



Negligence Law Section

Negligence Law Section E-Journal

FALL 2025

Message From the Chair

“Title”

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Having recently assumed the position of Chair of the Negligence Section Council for the State Bar of Michigan, I write to express how honored and humbled I am to serve in this position. First, I want to outline some of the issues we anticipate grappling with in the year ahead. It only takes a cursory review of those who have served before me, both on the Council and the Leadership Team, to understand the significance of this position. It is a responsibility that I take seriously and I pledge to work hard in the coming year to improve and build upon what I've assumed. I look forward to working with our leadership and all members in the coming year to provide informative and timely educational programming, to continue to weigh in on the most significant issues impacting the practice of negligence law, and to hopefully mix in a little fun for our members.

By way of education, I am happy to announce that we've chosen The Phoenician in Scottsdale, Arizona as the site for our Spring Meeting from May 1 – May 4, 2026. While we are still working on the specifics, we will present a two-day Trial Education College during the educational portion of this meeting led by our “Education Czar” Chad Engelhart with help from Bryan Waldman and John Whitman. It doesn't take a psychic to predict that we are all going to be seeing more jury trials in the near future. We intend to offer high-level sessions filled with knowledgeable and experienced trial litigators on some of the real hot button and cutting-edge trial and evidentiary issues that many of us can expect to contend with as we anticipate an uptick in jury trials.

Next, in the summer of 2026, we will again offer our annual Supreme Court Update as a remote, “lunch and learn” event where past-Chair Donna MacKenzie will moderate a panel of Tim Diemer, Beth Whitman, and Chris Desmond to explain and dissect the most critical Michigan Supreme Court negligence cases of the preceding calendar year. After that, be on the lookout for a Wellness Retreat in the late summer or early fall of next year. We are targeting Northern Michigan and Chad will be working with Emily Peacock to put together an informative program

on lawyer wellness with a couple of University of Michigan law professors, Vivek Sankaran and Bridgette Carr. This retreat will piggy-back on some of the topics that were recently raised at our Fall Legal Summit in Troy. Finally, we are going back to Troy again for next year's Fall Summit (October 6, 2026) where we will conduct an AI Bootcamp. This will be a hands-on, interactive program where attendees will be taught the incredible power of AI along with the many pitfalls that must be navigated. As someone who considers himself a bit of a dinosaur when it comes to IT and the law I am particularly looking forward to this programming. Although I've tried my best to avoid incorporating AI into my practice to date, that position is simply untenable going forward. Even the most IT averse attorneys will be using it daily—sooner than later. Please stay tuned for further promotional material for each of these events.

In addition to the educational programming on deck, the other area that keeps us busy is weighing in on matters from the courts and the Michigan Legislature that impact our membership and the practice of negligence law. These take three forms: i) we are routinely asked to submit Amicus Briefs to our appellate courts; ii) The Michigan Supreme Court will typically ask us to comment on proposed changes to the Michigan Court Rules that influence our practice; and iii) to the extent the Michigan Legislature seeks statutory changes to our practice areas, we will engage in that process to influence it in the best way possible for our profession. A quick note on our Amicus program—while it is robust, we over-rely on too few authors to prepare these briefs. Preparing these briefs is less daunting than it would seem as we are often just commenting on a fairly specific issue. To the extent you are aware of any enterprising authors who want to make a name for themselves on important legal issues please let me or anyone else on the Council know and I'm sure we can accommodate that request quickly.

As you can tell we anticipate a busy year. Of course issues will arise that we haven't accounted for and we will need to quickly adopt positions and advocate those positions to the requesting entity. My email or phone is always open to members wishing to offer their thoughts on any of the issues. I look forward to the year ahead and hope to meet or reacquaint myself with all of our members at our future events.

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