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# Briefs

#### FBA to present 'New Lawyers Seminar' online

The Federal Bar Association, Eastern District of Michigan Chapter, along with the U.S. District Court will present the 45th Annual New Lawyers Seminar online via Zoom on Tuesday and Wednesday, January 12-13.

At the virtual "Seminar for New Lawyers: Navigating Your Way in State & Federal Court," attendees will receive practice tips and real-world advice about law, procedure and strategy from Michigan's top lawyers and judges.

Cost for this two day webinar is \$75 (no refunds provided for cancellations after December 20). Registration fee includes presentation materials and a one-year local chapter membership.

New Lawyers Seminar participants will also have the opportunity to participate in a mass swearing-in ceremony held during the seminar and be admitted to practice before the U.S. District Court for the Eastern District of Michigan. This opportunity will be open only to individuals who register for the New Lawyer's Seminar. Participants must apply separately for admission to the federal court and to participate in the swearing-in ceremony. New Lawyers Seminar registrants who indicate during the online registration process that they wish to participate in the mass swearing-in ceremony will be sent information on how to submit their application.

To register, visit https://fbamich.org and click on "calendar."

#### **Annual 'Form 10-**K/Proxy Tune-Up' offered as webcast

The Practising Law Institute (PLI) will present the "Seventh Annual Form 10-K/Proxy Tune-Up" as a live webcast on Thursday, December 17, begin-

Preparation and review of Forms 10-K and proxy statements this year present several new challenges. Disclosures about the impact and uncertainties of COVID-19 must be tailored to each company's situation. The SEC's continuing Disclosure Modernization and Simplification undertakings during 2020, including disclosure about human capital resources, must be implemented. Evolving disclosure questions surrounding the impact of the transition away from LIBOR and cybersecurity will also factor into this year's reporting process. Gary M. Brown, of Nelson, Mullins, Riley, & Scarborough LLP, and SEC Institute Director George M. Wilson will discuss these and other key reporting issues at this

Topics will include:

• Tailoring disclosures about COVID-19 for your company - risk factor, MD&A, executive compensation and accounting considerations

• Details of the changes to your Form 10-K required by the SEC's 2020 Disclosure Modernization and Simplification initiatives and other rule changes – 15 Minutes

• SEC staff focus areas for 2020 Form 10-Ks, including non-GAAP measures and MD&A

• Example disclosures in key areas such as known trends, Brexit, LIBOR and other emerging

risks Accounting and financial reporting watch areas

• Recent enforcement actions • Continuing topics from 2019 and looking forward to 2021

Course materials will be available to attendees prior to the start of the program. Cost for the webcast is \$299. To register or for additional information, visit www.pli.edu and click on "programs."



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## In the forecast

### Litigation attorney knows the bounds of 'uncertainty'

By Tom Kirvan Legal News

As an admitted "one small step at a time guy," attorney Mark Rossman took the proverbial leap of faith in 2015 when he founded his own law office in Troy after spending nearly 14 years with a prominent business litigation firm in metro Detroit.

In a sense, it was a gamble with no assurance of a payoff, much in line with what Rossman advises clients when they contact him about pursuing a possible litigation matter.

"I tell them that there are three certainties in litigation," Rossman said. "First, it's going to cost a lot. Secondly, it will take a lot of time. And finally, the outcome is entirely uncertain."

Uncertainty, regrettably, has taken on a whole new meaning in 2020, a year unlike any other in modern times, according to Rossman.

"The pandemic is peeling back the fiction of economic stability for businesses, individuals, and families," said Rossman. "As we head into 2021, it's likely that we are going to see an economic pandemic with collateral damage that will make the viral pandemic look like child's play."

He already is seeing the initial fallout in terms of an uptick in business dissolution and partnership separation cases.

"Lawsuits, in many respects, are driven by economics, and when times are tough we generally see a lot of dissolutions, whether in breakups of businesses or in marriages where the stakes are high," Rossman indicated. "As a result, we have been busy and that figures to continue in the year ahead."

Especially when "lenders start calling in loans and landlords start evicting tenants," Rossman predicted.

"Those legal remedies have been on pause because of the pandemic, but when the government ordered moratoria end, it will make a lawyer's job a very busy one," said Rossman.

A University of Michigan alum, Rossman isn't bashful in describing himself as a "jack of nearly all trades and a master of most," a claim backed up by being recognized as a "Top Lawyer" by DBusiness Magazine in both corporate and family law and in the Michigan listing of Top 100 "Super Lawyers." Rossman, who earned his juris doctor from Wayne State University Law School in 2001, said he has "litigated cases up and down the appellate ladder, to the Supreme Courts of both the United States and Michigan."

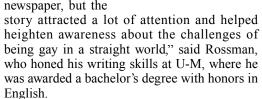
Over the past three years, he has served as host and has been among the presenters at the State Bar of Michigan's Symposium on Corporate Oppression held alternately in Grand Rapids and Detroit. The two-day program annually attracts a panel of speakers that features prominent members of the bench and bar.

"I started the program for the State Bar three years ago, and this year's program was our largest in terms of speakers and registration, and was a great success notwithstanding the pandemic," said Rossman.

An avid writer, Rossman displayed his talent for the field while working for the high school newspaper at Grosse Pointe South, winning an

award from The Detroit Free Press in a student competition. award-winning story focused on one of the school's alums who was gay and had sufvarious slings and arrows because of his sexual orientation.

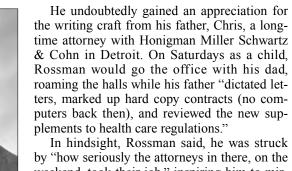
"Homophobia was a pretty edgy subject at the time for a high school newspaper, but the



Mark

Rossman

He has continued his passion for the subject through his Detroit-based publishing company, 'publishing313," which serves as an outlet for those "in love with the lyric and the noun and the verb," said Rossman.



weekend, took their job," inspiring him to mirror that "very same high caliber law practice" when he founded his own firm in 2015. Now, as the managing partner of a firm of

eight attorneys, Rossman said he has assembled a legal group that is "the best I've ever worked with" in terms of intelligence, dedication, and work ethic. "I've worked with a lot of great lawyers, so I

don't want to diminish that, but as a group, as a team, running a docket of extraordinary cases of high import, this group is second to none," Rossman said. Admittedly, Rossman has "come a long

way" since those somewhat uncertain beginnings five years ago, when he raided his 401(k) and borrowed some dough from relatives to

See **ATTORNEY**, Page 3

#### Attorney helped diffuse a road rage altercation

By Tom Kirvan Legal News

For an attorney who considers himself a "legal fighter" for his clients, Mark Rossman did his best to be a peacemaker last February during a road rage incident in Troy that had the potential to be a deadly confrontation.

At the tail end of his morning commute to work in Troy on February 11, Rossman was driving along Crooks Road near his office when he came upon two vehicles stopped on the busy north-south thoroughfare sandwiched between Big Beaver and Maple roads.

"I wasn't sure what triggered it, but by the time I came upon the scene it was clear that the men in the two vehicles were in a very heated argument, shouting at each other in the middle of the street," Rossman said. "Next thing I know, the driver who got out of the pickup truck slugged the man who had gotten out of his car, dropping him like a bag of rocks onto the street. He just decked him." At that point, Rossman decided it was time to intervene in an attempt to prevent the altercation

from escalating further. "In retrospect, it probably wasn't the smartest thing for me to do, considering the open-carry law

in this state, but I just couldn't sit there and do nothing," Rossman said of his decision to help break So, after leaving his own car, Rossman shouted at the pickup driver to get back in his vehicle, a

plea that wasn't answered initially. "I then demanded a second time that he get back in his vehicle, hoping that he would come to his

senses to avoid making a bad situation even worse," Rossman indicated. By that time, another nearby motorist was recording the unfolding drama on a cell phone in a

video that was about to take an alarming turn. "The guy did get back in his truck, but then he drove over the victim's foot in a rush to get out of

there," Rossman said. "It was shocking. I could hear the crunch of bones when the truck ran over the man's foot. It was sickening." Rossman then helped the victim make his way to the safety of the sidewalk, where within minutes

he received aid from police and emergency medical personnel who were summoned to the scene. "Since most of the incident was on video, I understand that police were able to track down the pickup truck driver, but I never heard whether he was arrested or faced any charges related to the

fight," Rossman said. What Rossman does recall, however, is that the road rage victim already was dealing with his own

set of health challenges before having his foot broken in the middle of Crooks Road. "He told me that he was on the way to a chemo treatment when the whole thing happened," Ross-

man reported. "Talk about the ultimate 'bad day.' It doesn't get much worse than that."

## District judge to retire after 42 years of service

After a distinguished law career spanning his time as district more than four decades, Judge William G. Kelly of Kentwood's 62-B District Court will retire effective Jan. 1, 2021. Kelly has served the Kentwood community

as the city's first and only district court judge since 1979. He was elected in November 1978, following his father, Joseph Kelly, who served as Kentwood's municipal judge from 1971-79. In 2014, he was re-elected for his seventh and final six-year term. Kelly has led a team of nearly 25 court personnel to serve the commu-

A retirement celebration to honor Kelly's career will be held virtually at 3 p.m. Wednesday, Dec. 30. The event will include remarks by Chief Justice McCormack and other distinguished speakers. Colleagues, community members and the media are invited to attend via Zoom – Meeting ID 4280940961 – or the 62-B District Court YouTube Channel.

During his tenure, Kelly instituted several programs, including the Sobriety Court and meditation of small claims cases. Kelly was also instrumental in implementing modern technology in the court. Additionally, he con-



William G. Kelly

I look forward to seeing the court's future accomplishments and growth."

Kelly explored ways technology could better serve the justice system and Kentwood community. At the onset of the COVID-19 pandemic, 62-B District Court quickly adapted and created a virtual court on Zoom with a livestream on its YouTube Channel. Kelly also ducted more than 4,000 weddings throughout has worked with the Supreme Court to imple-



begin in the near future. "With its challenges, the pandemic has brought innovation to Michigan courtrooms as we look at ways we can continue to conduct court safely in the interest of justice," Kelly said "I am proud of the virtual court we have

ment a paperless system throughout the state to

been able to establish for Kentwood in my last Active professionally, Kelly has served as faculty for a number of programs. He has been a teaching faculty member of the Michigan Judicial Institute's new judge's program since 1985. He has taught classes on several topics at the National Judicial College since 2002. He also has served as adjunct faculty at Western Michigan University Thomas M. Cooley Law School on the use of technology in advanced trial practice and presented at the National

Kelly served on the Foreign Language Board of Review and is a member of the Legislative Committee of the Michigan District Judges Association. He previously served as

Center for State Courts' court technology con-

See **JUDGE**, Page 3

### **Nessel defends** restitution for victims of consumer fraud

Michigan Attorney General Dana Nessel recently joined a bipartisan coalition of 29 other attorneys general urging the U.S. Supreme Court to affirm the Federal Trade Commission's (FTC) authority to seek restitution for victims of anticompetitive, unfair and deceptive trade practices when enforcing consumer protections under the FTC Act.

In an amicus brief filed in AMG Capital Management LLC v. Federal Trade Commission, the coalition argues that FTC's the authority is critical and benefits states and their residents. "As attor-



Dana Nessel

neys general my colleagues and I rely on our partnerships with federal regulators

like the Federal Trade Commission due to its broad investigative and enforcement authority. This authority is crucial when it comes to holding accountable those who take advantage of vulnerable consumers," said Nessel. "With the help of the FTC, states are in a better position to protect their residents from unfair and deceptive trade practices. My colleagues and I urge the court to uphold the FTC's authority, thus allowing us to continue our work to protect the pocketbooks of our residents and combat anticompetitive and deceptive

In April 2012, the FTC filed a lawsuit against Scott Tucker and several of his companies that provided high-interest, short-term loans online. The lawsuit alleged the loan business violated the FTC Act. The district court ruled in the FTC's favor, ordering Tucker to pay about \$1.27 billion in restitution. Tucker appealed to the U.S. Court of Appeals for the 9th Circuit and argued that the FTC did not have the authority to demand restitution. The appellate court affirmed the district court's decision, and Tucker appealed again to the Supreme Court.

For decades, courts have recognized the FTC's authority to seek restitution under Section 13(b) of the FTC Act. The attorneys general argue in their brief that denying the FTC this authority will negatively harm states and their residents and will impede federal-state collaborations to protect against anticompetitive, unfair, and deceptive practices. Between 2016 and 2019 alone, the FTC has mailed more than \$1 billion in refunds to consumers affected by such practices.

States rely on partnerships with federal regulators, such as the FTC, to protect millions of Americans from monopolists and fraudsters. While state attorneys general regularly obtain restitution through their own enforcement actions under state law, states also benefit from the FTC's independent authority to investigate and address violations of federal law.

If the FTC were prohibited from seeking restitution, the attorney generals argue, that would embolden those who seek to take advantage of vulnerable consumers. Restitution prevents wrongdoers from benefiting from their actions by requiring them to return ill-gotten gains to affected consumers. Without the FTC's authority to seek restitution, these practices would erode consumer confidence and deter competition.

In filing the brief, Attorney General Nessel joins the attorneys general of Alaska, California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, Washington, and Wisconsin.

Official Newspaper: City of Detroit • Wayne Circuit Court • U.S. District Court • U.S. Bankruptcy Court

#### **■** Money Matters

Expect the unexpected in the bond market

Page 2

court judge.

"I have been

fortunate to have

had a great law

career," Kelly said.

"I have loved serv-

ing this communi-

ty for so many

years and I am

grateful for all the

opportunities that

have helped me

become a better

judge. We have a

great team at 62-B

District Court, and

#### **■ Food Court**

Adventures in Cooking: Majida Rashid offers a recipe for nutty holiday muffins

Page 3



#### **■ Legal People** Who's doing what

and who's going where Back page

R. MARC KANTROWITZ, BRIDGETOWER MEDIA NEWSWIRES

#### Larry, Moe and Curly kidnap a megastar's son

could barely believe the babblings of his friend Barry Keenan. They had gone to high school together, along with Nancy Sinatra and Dean's future partner, Jan Berry, with whom Dean helped usher in California's rock and roll scene. Dean knew Keenan was a little different — smart, wildly ambitious and a partier, but also a tad odd.

It came as little surprise that Keenan's early career skyrocketed. By 21, he was ensconced in the real estate market and the youngest member of the Pacific Coast Stock Exchange, earning the then-exorbitant sum of more than \$100,000 a year.

He was married and living the good life — until tragedy struck in the form of a serious car accident. Soon he was drug addicted, having run-ins with the law, bankrupt and separated.

Needing money, he approached Dean Torrence, who having benefited financially from Keenan's financial advice, provided it.

Despite the financial assistance, Keenan's plight continued to spiral downward. Desperate, he again sought out Torrence and shared with him a highly detailed and documented business plan — this one, however, going far over the line. Exploring various criminal possibilities, Keenan determined that the one carrying the least risk and the highest return entailed kidnapping the child of a wellknown and well-heeled enter-

Despite being named Francis Wayne Sinatra, the son of superstar Francis Albert Sinatra came to be known as Frank Sinatra Jr.

Born in 1944, Frank Jr. rarely saw his famous father, who traveled the world singing and entertaining. With strong genes and good connections, the shy and friendly Frank Jr. sought to follow in his father's giant footsteps, which is what he was ransom call, too nervous to talk doing on Dec. 8, 1963, at Harrah's in Lake Tahoe.

The times were difficult and the country was in mourning, grieving the November assassination of its young and vibrant president, John F. Kennedy. Frank Sr., greatly saddened by

Dean Torrence, half of the the death of his good friend, was famous Jan and Dean rock duo, off filming his latest movie, "Robin and the 7 Hoods." Little did anyone realize that another megaton jolt of bad news await-

> In his suite between shows, 19-year-old Frank Jr. and one of the band's musicians, John Foss, sat, relaxing and munching on some chicken. There was a knock at the door and a voice that called out: "Room service. I've got a package for you."

The door opened and an armed 42-year-old Johnny Irwin, a house painter who had dated Keenan's mother, entered, followed by Keenan and his 23year-old high school classmate Joe Amsler, who thought that he and Keenan were in Tahoe on a construction job.

Foss was tied up as Frank Jr. was hustled away. Keenan forgetfully left his gun behind. Amsler, in his haste to get away, ran into a tree branch and knocked himself out.

The news ricocheted around the nation, sharing the front page with that of Pan Am flight 707 blowing up in a spectacular fireball in Maryland, killing all 81 passengers aboard

Frank Sr. chartered a plane to Nevada, where he spoke with FBI Director J. Edgar Hoover, California Gov. Pat Brown, and the president's press secretary, Pierre Salinger.

Frank Sr. understandably was terrified. He didn't need to be, though, as Keenan later revealed that God had told him not to harm Frank Jr., to tithe 10 percent of the ransom to the church, and, after five years, to return the ransom — which, after all, was a loan — along with inter-

Keenan and Amsler brought Frank Jr.to a rented house in San Fernando Valley, borrowing money for gas from Frank Jr.

They hesitated in making the to the other worldly Frank Sr. Finally, they worked up the courage and called, after which more calls followed.

When Frank Sr. asked how much money they wanted, no firm answer was given. Instead,

See **HISTORY**, Page 8



#### **Request for Proposal** for Legal Services for Parents in Child Welfare Matters in the Juvenile Section of the Family Division

Issue Date: Oct. 19, 2020 Pre-Application Question Deadline: Jan. 6, 2021 Pre-Application Answers to Questions Posted: Jan. 13, 2021 Application Deadline: Jan. 27, 2021 **Application Submission Format: Electronic Application** Submitted to CPLR/QLRRFP@3rdcc.org

**Application Contact: Richard Smart** Phone: (313) 833-4777 Email: CPLR/QLRRFP@3rdcc.org

Description: The Third Judicial Circuit Court of Michigan ("Court") requests applications from organizations to provide specified legal services as described below for parents in the Court's Family Division-Juvenile Section. Selected organizations will serve as Independent Contractors. The organizations will represent parents in matters regarding landlord-tenant issues, misdemeanor and ordinance violations in district courts, housing issues, immigration issues, assistance in obtaining public benefits, driver's license restoration, obtaining social security benefits, guardianships, divorce, resolution of domestic violence issues, substance abuse issues, assistance in providing supplemental parent support, and other ancillary matters pertaining to the resolution of matters with respect to the parent's involvement with the

The Request for Proposal (RFP) includes an application and is available online at 3rdcc.org. From time to time, the Court may update this RFP and supporting documents. Applicants are responsible for any additional information, changes, and addenda regarding this RFP posted on the Court website at www.3rdcc.org through the application deadline. Please email any questions to

Questions regarding the substance of this RFP or scope of services must be submitted via e-mail to the Application Contact no later than the Pre-Application Question Deadline indicated above.

Interested parties must submit a completed electronic application on or before the Application Deadline indicated above to CPLR/QLRRFP@3rdcc.org. A late application will not be accept-

Submit news & views to bcox@legalnews.com

## Masks and mandates: How individual rights and government regulation are both necessary for a free society

By Martha Ackelsberg Smith College

(THE CONVERSATION) — I've been thinking a lot, recently, about the tension between demanding "individual rights" in the sense of deciding whether or not to wear a mask - and calling for more action on the part of our government to protect us from the coronavirus pandemic.

I'm a political theorist, which means I study how communities are organized, how power is exercised and how people relate to one another in and between communities. I've realized - through talking to friends, and thinking about the protests against COVID-19related restrictions that have taken place around the country – that many people do not understand that individual rights and state power are not really opposites.

The laws and policies that governments enact set the framework for the exercise of our rights. So, inaction on the part of government does not necessarily empower citizens. It can, effectively, take away our power, leaving us less able to act to address our needs.

#### 'War of all against all'

The Founders stated in the Declaration of Independence that "governments are instituted among Men ... to secure their rights ... to life, liberty, and the pursuit of happiness."

Those goals cannot be pursued individually without governments to help create the conditions necessary for collective life. As Thomas Hobbes recognized

**ATTORNEY:** 

finance the opening of his firm,

jokingly telling his wife Alana

that "we're good for at least the

course, as he confidently set out

to build a law practice that spe-

cializes in business litigation, cor-

porate structuring, business trans-

actions, estate planning, and fami-

All the while, he has been

mindful of his goal of "being the

best husband and father that I can

Rossman got married the sum-

mer before he started law school,

and the couple welcomed their

first child during his final year of

legal studies at Wayne State. That

chair of the National Conference

of the Special Court Judges of the

American Bar Association or

ABA, chair of the Judicial Con-

ference of the State Bar of Michi-

gan, president of the Michigan

District Judges Association, chair

of the ABA's Judicial Division

Committee on its traffic court

program, member of the board of

trustees of the Grand Rapids Bar

Association and member of the

board of directors of the National

being involved in judicial associa-

tions and education programs

both statewide and nationwide,"

Kelly said. "These activities have

enriched my career and have

Prior to his career with Kent-

**ANONYMOUS** 

given me ideas to lead this court."

"Over the years, I have enjoyed

Center for State Courts.

From Page 1

She - and he - knew better, of

From Page 1

next three weeks.'

almost four centuries ago, if everyone just does what they please, no one can trust anyone. We end up with chaos, uncertainty and a "war of all against all."

Rights become worthless. This paradox – of the need for government to enable the effective pursuit of individual aims – is particularly extreme in the situation of COVID-19 and its attendant economic crisis. Amid a rampaging pandemic, people have rights to do many things, but are

they really free to exercise them? It may not feel like you can enjoy the benefits of your individual rights when you have to be engaged in a continuous process of risk-assessment: Is it safe to leave my house? To go to work? To send my child to school? To visit my loved ones?

Even more, people confront those questions from very different perspectives: "Essential" workers have had to make decisions about whether to go to work and risk disease or death, or to stay home to protect themselves and their families and risk hunger and homelessness. Those who are unsafe in their homes, because they live with abusive parents or partners must choose between the danger of staying in and the dangers of leaving. Even those who work remotely make an assessment of risk every time they leave home, especially now that infections have surged, given the absence of clear, shared norms about social distancing, maskwearing and other precautions against the spread of disease.

boy, Owen, is 20 years old now

and is a student in product design

at the College for Creative Studies

in Detroit. He has two siblings,

Connor (18) and Grace (15), both

reminders of his wife and children

scattered around his office,

including a framed front page

from a July 2010 edition of The

Detroit News. In that treasured

memento, Rossman is pictured in

plaid shorts on a summer day, hit-

ting fly balls to his kids at the site

of the old Tiger Stadium at the

corner of Michigan and Trumbull.

The outing was captured in all its

essence by the late Terry Foster, a

sports columnist with The Detroit

Judge Kelly has received numerous awards

Corps volunteer in Ghana from

1970-72, teaching math in a sec-

ondary school. He then went onto

become an assistant prosecutor

with the Kalamazoo Prosecutor's

Office from 1975-77. Following

that role, he served as a defense

attorney in the Kent County

Office of the Private Defender

until 1978 when he became 62-B

awards throughout his career,

including: Donald R. Worsfold

Award from the Grand Rapids Bar

Association, Marian Hilligan Pub-

lic Service Award from WMU-

Cooley Law School, William R.

McMahon Award from the ABA

for the most significant imple-

mentation of technological

advances in a court of limited or

special jurisdiction, Judicial

Kelly has received numerous

District Court judge.

CRIME STOPPERS

"Of course, we just went down

Rossman has pictorial

students at Grosse Pointe North.

**Collective framework** 

Each person experiences these as personal choices, however, because federal and state governments have failed to provide a truly collective framework within which people can be safer.

People may know, for example, that if everyone wore a mask in the presence of others, maintained social distance and avoided large crowds, it would be relatively safe to be out in public. But that goal cannot be achieved by voluntary individual actions alone, since the benefits are achieved only when most or all of us participate.

The only way to assure that everyone will be wearing a mask — understood as an act of community and collective care, an action taken to protect others, as well as ourselves — is for the government to require mask-wearing because it is needed for the protection of life.

It's well accepted that governments can mandate that drivers must have insurance if they are to be allowed to register and drive a car, or that all children be vaccinated before they can attend school. These requirements are justified out of the recognition that our individual actions (or inactions) affect others as well as ourselves.

Of course — and here is where questions about individual rights come up against the need for government policy — in the absence of government economic support for individuals and families, for example, the costs of actions taken to protect others fall unequally.

there to have some summer fun

and to pay homage to all the base-

ball greats who played at Tiger

Stadium," said Rossman. "It was a

huge surprise to be part of a front-

page story on what had become of

Tiger Stadium since it was torn

that hallowed baseball ground lit-

erally shook 26 years earlier when

the Tigers clinched the 1984

World Series title with a game

five win over the San Diego

Padres, thanks to the hitting hero-

"I was there that day," Ross-

man said, remembering the title-

clincher that he attended with his

dad and brother as if it was yester-

day. "It was magical. What a year

Michigan District Judges Associa-

tion, Peacemaker Award from the

Dispute Resolution Center of

West Michigan and St. Thomas

More Award from the Catholic

Lawyers Association of West

versity of Detroit and the Univer-

sity of Detroit School of Law. He

is a longtime resident of Kent-

wood. He has five children and

three grandchildren. In his retire-

ment, Kelly plans to travel and to

serve as a visiting judge and

ceed Kelly as district court judge effective Jan. 1, 2021. As a private

practice attorney, Sterkenburg has

handled both criminal and civil

cases, including landlord-tenant

**CASH REWARDS** 

Amanda Sterkenburg will suc-

mediate small claims disputes.

Kelly is a graduate of the Uni-

ics of slugger Kirk Gibson.

it was to be a Tiger fan."

He could only remember how

down."

wood, Kelly served as a Peace Excellence Award from the

Michigan.

If businesses close to slow the spread of disease, they protect both workers and consumers. But without government aid, they and their workers are the ones who bear the financial burdens of these actions as individuals.

#### Interdependence and mutual responsibility

That is why the CARES Act, which provided income for those who lost jobs and loans or grants to those who kept their workers on payroll, was critical.

It was government policy that recognized that collective caring behavior cannot be sustained without communal support. The CARES Act articulated, through a series of government programs, the idea that no one should be forced to be a martyr — say, to lose their livelihood — for the benefit of others.

Government policy of this sort (such as the relief bills now being considered by Congress) aims to ensure that those who forego work to protect others — or go to work to protect others, like essential workers — will not have to pay a personal price.

The ability to exercise the rights to work, to shop or to go to school depends upon having a relatively safe public space in which to operate. In turn, that requires all of us to attend to the rights and safety of others, as well as of ourselves.

Government is the means by which such attending — caring — is expressed and accomplished. It is only when people can count on others to be concerned for one another that they can truly be free to act, and exercise their rights, in the public

**FLORIDA** 

#### School massacre case no closer to a trial date

BY CURT ANDERSON AP Legal Affairs Writer

ST. PETERSBURG, Fla. (AP) The 2018 Florida school massacre in which 17 people were killed and 17 others wounded is still not close to going to trial, attorneys said at a hearing Friday.

Defense lawyers for Nikolas Cruz said there remain difficulties related to the coronavirus pandemic with getting mental health experts into the Broward County jail to interview him in detail. The experts also do not want to travel to Florida until the virus abates.

Rossman married the summer before law school A video or Zoom link is not a viable option, said Assistant Pubic Defender Melisa McNeill.

> "They need to be in person with any client they are assessing," she said. "We are still preparing this case for trial."

> Cruz, 22, faces the death penalty if convicted of the Valentine's Day 2018 shooting at Marjory Stoneman Douglas High School in Parkland. His lawyers have said he would plead guilty in exchange for a life prison sentence, but prosecutors want the case to go to trial.

> Although death penalty cases typically take years to get to trial in Florida, the Cruz case illustrates the difficulties the judicial system has faced with the coronavirus pandemic. Some jurisdictions have held limited in-person trials, but others have not.

> The chief judge in Miami-Dade County, for example, recently decided there will be no jury trials there until February at the earliest.

In Broward County, where the Cruz case is pending, the courthouse has essentially been closed for months.

Circuit Judge Elizabeth Scherer has declined to set a trial date for Cruz, noting Friday that the case is in a "wait and see" mode for now. She set another status hearing for Jan. 25.

Meanwhile, a statewide grand jury empaneled after the Parkland shooting issued a third interim report urging creation of a commission to closely examine mental health issues that can cause violence in schools, among many other problems. Cruz was identified early in

school as having a propensity for violence and authorities were frequently called to his home over the years. But little was done before the Parkland shooting despite these warning signs.

"Mental health issues have the peculiar potential to spiral out over time into criminal acts and violent behavior resulting in serious injury and loss of life," the grand jury report says.

The report adds that Florida's system of treating mental health problems is woefully underfunded and that people seeking help face a "patchwork" of options that often conflict with each other.

"To put it bluntly, our mental health care system — if one can even call it that — is a mess," the

The grand jury's final report on mental health issues in Florida is expected in April.

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Court and the child welfare system.

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Answers will be posted on the Court website on Jan. 13, 2021.

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## In the Courts



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