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## Duly Noted

### Grant Semonin joins Bodman

Grant Semonin has joined Bodman's Litigation and Alternative Dispute Resolution Practice Group and is based in the Grand Rapids office.

Licensed in Illinois, Indiana, and Michigan, he specializes in complex litigation areas, including municipal, zoning and land use, civil rights, employment, constitutional, commercial, and insurance defense matters.

Before joining Bodman, Semonin was an associate for a Midwest law firm where he represented and advised clients including insurers, businesses, governmental agencies, and individuals. He drafted pleadings, motions, and briefs at both the trial and appellate levels in state and federal courts, including the U.S. Court of Appeals for the Sixth Circuit.

As a law student, Semonin served as Executive Notes Editor of the Notre Dame Journal of Legislation and competed as an oralist on the ABA team of the Notre Dame Moot Court Board. He received the International Academy of Trial Lawyers Award for Excellence in the Art of Advocacy.

### Chrysler honored as '40 Under 40' business leader

Ashley G. Chrysler, a partner at Warner Norcross + Judd LLP, has been selected for the 2024 class of '40 Under 40' business leaders by Crain's Grand Rapids Business.

Chrysler and 39 other West Michigan leaders younger than 40 were recognized during an awards program Oct. 17.

Chrysler focuses her practice on complex commercial litigation, environmental matters and appeals and chairs Warner's Environmental Litigation Practice Group.

She was honored by Michigan Lawyers Weekly as one of its "Up and Coming Lawyers" for 2024, named to the Michigan Super Lawyers Magazine Rising Stars List since 2022, the Best Lawyers® Grand Rapids Commercial Litigation "Ones to Watch List" 2021-2023 and as a Top Lawyer by Grand Rapids Magazine in 2023.

Chrysler has served as chair of the firm's Associates Committee and as a member of the Summer Associate Recruiting Committee and leadership subcommittee of the Diversity, Equity + Inclusion Committee.

## Stocker leads Barnes & Thornburg's mission to support local causes

BY JULIE FREER  
Legal News

When Jennifer Stocker became a managing partner of Barnes & Thornburg's Michigan offices in November of 2023, she knew continuing the firm's commitment to community service would be a top goal.

Stocker, who has 30 years of experience as a labor and employment attorney, joined the firm in 2010 and is familiar with its commitment to diversity and community initiatives.

"At Barnes & Thornburg, we live and work by the values that have guided the firm for nearly 100 years," said Stocker.

That means delivering first-class client services, attracting talented attorneys and business professionals, and giving back to the community.

"Supporting local communities is not only socially responsible but it also creates an atmosphere of satisfaction that comes with giving back and contributing to the greater good," said Stocker, who is based out of the Grand Rapids office.

Stocker and her husband Jeff Farmer have four adult children, and two grandchildren. She became interested in the law while working for a law firm while obtaining her undergraduate degree at Calvin College.

"I was part of the accounting department when the new associates — all about my age — joined the firm," remembers Stocker. "It was a light bulb moment for me, and I thought, 'I can do that!'"

She obtained her J.D. from Valparaiso University Law School and began her career in Colorado and later Kansas City, as the couple moved for Jeff's job. In 1999, his work landed them in Grand Rapids.

Balancing a growing family and successful career wasn't always a straight line, Stocker says, but she has no regrets about the journey.

"I have always believed in the potential to maintain a meaningful work and personal life," she said. "I pride myself on the fact that, while challenging, I could find some semblance of allegiance to both. I am committed to encouraging and supporting attorneys



Jennifer Stocker

and staff in their quest to meet family needs while maintaining a successful career."

In addition to her leadership roles, Stocker maintains an active labor and employment practice, defending companies in a variety of employment litigation in state, federal and appellate courts, and before state and federal administrative agencies.

Her litigation and dispute resolution experience includes the defense of the Family and Medical Leave Act, Americans with Disabilities Act, Age Discrimination in Employment Act, and Title VII of the Civil Rights Act. She also provides pre-litigation counseling, risk management and avoidance advice, alternative dispute resolution, and trial and appellate counsel.

In 2020, the firm established the non-profit Barnes & Thornburg Racial and Social Justice Foundation, to combat racism and social injustice with an initial \$75,000 in personal commitments from firm leadership. The foundation has continued to raise funds from team members, totaling over one million dollars to date, awarded in grants of \$50,000 each to organizations based in communities where the firm has offices. These organizations include the Youth Arts Alliance, providing healing-centered arts workshops. It also includes the Michigan League for Public Policy. The grants have supported efforts related to racial equity, incarceration, domestic violence, poverty, homelessness, and diversity in the legal profession, among

other advocacy areas.

"Determining the local community organizations Barnes & Thornburg supports is not a one-size-fits-all process for a variety of reasons," said Stocker. "For example, the work we do through our Foundation begins with input from our attorneys and staff. We focus on organizations that effect, promote and advocate for racial and social justice. The vetting process through the Foundation also provides the firm with a pipeline of organizations that our offices can support in various other ways."

Many communities in West Michigan are yet to be known for high diversity percentages in the legal community. One way Barnes & Thornburg is combatting that is through the Minority Clerkship Program sponsored by the Grand Rapids and Floyd Skinner bar associations.

Former Barnes & Thornburg associate attorney Trevor Mason learned about the program at a meeting of the Black Law Student Association at Michigan State University College of Law.

"It was a great opportunity for first-year law students to learn about these programs in the West Michigan legal community," said Mason, who returns to MSU each year to give this presentation.

"Lawyers from minority and historically underserved backgrounds offer perspective and ingenuity that can bring a breath of fresh air to a legal profession that can be slow to change. Unfortunately, people of color at various stages of their legal careers do not have many attorneys who look like them in the West Michigan legal community. Worse, they don't see many attorneys of color in high-level positions such as partners or managing partners, leaving younger attorneys of color feeling that there are few opportunities in law firms and little opportunity for advancement."

Mason, who worked for the firm full-time from 2020 through October of 2024, said programs like this can be instrumental in changing this narrative.

Participating in the program is a win-win, said Stocker.

"It offers firms a wider talent pool,

a broader diversity of thought and perspectives and drives innovation, all of which add value to solving today's evolving legal issues," she said.

This year Barnes & Thornburg is supporting two new initiatives through sponsorships — The Grand Rapids Art Museum's Diversity and Equity Acquisition Fund and the West Michigan Black Legal Summit.

"The Diversity and Equity Acquisition Fund will enable the Grand Rapids Art Museum (GRAM) to strategically grow its collection and present more inclusive stories relevant to the community," said Stocker. "The inaugural West Michigan Black Legal Summit, held on Sept. 5, 2024, is designed for lawyers, judges, law students and legal professionals dedicated to strengthening the Black legal community in West Michigan. The summit delved into key topics such as mental health, practice development and community engagement, providing participants with essential insights and tools to enhance their careers and positively impact the community."

The firm works with nonprofit Out Side In, which provides equine-assisted therapy to veterans (and others) suffering from post-traumatic stress disorder (PTSD). The program also adopts retired thoroughbred racehorses and pairs them with retired service members.

Barnes & Thornburg also partnered with Bell's Brewery in Kalamazoo, to plan and host a celebration for Grand Rapids area veterans at the Grand Rapids Art Museum. The event coincided with Bell's Goin' Dark stout release as part of the brewery's celebration series in honor of military members and veterans.

"Goin' Dark was initially conceived, developed, brewed and packaged by a committee of more than 20 Bell's Brewery employees who served in the military, are currently enlisted, or are military family members," said Stocker.

"Goin' Dark, a coffee stout brewed with barrel-aged coffee beans to represent the many night missions accomplished by military personnel, is still brewed today in honor of veterans and their families."

## Center offers new resource to measure workforce satisfaction

State courts faced significant disruptions during the pandemic, requiring judges and staff to quickly adjust their court procedures and work habits. In many courts, this whirlwind of changes affected employee satisfaction, engagement, and well-being.

Recognizing this post-pandemic trend, The National Center for State Courts (NCSC) and the Conference of Chief Justices/Conference of State Court Administrators (CCJ/COSCA) Pandemic Rapid Response Team developed the Court Employee Viewpoint Tool Kit.

This resource offers court leaders practical guidance on conducting surveys, interviews, and listening sessions to understand employee perspectives, assess engagement levels, and identify areas for improvement to create a more welcoming work environment and improve court operations.

"By following recommendations

in the tool kit, courts can take concrete steps to improve employee engagement and create a more positive and productive work environment," said Lori Shemka, an NCSC court consultant and lead author of the tool kit. "This can lead to better outcomes for both court staff and the communities they serve."

One component of the tool kit is a comprehensive 125-question employee viewpoint survey that courts can use to gather insights on several topics, including employee well-being; overall work experience; workplace health and safety; diversity, equity, inclusion; and accessibility.

This instrument builds on the CourTools Employee Satisfaction Survey and includes additional steps that courts can take to measure several dimensions of a healthy workforce.

Courts from Kentucky, Michigan,

Nebraska, Oregon, and Pennsylvania partnered with NCSC to pilot the tool kit's survey. NCSC provided technical assistance, guidance, and templates that courts could adapt to meet local needs.

Insights from these pilot courts informed the tool kit's recommendations and key strategies for obtaining employee perspectives, including:

- Ensuring anonymity: Employees need to be confident that their responses will remain anonymous for them to provide honest feedback.

- Conducting one-on-one interviews: These interviews complement surveys by offering a deeper understanding of employee concerns and fostering a more personal connection between employees and leadership.

- Hosting listening sessions: These sessions give employees a platform to share their opinions and suggestions in a group setting, which can help identify common themes and

areas of concern.

During a summer webinar, "Unlocking the Secrets to Employee Success and Engagement with the New Court Employee Viewpoint Survey," panelists from several pilot courts discussed the importance of conducting employee surveys and strategies for building trust between court leaders and staff.

Judge Leonard G. Brown III from the Lancaster County Court of Common Pleas (Pennsylvania) emphasized the value of the feedback process.

"The listening sessions that came out of the survey were fantastic," he said. "If we're not listening to our employees, I don't think we're caring for them, and we're certainly not building trust."

For guidance on implementing the Court Employee Viewpoint Tool Kit, email Kristen Trebil-Halbersma at ktrebil@ncsc.org.

# Conway on Benefits

JJ CONWAY  
J.J. CONWAY LAW

## 'As Amended': two shorts words with a long political history

This year, like all election years, has seen ideas tossed out to the public for consideration. Paid medical leave. Paid childcare benefits. IVF treatments at no cost.

If any of these campaign ideas were to come into legal existence, how will it happen? Well, a good place to look is the Employee Retirement Income Security Act of 1974, or ERISA.

When ERISA is cited in legal briefs and opinions, it is often followed by the words "as amended." This is a kind of unique wording among benefits practitioners since other cited statutes often don't reference their amendments. Those two words – as amended – cover a lot of ground. In fact, the amendments to the ERISA statute are seemingly outpacing its original provisions.

ERISA was enacted to protect pensions. As a statute that federalized the law of benefits for the private sector, it followed that ERISA's regulatory reach would eventually cover all benefit plan offerings, healthcare, disability, life insurance, and the like. With that framework in place, amendments to the act could follow and the law's reach could be expanded.

As an example of this, ERISA served as the foundational statute allowing for the implementation of COBRA benefits to be provided. The word "COBRA" has nothing to do with healthcare coverage. The law, itself, was a budget act, i.e., the Con-

solidated Omnibus Budget and Reconciliation Act of 1986. But the continuation of health coverage and the penalties that were used to enforce that right appeared as an amendment to the ERISA statute. The national reach of the law was such that during the Reagan Administration, COBRA could be enacted to cover group health plans and prevent the loss of health insurance following a job loss. Failing to follow COBRA subjected employers to penalties that were enforced under ERISA's Section 502(c), 29 U.S.C. 1132(c). Such COBRA penalties were to be established by the U.S. Department of Labor and would rise over time consistent with the Consumer Price Index.

Similarly, the Mental Health Parity Act of 1996 - which itself did not create a private right of action for those it was meant to help - was made enforceable through another amendment to ERISA. When the law was updated and revised in 2008 to set forth greater protections for substance abuse treatment, among other things, ERISA was amended, again, through the Mental Health Parity and Addiction Equity Act of 2008.

The Patient Protection and Affordable Healthcare Act - which is perhaps the most dramatic amendment to ERISA's statutory provisions since the passage of the law itself - again omitted a private right of action but allowed for its enforcement through

ERISA's statutory provisions. The ACA also transformed the offering of healthcare benefits to employees from being a discretionary act by an employer to one that was mandatory for employers of a certain size.

These changes to the law began as campaign promises. Often, they were promises made over several campaigns (think President Bill Clinton and healthcare reform in 1992 to its passage in 2010 under President Barack Obama). In 1986, President Reagan signed one of the largest compromise budgets of all time. It established COBRA protections, but it continued a number of tax policy changes that his administration had campaigned on in 1984.

What lies ahead? It is anyone's guess. ERISA provides a ready-made federal platform for all sorts of changes like paid child leave, paid daycare benefits, educational reimbursements, and sabbatical income benefits. The voting public seems comfortable with certain of these ideas being made a part of their federal rights, and, as such, they are comfortable with more amendments yet to come.

*John Joseph (J.J.) Conway is an employee benefits and ERISA attorney and litigator and founder of J.J. Conway Law.*

### Nessel applaud's EGLE's launch of environmental justice screening tool

Michigan Attorney General Dana Nessel is encouraging residents to utilize MiEJScreen, an environmental justice resource launched by the Office of the Environmental Justice Public Advocate (OEJPA) in the Michigan Department of Environment, Great Lakes, and Energy (EGLE). MiEJScreen, developed by the OEJPA with stakeholder and community input, is an interactive environmental justice screening tool that allows users to identify Michigan communities disproportionately impacted by environmental hazards.

"MiEJScreen is a vital tool for un-

derstanding and addressing the environmental challenges that different communities face," Nessel said.

"I applaud EGLE's Office of the Environmental Justice Public Advocate for its innovative approach in creating a platform that makes critical information more accessible and empowers Michiganders to work toward a more equitable environmental future."

MiEJScreen allows users to explore the environmental, health, and socioeconomic conditions within a specific community, region, or statewide. The data is provided at the cen-

sus tract level and is visualized in map form, making it easier for users to gain insights into how communities experience environmental justice impacts relative to other locations.

There are also context levels which can be added to provide a more detailed view of both current and historical context for communities.

The Department of Attorney General provided EGLE with legal guidance to support the tool's launch.

The MiEJScreen can be found at [www.michigan.gov/egle/maps-data/miejscreen](http://www.michigan.gov/egle/maps-data/miejscreen).

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THE PUBLISHER

### NOTICE DEADLINE

*The Grand Rapids Legal News* is published once a week, both online and in print, every Wednesday. The deadline for legal notices is at noon on Mondays.

### Warner attorneys earn multiple honors

Several local Warner Norcross + Judd LLP attorneys have been awarded multiple honors by the 2024 Michigan Super Lawyers Magazine.

In Grand Rapids, Super Lawyers include:

Charles N. Ash Jr.; Edward J. Bardelli; Jeffrey S. Battershall; Andrea J. Bernard; John V. Byl; Douglas A. Dozeman; Stephen B. Grow; Madeline C. Lane; Brian P. Lennon; Matthew T. Nelson; Richard A. Roane; David L.J.M. Skidmore, also Top 100; Eugene E. Smary; and

Douglas E. Wagner.

Grand Rapids Rising Stars include:

R. Michael Azzi; Michael J. Bovill; Emily E. Cantor; Ashley G. Chrysler; Haley E. Clough; Corinne N. Sprague Curtis; Sarah Harper; DeAndre' Harris; Kelly R. Hollingsworth; Charles R. Quigg; Emily S. Rucker; Jarrod H. Trombley; and Carly A. Zagaroli.

James L. Liggins Jr. in Kalamazoo; and Brian T. Lang in Muskegon, were named to Super Lawyers.

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"QUIT WATCHING SO MUCH FOOTBALL."

DANIEL FENECH  
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