



# THE DOCKET

The Quarterly Newsletter of the  
Michigan Association of District Court Magistrates

Fall 2012

## ANNUAL CONFERENCE REVIEW

The **39<sup>th</sup> Annual MADCM Conference** was held at Treetops Resort in Gaylord Michigan September 12-14, 2012. We had a great turnout of attendees who enjoyed an awesome educational program. The Conference started out with agency updates on Wednesday night from DNR, SOS, MJJ, SCAO, OHSP & PAAM.

Our Annual Meeting was also held on Wednesday night, which included the following items: (1) the By-Laws were amended to eliminate the term limits on the Secretary and Treasurer positions [was 2 consecutive terms]; (2) the membership dues for 2013 were kept at \$75.00; and (3) the election of Officers and Directors was held. The **Officers and Directors of MADCM for 2013** are:

**President**, Norene Kastys (86<sup>th</sup> D.C.)  
**Vice-Pres**, Sidney Barthwell, Jr. (36<sup>th</sup> D.C.)  
**Secretary**, James Pahl (55<sup>th</sup> D.C.)  
**Treasurer**, Charity Mason (96<sup>th</sup> D.C.)  
**Imd. Past Pres.**, Charles Anderson (36<sup>th</sup> D.C.)

### Board of Directors (Two year terms)

Dena Altheide (67 <sup>th</sup> D.C.)	2014
Robert Clark (5 <sup>th</sup> D.C.)	2014
Jessica Testolin (73B D.C.)	2014
Michael Greer (80 <sup>th</sup> D.C.)	2014
Brian Monton (78 <sup>th</sup> D.C.)	2013
Susan Wilson (96 <sup>th</sup> D.C.)	2013
Millicent Sherman (36 <sup>th</sup> D.C.)	2013

Thomas Truesdell (14A D.C.) 2013

The Thursday educational sessions included a presentation entitled "Magistrate Authority & Ethics" by Jill Booth of SCAO and Pete Stathakis of MJJ; a presentation entitled "From the Troopers Perspective" by Sgt. Lance Cook; and a Round Table Discussion with a panel of representatives from SOS, DNR, MSP, PAAM and SCAO.

On Thursday night, we enjoyed a great banquet with a Western Theme, and Magistrate Ted Johnson administered the oath of office for the newly elected officers and board members. At the banquet President Norene Kastys presented the Outstanding Service Award to Magistrate Charles Anderson (36<sup>th</sup> D.C.).

On Friday, we heard from Dr. Mark Pitcavage, Director of the Anti-Defamation League, who delivered his presentation entitled: "The Sovereign Citizen Movement: Ideology, Activities, Tactics & Identifiers".

**Mark Your Calendar for 2013** – It was also announced that our 40<sup>th</sup> Annual Conference will be held September 11-13, 2013 on Mackinaw Island at Mission Point Resort. There are many room options at either \$79.00 or \$129.00 per night (plus taxes and fees), and the deadline for booking rooms is August 12, 2013. More information will be posted on our website at: [www.madcm.org](http://www.madcm.org) in July 2013.

## Save The Dates!

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**Michigan Traffic Safety Summit  
Kellogg Hotel & Conference  
Center East Lansing, Michigan  
March 26-28, 2013**  
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**MJI Magistrate  
Specialty Seminar  
Wed, July 24, 2013 at HOJ**  
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**MADCM Annual Conference  
September 11-13, 2013  
Mission Point Resort  
Mackinaw Island, MI**  
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## **Technology Corner**

**Editor's Note:** *This new section of The Docket will be used to post articles or stories about new technologies that Michigan Trial Courts are using that might be utilized by D.C. Magistrates. Please send information to: [Kevin.mckay@kentcountymi.gov](mailto:Kevin.mckay@kentcountymi.gov)*

**Disclaimer:** *Any mention of a vendor is not an endorsement of any kind. Each court must do their due diligence to determine which vendor works best for their needs.\**

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***If your court or has a Polycom system for video conferencing purposes, here is a cool product you might be interested in.***

Polycom® RealPresence® Platform solutions, allows you to conduct 2-way interactive video conferencing from your

iPad® or iPhone®, and the app is advertised to be free for Polycom users.

This might be helpful if the camera on your regular Polycom unit is not working properly, or if you have an AO 2012-7 situation.

Effective January 1, 2013, pursuant to AO 2012-7, SCAO is authorized to approve the use of two-way interactive video technology to allow judicial officers to preside remotely in any proceeding that may be conducted by two-way IVT or communication equipment without the consent of the parties under the Michigan Court Rules and statutes.

However, remote participation by judicial officers is limited to the following specific situations: 1) judicial assignments; 2) circuits and **districts that are comprised of more than one county and would require a judicial officer to travel to a different courthouse** within the circuit or district; 3) **district court districts that have multiple court locations** in which a judicial officer would have to travel to a different courthouse within the district; 4) a **multiple district plan in which a district court magistrate would have to travel to a different district.**

The judicial officer who presides remotely must be physically present in a courthouse located within his or her judicial circuit, district, or multiple district area. Please refer to AO 2012-7 to find out if your situation requires a Local Administrative Order.

For more information on the Polycom product check out their Data Sheet: <http://www.polycom.com/content/dam/polycom/www/documents/data-sheets/realpresence-mobile-for-ios-ds-enus.pdf>



December 4, 2012 – OHSP Press Release

[http://www.michigan.gov/documents/msp/12-4-12\\_S4SD\\_Schools\\_Announcement\\_405069\\_7.pdf](http://www.michigan.gov/documents/msp/12-4-12_S4SD_Schools_Announcement_405069_7.pdf)

## Students see distracted driving as top traffic safety concern

*High school-based teen project expands in second year*

Michigan's Strive For A Safer Drive (S4SD) has more than doubled the number of participating high schools during the 2012-2013 school-year, expanding the number of students impacted by teen-led safe driving messages to more than 40,000.

The program, a public-private partnership between AAA Michigan, Ford Driving Skills for Life and the Michigan Office of Highway Safety Planning, seeks to address the leading cause of death for teens, traffic crashes. S4SD will provide funding and resources to help teens talk to other teens about safe driving. The campaign topics highlight what teens see as their biggest traffic safety issue: distracted driving.

Of the 34 participating high schools, 27 selected distracted driving as the focus of their campaign. The campaigns will include information on the reality of how dangerous distracted driving can be, tips for being good passengers and pledges to not text while driving.

The S4SD participating schools are:

**Genesee Co:** Clio, Flint-Northern & Swartz Creek;  
**Ingham Co:** East Lansing, Eastern, Holt, Okemos & Williamston;  
**Jackson Co:** Napoleon, Springport & Vandercook Lake  
**Kent Co:** Greenville  
**Livingston Co:** Fowlerville  
**Macomb Co:** De La Salle and Utica  
**Oakland Co:** Clarkston, Lahser, Lake Orion, Lamphere, Oxford Bridges, Rochester City Youth Council & University Ferndale  
**Ottawa Co:** Careerline and Grand Haven  
**Saginaw Co:** Swan Valley  
**St. Clair County:** Cardinal Mooney and Yale  
**Washtenaw County:** Milan  
**Wayne Co:** Cass Tech, Clarenceville, Esdel Ford, Gabriel Richard Catholic, Plymouth-Canton Educational Park & Westwood Cyber

Each school will receive \$2,000 for students to create teen-led traffic safety campaigns aimed at educating their fellow classmates. Following a series of activities, the schools determined to have the top campaigns will be eligible to send students to a free hands-on driving clinic with professional driving instructors.

S4SD is open to high schools in the top counties for teen traffic fatalities and serious injuries. Sixteen high schools participated in the 2011-2012 S4SD pilot year. Of those, 15 focused their campaign on distracted driving.

### Contacts:

Nancy Cain, AAA Michigan (313) 336-1514  
 Della DiPietro, Ford Motor Co Fund (313) 720-8095  
 Melody Kindraka, MI OHSP (517) 241-1522.

## Lame Duck Session

The following Bills passed the House and Senate and are awaiting the signature of the Governor:

**SB 353** adds "other intoxicating substance" to the OWI and Impaired Driving statutes.

**SB 756** prohibits the use of cell phones by a driver while operating a motor vehicle, if the driver holds a level 1 or 2 graduated license, except for emergency situation or voice-operated system integrated to the vehicle [0 point offense & no abstract to SOS].

**SB 1043** increases various process server fees and allows new server fees for "each verification by a process server" and "each postal change of address verification requested by plaintiff" [\$10 each, plus mileage].

**SB 1313** – Would require Judges to deny requests to "copy, photograph, duplicate or other reproduce any photographic or other pictorial evidence" that might otherwise be discoverable in a child pornography case.