

Bar Briefs

July 2019



91st President of the
Macomb Bar Association
Jonathan C. Biernat



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Bar Briefs



Together. We are MORE!

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CALENDAR OF EVENTS:

- August 2 Criminal CLE - "Evidence Boot Camp B (Hands on Training)"
9:00am-5:00pm
Macomb Community College University Center 1
- August 26 Family Law Lunch and Learn
12:00pm
Hon. James Maceroni's Courtroom
- September 26 Most Interesting President in Macomb County Installation Celebration
5:30pm
Three Blind Mice, Mt. Clemens

Macomb Bar Association

Macomb County Circuit Court Building
40 North Main St., Suite 435 • Mount Clemens, MI 48043-1037
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Editor's Note: The opinions expressed in Bar Briefs do not reflect the official position of the MCBA, nor does this publication constitute an endorsement of the views expressed. Bar Briefs (ISSN0886-506X) is published monthly by the Macomb County Bar Association. Copyright 2019 by the Macomb County Bar Association. Periodical class postage paid at Royal Oak MI 48043. POSTMASTER: Send address correction to MCBA Bar Briefs, 40 North Main St., Suite 435, Mt. Clemens, MI 48043-1037.

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Macomb County's Most Interesting Attorney 91st Macomb Bar President Jonathan C. Biernat

*by Sherman Abdo,
Law Offices of Sherman Abdo*

If there was ever a person who deserves the title of “Macomb County’s Most Interesting Attorney,” it would be Jon C. Biernat. I wanted to take the opportunity as the upcoming YLS Chair to write a bio on the next Macomb Bar President. I spoke with his father Honorable James Biernat Sr., brother Honorable James Biernat Jr., friend Honorable James Maceroni, and friend Erich Goetz to gain some insight into his character and life.

Jon is the fourth child in a family of six with two brothers and three sisters. Growing up, he shared a room with his two other brothers and was known to be a little accident prone. Being a Gen-

Xer, he grew up in a time before helicopter parents, social media, and cell phones. In high

school, he excelled academically as well as athletically with both baseball and lacrosse. He graduated from Chippewa Valley High School and then went to study at Michigan State University. After graduating from Michigan State, he attended and graduated from Cooley Law School. Currently, he is married and has a son, Miles, and a daughter, Louise.

Jon has worked most of his legal career as a solo attorney with his own firm Biernat Law Group. His practice areas include bankruptcy and criminal law. He has been a wealth of knowledge when helping me and I am sure other local attorneys with



bankruptcy matters.

When he is not knocking in RBIs in the

Lawyer's Softball League in Mt. Clemens, he is the lead bass player in his band The Oscillating Fan Club. I listened to their songs on YouTube, and I am a big FAN of "Shake Me Down." When he is not strumming the bass, he enjoys seeing all types of live acts with his brothers, including recently Bob Weir from the Grateful Dead and Bob Dylan. He is someone who can talk to you about politics, fine food, music and history with great ease. He is a man who looks equally at home in an old school place like Nemo's or Polish Village Café, or at a hipster restaurant in downtown Ferndale.

One word continuously echoed by everyone describing Jon is "authentic." When you meet him, you feel as if you have known him for a long time. He has a very approachable and quick to become your friend.

Jon will be a great MCBA President because he brings perspective and experience to the position. As a solo attorney, he has experienced the trials and tribulations of running around in the trenches and taking the hard shots. Being a Gen-X attorney, he will be able to bridge the gap between millennial and baby boomer attorneys that are a part of this Macomb Bar. I am excited to see what the Most Interesting Attorney in Macomb County can do to help our Bar Association in the upcoming year. I received a few quotes about him that I would like to add:

"Judges ask him what the verdicts should be."

"He once had a guilty moment, just to see how it feels."

"His business cards simply says, 'I'll call you.'"

"His clients actually keep to their payment plan."

"If he were to pat you on the back, you would list it on your resume."

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Together. We are More

by Rick R. Troy, Executive Director,
Macomb Bar Association and Macomb Bar Foundation

Welcome new Macomb Bar Board of Directors James Spagnuolo, Sherman Abdo, Jenna Bommarito and welcome back Angela Medley!

Jim was elected by the membership to a three year term on April 11, 2019. Sherman Abdo is the new Chair of the Young Lawyers Section and, per our bylaws, the President of the Woman Lawyers Association of Michigan - Macomb Region, serves on the Macomb Bar Association Board of Directors. We welcome the new WLAM-Macomb Chair Jenna

Bommarito. Angela served on the Board of Directors in 2017-2018 when she was chair of the Woman Lawyers Association of Michigan - Macomb Chapter and was also elected to a three year term by the membership. Dana Freers was re-elected to serve a second three year term and Lori Smith was elected as your Treasurer for 2019-2020. Lori's election has left a vacancy on the board that will be filled by appointment.

It truly is an exciting time to be a part of the Macomb Bar. We are not the same bar we were just a few years ago and member centric positive change continues to be rolled out every month.



If you have ever considered getting involved with bar leadership, now is the time to send in your Letter of Interest (see page 9 for details). Serving on the Board is more than attending a dozen meetings a year. It involves a willingness to understand issues that surround the various practice areas that our members engage in. It involves an awareness of trends, technologies, policies and best practices that make membership associations relevant and enduring to members. It takes a deeper understanding of the organization's mission, current and changing demographics, it's partnerships, successes, failures, and vision for improvement. It also takes a passion for the profession and a willingness to prepare to lead.

Constantly learning, constantly improving is what the Macomb Bar has been up to over the past year. New partnerships have improved our seminar offerings, rebuilt our lawyer referral service and rejuvenated our public outreach over the past year. The most recent change is the association's new membership dues structure. A 2012 Board approved membership dues increase was slated to begin in 2017 but was put off until we could study our membership demographics and complete a comparative analysis of like-sized bar associations across the country. The result is that the board reduced the number of membership categories from nine to five, added a new Associate Membership for Businesses and, following the example provided by many bar associations, adopted an optional Sustaining Membership that comes with a plethora of additional benefits. It was important to everyone to continue to support the Macomb County Bar Foundation so it was agreed that 50% of Sustaining Dues will be contributed to the Foundation.

Another change, based on members request is the opportunity to auto renew each year through our LawPay credit card system. Which, by the way is the best merchant account program available for law firms. If you are looking to improve your receivables, contact Janelle Benefield at jbenefield@

affinipay.com and tell her that you are a proud member of the Macomb Bar!

In June you were mailed a Membership Renewal form. If you haven't received the renewal information, call or email the bar office or visit MacombBar.org and click on the renewal page.

One of the questions that we asked on the dues renewal form is how you wish to receive Bar Briefs. Do you prefer an electronic version or a printed copy? The default delivery method is hard copy via U.S. mail. However, as we get closer to 2020, we will begin electronic delivery to those who requested it. Member demand will dictate future default delivery method.

We also announced plans for a Pictorial Directory.

Negotiations with publishing companies are on-going with preliminary plans for a 2020 publication. Among other things on the future radar is a new website and membership database system. It is an exciting time to be a part of the Macomb Bar.

The mailing you received in June also announced a Membership Challenge. Recognized as a best practice by many bar associations across the country, the Macomb Bar Board has issued this challenge to you. Refer a friend and get \$25 of bar credit. The amount of credit you can accumulate is unlimited and it can be used for all bar association offerings including your own membership dues! I was witness to the first new member. The "Most Interesting Macomb County Attorney," aka, your Macomb Bar President convinced his colleague Shawn Olh to become a member. Shawn pulled out his cell phone, went to Macombbar.org and joined on the spot! The truth is, to be the best it can be

for its members, professional organizations need a diversity of people, ideas, energies, talents and leadership styles. So now is the time to reach out to friend and reach across the table and ask opposing

2019-2020 MEMBERSHIP CHALLENGE

- 1.** Invite a friend or colleague to attend a meeting, seminar or event.
- 2.** When they join the Macomb Bar Association, they list the person who referred them.
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* Must join before June 30, 2020. Must not have been a member of the MCBA the previous 14 months. Referrals of Students memberships are not eligible.

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counsel, "Hey, are you a member of the Macomb Bar?" If they say no, tell them that they should be and tell them why you are member. Tell them that the return on their investment of membership dues, which when analyzed equals an average of .27 a day, can easily be doubled in money made, time saved, relationships created, increased knowledge, positive visibility and advocacy for your profession. And if you want to know specifically how all of this is yours and theirs for the asking, call me. But, have a cup of coffee ready because I'm going to talk your ear off.

Together. We are more Civil

Together. We are more Educated

Together. We are more Fun

Together. We are More

Together. We Are The Macomb Bar

Circuit Court Corner

by Macomb County Circuit Court Administration

You may notice some new faces in our courtrooms this summer. The Circuit Court is pleased to welcome a number of talented summer interns and externs to the courthouse this summer. The Court offers unpaid internships and externships aimed at law students every year, pairing students with judges so that the students are able to gain insight into the legal profession. Students have an opportunity to watch court proceedings, participate in conferences, research legal issues, and draft proposed legal memoranda and other documents for their assigned judge. The program provides invaluable insight regarding the real world application of many otherwise abstract concepts they learn about in law school. This program has been ongoing for many years, and as usual, we are lucky to have some of the best and brightest students interning and externing with our Court.

This year, our interns and externs include: Marisa Vaglica (Indiana State Law School) and Mary Dolan (University of Michigan, Undergraduate),

who are both interning for Judge Kathryn Viviano; Daniela Llenga (University of Detroit Mercy Law School) and Jessica Finegan (University of Detroit Mercy Law School), who are both externing with Judge Mark Switalski; Monika Koleci



(University of Detroit Mercy Law School), who is externing with Judge James Biernat Jr.; Andrew Malec (Michigan State University Law School) and Chloe Brueck (Oakland University, Undergraduate), who are both interning with Judge Matthew Switalski; Matthew Zakhem (University of Detroit Mercy Law

School), who is interning with Judge Michael Servitto; Dymon Hynson (University of Michigan Flint, Undergraduate), who is interning with Judge Edward Servitto; Lauren Giese (Michigan State Law School), who is interning with Judge Rachel Rancilio; Brandon Kastaw (University of Detroit Mercy Law School), who is interning with Judge Richard Caretti; and Kelsey Postema (Wayne State Law School), who is interning with Judge Jennifer Faunce.

Many current MCBA members and County employees got their start as interns or externs with the Court. If you or someone you know is interested in participating in an internship or externship with the Court, please contact Circuit Court Legal Services Director Chris Smith at [christopher.smith@](mailto:christopher.smith@macombgov.org)

[macombgov.org](mailto:christopher.smith@macombgov.org). Applications for summer internships or externships should be submitted from January to March, and internships and externships typically begin in May and wrap up in August.

Letters of Interest for Appointment

Macomb Bar Board of Directors Appointment

The election of Lori Smith to Treasurer has created a vacancy on the Macomb Bar Board of Directors. The position of Director with a term ending June 2020, will be filled by appointment by the Macomb Bar Board of Directors. Macomb Bar members in good standing interested in serving the membership on the Board of Directors are asked to submit a letter of interest to the Macomb Bar office by Wednesday, July 31, 2019. Letters of interest should highlight service to the bar, commitment to the bar and related activities, consistent desire to be active in the Macomb Bar and leadership potential.

All members who submit letters of interest shall be placed on the ballot for consideration by the Board of Directors.

In considering a candidate to fill a vacancy on the Board of Directors, the following criteria shall be considered:

I. Service

- A. Chair of Committee(s)
- B. Extended and active membership on committees
- C. Other, such as Foundation, WLAM or YLS

II. Commitment

A. Support

1. Regular attendance at Bar meetings
2. Attendance and support of Bar events & activities
3. Participation in Bench/Bar conferences

B. Desire

1. Consistent interest in the election/appointment
2. Availability to serve and the lack of other law related commitments except YLS and WLAM
3. Pro bono work

C. Leadership

1. Officer potential
2. Proactive MCBA posture

III. Other

- A. Special talents or expertise in non-profits or fundraising
- B. Popular support by way of the Board and the membership at large

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Macomb County Bar Foundation President Dana M. Warnez

*by Dawn Fraylick, Associate Executive and Communications Director
of the Macomb Bar Association*

One of the most dedicated leaders of the Macomb County Bar Association and Macomb County Bar Foundation is Dana M. Warnez. Dana started her path of service by coming to Macomb Bar events and networking with her late sister, Kimberly M. Cahill, our 73rd Macomb Bar Association President while still in law



school. After Dana finished the University of Detroit Mercy School of Law in 1996 she became involved in the Macomb Bar Association Young Lawyers Section. In 1999 she started her first official

leadership position as Director of the Young Lawyers Section and she has not stopped! In 2008, Dana was instrumental

in creating the Macomb County Bar Foundation's Kimberly M. Cahill Memorial Fund which offers scholarship opportunities to law school students, a high school reading program, and many more services to the community and our members. Dana has over 20 years of Macomb Bar service! Thank you Dana for your continued dedication to the Macomb County Bar Association and the Macomb County Bar Foundation. Congratulations on being the next Macomb County Bar Foundation President.

**If you are interested in
donating to the
Kimberly M. Cahill Memorial Fund
please visit MacombBar.org**



Dana M. Warnez Macomb Bar Leadership History

Macomb County Bar Association Leadership History

Elected to YLS Director 1999-2000

Elected to YLS Treasurer 2000-2001

Elected to YLS Secretary 2001-2002

Ascended to YLS Chair Elect 2002-2003

Ascended to YLS Chair 2003-2004

Elected to Director for a 3 year term in 2004-2005 elections

Elected to Director for a 3 year term in 2007-2008 elections

Elected to Treasurer in 2009-2010 elections

Elected to Secretary in 2010-2011 elections

Ascended to President-Elect 2011-2012

Ascended to President 2012-2013

Ascended to Immediate Past President 2013-2014

Macomb County
MCBIF
Bar Foundation

Macomb County Bar Foundation Leadership History

Appointed to MCBF in 2007

Appointed to MCBF in 2008

Appointed to MCBF in 2009

Appointed to MCBF in 2010

Appointed to MCBF in 2011

Appointed to MCBF in 2013

Elected to Director in 2014-2017

Elected Treasurer in 2017

Elected Secretary in 2018

Elected President Elect in 2019

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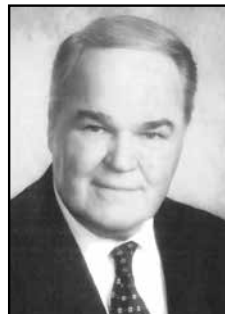
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- Sustaining member discounts for events and advertising
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- An embossed membership certificate

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Most Interesting Installation Celebration

September 26, 2019
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Jonathan C. Biernat
and the 2019-2020 Board of Directors

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Macomb Bar Photo Gallery

2019 Spring Admissions Ceremony



**Young Lawyer
Section Spring
Social**





1. Judges that attended the Spring New Admission Ceremony: Hon. Joseph Toia, Hon. Kathryn Viviano, Hon. Julie Gatti, Hon. Richard Caretti, and Hon. Tracey Yokich.
2. The new attorneys being sworn in this spring.
3. Young Lawyer Section Director Chris Metry motioning for Michael Bashir to be admitted into the practice of law.
4. Macomb Bar Association Past President Stephen Becker motioning for Mari Yokhana to be admitted into the practice of law.
5. Macomb Bar Directors Don Gillain and Chase Robl enjoying the Young Lawyers Spring Social.
6. Young Lawyers Section Spring Social benefitting Turning Point: Macomb Bar Director Angela Medley, Macomb Bar Director Chase Robl, Young Lawyer Chair Katherine Krysak, Young Lawyer Director Chris Metry, Macomb Bar Secretary Frank Briguglio and Macomb Bar Director Don Gillain.
7. Stu Fraser V, Maureen Ferguson and Allesandra Sabatini enjoying the social.
8. Stuart Fraser, Michael McCullough and Edward Souweidane having a blast on the patio.

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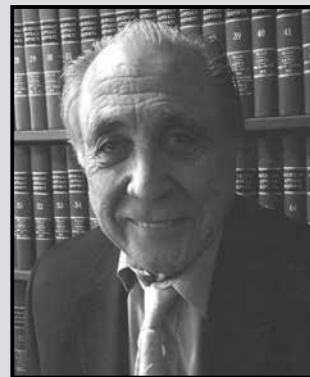
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