

STATE OF MICHIGAN
Before the House of Representatives,
Judiciary Committee

In the matters of **HJR G:**)
Courts; judges; age limit for election)
of or appointment to a judicial office, eliminate;)
Overview of the Michigan Supreme Court,)
and other business properly before this committee.)

As a member of the public who has been involved with State of Michigan courts, I am very interested in the matter of allowing judges to rule past the age of 70.

In order to benefit the public not the judges, these issues need to be taken into serious consideration. In fact, I support lowering the age limit not eliminating the 70 year age limit, and instituting term limits for judges.

As EXHIBITS 1, 2, and 3, the Center for Public Integrity graded Michigan's Courts "F" both in 2012 and in 2015 due, in part, to the lack of accountability and transparency. Michigan's Judiciary is ranked 50 out of 50 states, dead last in a comparison of all 50 states. Michigan judges get automatic raises even though they have failed

According to Thomas McIntyre Cooley, Justice and Chief Justice of the Michigan Supreme Court between 1864 and 1885, in his *A treatise on the Constitutional Limitations Which Rest Upon the Legislative Power of the States of the American Union*, the judicial branch of government is the most well-defined branch as everything is codified. Yet, Michigan judges act in their personal capacity and not as a court when they don't apply the law. A court speaks through orders which must be compliant with the law. I have personal experience with this lawless travesty in Macomb and Oakland County courts.

As a librarian who has been employed in both the public and private sectors, I have been trained in legal research. I have prevailed in pro per through 2 appeals in the Michigan Court of Appeals and in the Michigan Supreme Court in a case with an attorney Plaintiff and her attorney.

I assist others in pro per with legal research, au gratis, for their cases, and complaints against attorneys and judges with the Attorney Grievance Commission (AGC) and Judicial Tenure Commission (JTC). I am a biographee in multiple Who's Who's.

Michigan's judiciary has exempted themselves from the provisions of the Freedom of Information Act. Documentation based on public records sent to both the AGC and JTC should be available to the public. Local Administrative rules implemented by chief judges biasly favor attorneys who are allowed to bring recording devices into public court buildings but not the public.

The JTC, in every well-documented complaint regarding anarchy responds with form letters, one of which states: "*Judicial Misconduct is a term of art.*" The JTC has been informed that this is fictitious response, as the U. S. Code, Title 18, sections 241, and 242 address judicial misconduct.

The U. S. Constitution provides for a system of checks and balances with a separation of powers. Licensed attorneys are Officers of the Court, and concurrently members of the Legislative Branch including this House Judiciary Committee. Wearing both hats simultaneously, is an affront to the Constitution and our founding fathers. This conflict of interest is historically evident in the biased policies benefitting the incestuous, legal industry cartel and not the people who are the source of their power.

Some of my encounters with members of the Michigan Bar are documented on the internet. Both my youtube channel and ripoffreports under "**sistermarylitigation**", have court documents and hearings uploaded. The youtube: "*Legal Abuse for \$\$\$ Oakland County and Macomb County Courts*" is especially eye opening. Additionally, I and others have appeared on radio and TV talk shows, on internet podcasts, and as

speakers at Michigan Supreme Court Public Hearings. Legal blogs carry Michigan's hidden travesties of justice. The 2-part Metro Times story: "*Nightmare on Highbury Court*" exemplifies the futility of Michigan's courts.

Allowing judges to remain the bench past age 70 would reinforce Michigan's abysmal status quo.

Quite frankly, there should be a better way to populate Michigan courts and eliminate campaign contributions, nepotism and incestuousness. I realize a Constitutional Amendment would be required, but possibly, a revolving, 3-year lottery with interested individuals meeting minimum requirements applying for judgeships. This would allow for 1/3 of judges to be replenished every 3 years with new blood.

I can't imagine how the public would benefit by eliminating a 70-year age limit for judges. At this age, physical and mental health issues often manifest, and these matters would additionally burden the public.

Pursuant to Michigan Code of Judicial Conduct, Canon 1. Michigan Code of Judicial Conduct

***"A judge should always be aware that the judicial system is for the benefit of the litigant and the public, not the judiciary. The provisions of this code should be construed and applied to further these objectives."* [Emphasis added]**

As a victim of Michigan's judges, thank you for this opportunity to address these important issues. There has to be a better way, not a reinforcement and extension of the status quo.

Respectfully submitted,



Karen Stephens

February 20, 2017

State Integrity 2015

Michigan gets F grade in 2015 State Integrity Investigation

An honor system with no honor

By Chad Selwiski 12:01 am, November 9, 2015 Updated: 11:55 am, November 12, 2015

Michigan

GRADE: F(51) RANK: 50TH

Assessing the systems in place to deter corruption in state government

Click on each category for more detail

OUR METHODOLOGY

Public Access to Information

GRADE: F(34) RANK: 42nd

Political Financing

GRADE: F(52) RANK: 32nd

Electoral Oversight

GRADE: B-(81) RANK: 5th

Executive Accountability

GRADE: F(27) RANK: 50th

Legislative Accountability

GRADE: F(30) RANK: 50th

Judicial Accountability

GRADE: F(30) RANK: 50th

State Budget Processes

GRADE: B+(98) RANK: 8th

State Civil Service Management

GRADE: F(55) RANK: 37th

Procurement

GRADE: F(54) RANK: 46th

Internal Auditing

GRADE: C+(78) RANK: 32nd

Lobbying Disclosure

GRADE: F(51) RANK: 43rd

Ethics Enforcement Agencies

GRADE: F(33) RANK: 47th

State Pension Fund Management

GRADE: F(30) RANK: 50th

Updates

Tell your legislators about their grade

Provide us with your street address and Zip code and we will find your state representatives so you can tell them how your state ranked.

We will not save or share the personal information after using it to send emails on your behalf. See our privacy policy and terms of use.

State Integrity Investigation

Explore the full interactive to learn more about other states.

Credit: Yue Qiu, Chris Zubak-Skees and Erik Lincoln, Center for Public Integrity with Global Integrity

Exhibit 1

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<https://www.publicintegrity.org/2015/11/09/18427/michigan-gets-f-grade-2015-state-integrity-investigation>

Tell your legislators about their grade

Michigan gets F grade in 2015 State Integrity Investigation

An honor system with no honor

By [Chad Selwesi](#)

12:01 am, November 9, 2015 Updated: 11:55 am, November 12, 2015

The State Integrity Investigation is a comprehensive assessment of state government accountability and transparency done in partnership with Global Integrity.

In November 2013, Michigan lawmakers revealed the lengths to which they'd go to maintain the state's secret system of funding election campaign activities.

A Senate committee was meeting in the Capitol to discuss and approve a bill that would double the maximum amount that individuals could contribute to legislative, executive and judicial candidates. The senators were told that the higher limits were unnecessary because 99 percent of Michigianians never give the maximum amount.

Then something puzzling happened. In a rare move, the legislators called a recess midway through the session. A lobbyist in the audience who was friendly with the committee chairman, it was later learned, received an urgent phone call warning that Secretary of State Ruth Johnson had just announced new administrative rules requiring the disclosure of campaign donors in all circumstances.

When the committee reconvened, an amendment was hastily attached to the legislation, which would override Johnson's decision and preserve Michigan's "dark money" campaign practices. House and Senate approval of the bill soon followed, as did Gov. Rick Snyder's signature.

"We don't have full public disclosure and it's not because good people failed to do the right thing, it's because those bastards did the wrong thing. It was a hostile action," said Rich Robinson, the state's top campaign watchdog at the nonpartisan Michigan Campaign Finance Network. "And the fruits of those actions were tens of millions of dollars of undisclosed campaign cash."

The shadowy aspects of Michigan's money-driven politics serve as a key reason why the state ranks last among the 50 states with a grade of F and a numerical score of 51 out of 100 from the State Integrity Investigation, a data-driven assessment of state government transparency and accountability by the Center for Public Integrity and Global Integrity. Michigan received an F in 10 of the 13 categories of government operations that were examined.

Exhibit 2

The first State Integrity report, released in 2012, gave Michigan a similar score – 58, an F, though the state ranked 44th that time. The two scores are not directly comparable, however, due to changes made to improve and update the project and its methodology.

Stealth campaigns standard procedure

A significant factor in Michigan's 2015 ranking is its lack of effective disclosure rules for officials in nearly all facets of state government. Conflicts of interest and potential public corruption remain buried in an honor system with no honor.

Thanks to loopholes created by the legislature, big spenders representing special interests can dramatically influence an election without leaving a trace.

Campaigns increasingly rely upon shadow groups that independently pay for so-called issue ads. Those ads praise or demonize a candidate in a manner that's virtually indistinguishable from a traditional TV spot. But the commercials avoid the magic words — “vote for” or “vote against” — that would require disclosure of the money behind the sales pitch.

The 2013 doubling of Michigan contribution limits set the maximum gift to a gubernatorial candidate at \$6,800 for an individual, \$68,000 for political action committees and \$136,000 for state party central committees. But that's just a starting point in this multi-layered political parlor game. Unregulated funding for those dominant issues ads derives largely from PACs, super PACs and political party groups that can accept unlimited amounts of campaign cash from across the nation.

At the same time, the office of the secretary of state, Michigan's top election official, operates as a record-keeping agency, not an enforcement unit. It enjoys no subpoena powers and generally does not initiate investigations.

Former Michigan Democratic Party chairman Mark Brewer recently concluded that Michigan's political system is “the Wild West ... with no sheriff in town.”

Dark money means justice denied

High-rollers in many states exert undue influence over legislation and executive orders. But in Michigan, campaign cash also taints the judicial system.

The independent Michigan Campaign Finance Network reported that since 2000, state Supreme Court campaigns have been awash in nearly \$40 million worth of television political advertisements, with the donors kept off the books. A similarly veiled process dominates campaigns for attorney general. In a state where candidates for the judiciary face virtually no professional standards or performance evaluations, critics say the judges, particularly Supreme Court justices, are merely “politicians in black robes.”

The State Bar of Michigan has engaged in attempts to fix this system by demanding full disclosure, to no avail. Jules Olsman, an attorney who serves on the State Bar board, said his clients routinely question the fairness of the state's judicial process given the steady stream of campaign ads at election time.

"If the judge hearing my case received \$10,000 from opposing counsel or their clients, I should have a right to know that," Olsman said. "At this point, it's more than a suspicion. It happens all the time."

Weak or non-existent disclosure laws

The dark money that dominates Michigan politics takes on another definition in the daily workings of state courts, the legislature, the governor's office and cabinet members. That's because the state doesn't require officials to disclose their financial holdings and outside income.

A judge may hear a case involving a lawsuit aimed at a corporation in which he has a financial interest, but the attorneys involved – and the jury – would have no way of knowing. Legislators can influence the outcome of bills that will directly affect businesses back home in which they serve as silent partners.

Recusals remain rare in Michigan courts, and they are even rarer in the state House and Senate. When apparent conflicts of interest arise due to a lawmaker's occupation, it's nearly unheard of for a fellow legislator to publicly call for an abstention.

In Michigan, the cozy relationships between well-heeled lobbyists and pliable lawmakers also remain largely in the dark. Under the weak disclosure rules, lawmakers can accept nominal gifts. But it is the duty of the lobbyist, not the lawmaker, to report these gifts.

In addition, state law requires those in the lobbying business to report their activities in such a vague format that the public cannot determine who is influencing whom. Lobbyists do not have to report which legislator or executive branch official they wined and dined unless they spent more than \$59 in a month, or \$375 in the calendar year, on that individual. Advocates of greater transparency say the top recipients of a lobbyist's largesse benefit from considerably more than what's disclosed.

Worse yet, lobbying firms also do not reveal which issues and legislation they advocated for or against.

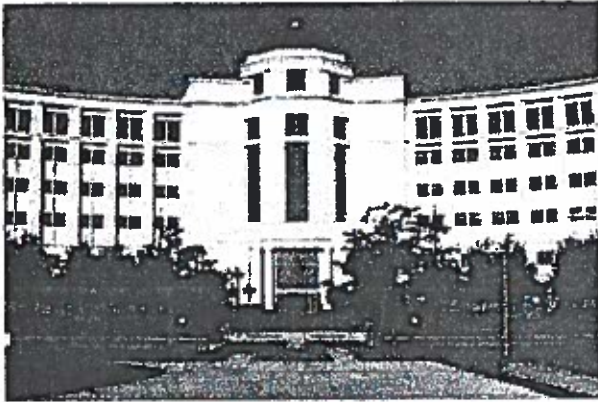
Robert LaBrant, a veteran business lobbyist, concedes that the disclosure reports essentially "have no meaning."

http://milawyersweekly.com/news/2013/12/06/michigan-gets-failing-grade-for-judicial-financial-disclosure-requirements/?utm_source=WhatCounts+Publicaster+Edition&utm_medium=email&utm_campaign=MiLW+Daily+Alert%3a+Electronic+communications+with+clients&utm_content=Michigan+gets+poor+marks+for+judicial+financial+disclosure+requirements+

[Home](#) / [The MiLW Blog](#) / Michigan gets failing grade for judicial financial disclosure requirements

Michigan gets failing grade for judicial financial disclosure requirements

By: [Ed Wesoloski](#) in [The MiLW Blog](#) December 6, 2013



♪ We'd like to know a little bit about you *from your* files. ♪

Michigan is in the dubious company of 41 other states, all which received failing grades after [The Center for Public Integrity](#) analyzed financial disclosure requirements for their highest ranking judges.

"Michigan scored near the bottom, at 44th place, because its one-page form does not seek any information about judges' investments or liabilities. Information about spouses or dependent children is not required either," the center scolded in its [recent report](#).

The center posed six questions with subparts about judicial financial disclosure requirements and awarded points based on a [methodology](#) that gave credit based on how complete of a disclosure was required.

Michigan scored 25 of 100 possible points.

The center also compiled copies of financial disclosure forms filed by the states' top judges.

Exhibit 3
pg 1 of 2

Here's a rundown of the MSC justices' 2012 reports:

Michigan Supreme Court Chief Justice Robert P. Young reported \$6,576 in compensation for teaching at Wayne State University Law School. ICLE paid him \$750 for writing and editing on the topic of civil procedure.

Justice Stephen Markman reported \$10,922 for teaching at Hillsdale College, and \$5,000 for delivering a lecture at the University of Toledo Law School. He also reported \$778,577 in campaign contributions, and a holiday gift with an estimated value of \$399.

Justice Mary Beth Kelly received gifts totaling \$1,638.74 (air fare and hotel) from the Federalist Society to attend a February 2012 conference.

Justice Brian K. Zahra reported \$863,827.16 in campaign contributions and an election-victory gift set of wine valued at \$399.

Justice Bridget Mary McCormack reported \$636,327.05 in campaign contributions.

Justices Michael F. Cavanagh and David F. Vivano each filed reports indicating they had nothing to disclose.

HT: Above the Law

Read more: <http://milawyersweekly.com/news/2013/12/06/michigan-gets-failing-grade-for-judicial-financial-disclosure-requirements/#ixzz2mzYJZawu>

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STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own)
motion, to promulgate rules governing)
the billing of residential and nonresidential electric) Case No. U-18120
and natural gas service.)
_____)

COMMENTS OF ENERGY PROVIDERS
ON PROPOSED BILLING RULE CHANGES

I. INTRODUCTION

The Commission issued its Order and Notice of Hearing (Order) on July 22, 2016 regarding the adoption of administrative rules governing consumer standards and billing practices for electric and gas service (Proposed Rules). The Order, with the Proposed Rules attached, scheduled a public hearing for September 22, 2016 to allow presentations by interested persons and set a final deadline for written comments at 5:00 p.m. on October 13, 2016. The Proposed Rules modify existing rules on billing practices and consumer standards in Mich Admin Code, R 460.101 – 460.169 and combine previously separate sets of rules for residential and non-residential electric and gas service.

These comments are provided by the Michigan Electric and Gas Association (MEGA), a trade association of investor-owned public utilities¹, jointly with Consumers Energy Company, DTE Electric Company and DTE Gas Company, also investor-owned public utilities (collectively, Energy Providers). The Energy Providers render electric and natural gas service,

¹ The members of MEGA are: Alpena Power Company, Aurora Gas Company, Citizens Gas Fuel Company, Indiana Michigan Power Company, Michigan Gas Utilities Corporation, Northern States Power Company – Wisconsin d/b/a Xcel Energy, SEMCO Energy Gas Company, Upper Peninsula Power Company, We Energies, and Wisconsin Public Service Corporation.