRIAL COUNSEL, INC.

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The Evolution and Re-Branding of MDTC



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"Change is the law of life. And those who look only to the past or present are certain to miss the future."--John F. Kennedy

For years now, the Michigan Defense Trial Counsel has tried to come to grips with the changing demographics of membership, not just in terms of devising outreach strategies of who we market our group to, but also now to the point of how we define ourselves. As our organization has grown and shifted out of its traditional Personal Injury/Insurance Defense roots, the "Defense" of "Michigan Defense Trial Counsel" does not really fit all that well in light of our recent expansion into the commercial arena, where the Plaintiff/Defendant designation often carries little significance and many of our commercial law members represent the plaintiff as often as the defendant. The "T" of MDTC is also starting to lose its descriptive value where both the President and Vice President, in addition to many Board Members, are not themselves "trial" attorneys at all, having chosen an appellate practice specialty.

Some of these demographic changes were imposed upon us by external forces, such as the changing legal economy pushing many Personal Injury and Insurance Defense lawyers to adapt and incorporate new practice areas into their firms. Other changes have been by design and foresight. Past Presidents such as Steve Johnston, Robert Schaffer and our Immediate Past President, Phil Korovesis, anticipated the changing legal landscape and drove the organization to begin actively recruiting Commercial Litigators and encouraging their participation with seminars and conferences geared toward these practice areas.

We Are Now Forced to Deal with the Successes of Our Past Presidents

Leadership has struggled with exactly how to handle the broadening and diversification of our membership. Unlike our traditional counterpart, the Michigan Association for Justice, which felt it necessary to re-brand itself once the phrase "Trial Lawyer" began to carry an unfortunate and completely undeserved negative connotation, the Michigan Defense Trial Counsel has contemplated a name change for a different reason, i.e., to more accurately reflect who we are. The words "Defense" and "Trial" no longer aptly describe our membership, but attempts at crafting a more accurate name proved difficult as it would be virtually impossible to devise a moniker broad enough to encompass all that we have become.

To that end, the MDTC Board of Directors has decided to begin de-emphasizing "Michigan Defense Trial Counsel" in favor of referring to ourselves as just "MDTC." The change is subtle because so many have already referred to us by our acronym over the years, yet represents a necessary shift away from simply being known as civil defense trial lawyers. That is no longer who we are.

This change in philological focus will be rolled out over the next few months in a number of different formats. On the motion of incoming President Ray Morganti, MDTC has adopted a new logo to modernize our look. Ray also devised a new slogan to reflect the changing tide: no longer does MDTC support just "excellence in the defense of civil litigation," but because so many of our members are commercial lawyers, our

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motto has been updated to reflect that we now broadly support “excellence in civil litigation.” These re-branding efforts will be incorporated into our newly designed, completely revamped website, which will offer not just a better look and layout, but also increased functionality such as the ability to register for events and renew memberships online.

Our Annual Award Winners Reflect the Changing Landscape

The re-branding of MDTC is also reflected in the distinguished attorneys who will be honored at our upcoming Annual Conference. Our Golden Gavel Award Winner is **Joe Richotte** of Butzel Long, whose practice area is far removed from Personal Injury or Insurance Defense — it is also often removed from the courtroom altogether. As a White Collar Criminal Defense Attorney, much of Mr. Richotte’s practice is in compliance and investigation, not litigation.

Likewise, the first of our two recipients of our annual “Excellence in Defense Award,” **Kathleen Lang** of Dickinson Wright is, herself, a commercial law specialist. Not only is Kathleen the first female winner of this prestigious award, she is also the first exclusively commercial litigator to receive it.

In fact, Kathleen, herself, played a role in the transition of our organization into the commercial law realm. At the 2006 MDTC Annual Meeting in Traverse City, she gave a presentation on some of the more elementary concepts of commercial litigation, such as the Economic Loss Doctrine, knowing that, at the time, her audience was going to consist primarily of tort lawyer specialists. MDTC’s Commercial Law Section has come a long way since

then: At our most recent Winter Meeting, the Commercial Litigation topics had advanced to nuanced, technical discussions such as Joint Defense Agreements, the newly created Business Courts, as well as the intersection of the Bankruptcy Code with Commercial Litigation.

Our other Excellence in Defense Award winner brings us to yet another seismic change MDTC has undertaken over the past few years: from a group that stayed on the sidelines while our elected officials forced changes upon our professional lives to a group whose input and commentary on proposed legislation is actively sought out by members of the legislature.

Past President Korovesis set us on this path, announcing at his Future Planning and Board Meetings that enhanced political engagement was necessary so that we could be a part of and help shape the legislative changes that would impact the practice of law and not simply have these changes imposed upon us against our will. The specter of the then-proposed Health Care “Courts,” which threatened to dispose of the civil justice system altogether in favor of administrative tribunals where doctors, not juries, decided claims of Medical Malpractice was zany, yet a realistic enough possibility to grab our attention and force us into action.

Our quickened learning curve, where at first we had no idea how to even get started with political engagement to now being asked by legislators to sit in on brainstorming sessions and comment on proposed legislation, is owed to the mentorship and assistance of our other “Excellence in Defense” Award Winner, **Steve Galbraith**. Through his work with the Negligence Section of the State Bar and Oakland County Bar Association,

Steve is a seasoned political actor who cheerfully offered us tremendous assistance. Steve showed us the ropes and has continued to support MDTC’s political efforts, always happy to swap information, strategy and ideas as to which bills would be of a benefit to MDTC and its members and which would be harmful. Steve’s excellent skills as a defense trial lawyer will also be honored in addition to his active work fighting on behalf of lawyers outside of the courtroom, one of the key criterion weighed by our Awards Committee.

2013 Annual Meeting at Crystal Mountain

I hope you will join us at one of our state’s finest resorts for our Summer Conference June 21–22 at Crystal Mountain where we will present these honors to Steve Galbraith, Kathy Lang and Joe Richotte at the Awards Banquet.

Our program chairs, Rick Paul, Matt Nelson and Cathy Jasinski have put together an awesome program focusing on the nuts and bolts of a case from Opening Statement through Appellate Oral Argument. The committee has secured some of the most accomplished members of the Michigan Bar to provide “Master’s Class” demonstrations on best litigation practices as well as judges and justices drawn from both the state and federal benches.

The resort, too, has upped its accommodations for us, offering discounted room rates for conference attendees who would like to extend their stays before or after the program and by also offering discounted spa services for attendees and spouses, to go with first class golf, a pool for children of all ages, and Lake Michigan beachfront just 20 minutes away. I hope to see you there.