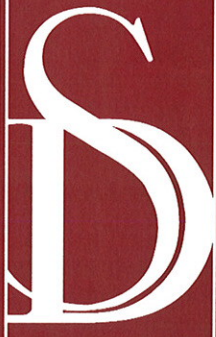


Law Letter

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George Sinas receives professional honors

Congratulations are in order for our senior partner, **George T. Sinas**. Twice in the last few months, the legal profession has honored George with a prestigious award. On November 6, 2003, the Ingham County Bar Association presented him with the **2003 Leo A. Farhat Outstanding Attorney Award**. A few months later, in January of 2004, *Michigan Lawyers Weekly* recognized George as one of Michigan's top ten "**Lawyers of the Year**." Both awards were given to George primarily because of his work over the last 25 years in the field of auto no-fault personal injury law.



During his career, George has earned a statewide reputation as a respected lawyer representing injured people as well as an expert on the Michigan No-Fault Automobile Insurance Law. As a practitioner, George has represented hundreds of Michigan families across the state who have suffered serious injury and wrongful death. Several of those cases ended up in the Michigan appellate courts, where they created important legal precedent. In addition to his private law practice, George is well-known for his academic work in the field of automobile no-fault law. He has written a case annotation textbook entitled *Michigan No-Fault Auto Insurance Decisions* (commonly known as the *No-Fault Red Book*). In addition, he has authored numerous law journal articles, given dozens of professional legal seminar presentations throughout the state, and testified before the Michigan legislature regarding no-fault issues. A few years ago, George became an Adjunct Professor of Law at the Michigan State University College of Law, where he teaches a course on the Michigan No-Fault Law.

George's two recent awards are not the first time the legal profession has honored him. He was the youngest person ever elected to serve as president of the Michigan Trial Lawyers Association. He also served as chairperson of the State Bar Negligence Law Section and as a state governor on the national board of the Association of Trial Lawyers of

America. George has also been listed in every edition of the book *The Best Lawyers in America*, from 1989 to the present.

Even though these recent awards are not George's first, they may be his most special. When *Michigan Lawyers Weekly* honored George as one of Michigan's ten *Lawyers of the Year*, his authorship of the *No-Fault Red Book* was specifically noted. Over the last 25 years, this text has become a widely used and respected reference work on the Michigan No-Fault Law, which George continues to supplement twice a year. When George looks

back on the evolution of the Michigan No-Fault Law, he is amazed at how it became one of the fastest growing areas of Michigan jurisprudence. This growth continues today, as does the law's ever-increasing complexity.

When the Ingham County Bar Association presented George with the *Leo A. Farhat Award* at its annual awards dinner, partner Bernie Finn, who participated in the event, commented that George is most deserving of these recent accolades because of his unwavering dedication and commitment as the voice of injured people. "Every day he does something to advance the cause of his client, his profession, or his community," said Finn. "George has accomplished much...and has been counsel of record in some of the most important appellate decisions on the no-fault law..."

George received his undergraduate degree from the University of Michigan in 1972, and his law degree from Wayne State University in 1975. As he reflects on his professional accomplishments and looks forward to continuing his busy full-time law practice in the future, he gives full credit to his mentors—great lawyers like Leo Farhat, Lee Dramis, and, most importantly, his father and law firm founding partner, Thomas G. Sinas. "My father was my greatest teacher," says George. "And lucky for me," he jokes, "he was a big believer of nepotism!"



New drivers' taxes make the cost of driving go up

By Bernard F. Finn, May 2004

The Michigan legislature has recently increased the taxes or fees on almost everything in an effort to raise revenues and decrease budget deficits. Included in the new round of "sin" taxes are driving offenses, traffic citations, and driving after drinking offenses. Not only are the costs of these offenses going up, but they are going on into the future. If you have driver's license problems, you need to be alert to these new fees, as they are substantial and very expensive. These new costs include the following:

Driving without your license or without a certificate of insurance

*In addition to any fine or cost imposed by the court, if you fail to have on your person your driver's license or certificate of insurance (even if you actually have those things elsewhere, like at home), the Secretary of State will charge an additional "driver responsibility fee" of \$150 per year for **two** years upon conviction of one of these offenses.*

Accumulating seven or more points on your driving record

If you accumulate seven or more points on your driving record in a two-year period of time, you will be assessed an additional \$100 "driver assessment fee" **plus** an additional \$50 for each additional point over seven. This fee will be

assessed once each year for **each** year until the point total falls below seven.

Drunk driving, negligent homicide, and other offenses

If you are convicted of the new offense of driving while intoxicated (this is the old DUIL/OUIL/UBAL), *in addition to all of the other things that will happen to you* (potential for jail/probation/alcohol assessment and fines and costs), the Secretary of State will assess a "Bad Driver Tax" of an additional **\$1,000** per year for **two** years. Please note that this "bad driver tax" seems to apply to a number of criminal offenses that do not have anything to do with drinking and driving, such as manslaughter and leaving the scene of an accident.

Further, if you are convicted of the lesser drinking and driving offense of impaired driving, or reckless driving (even if it does not have anything to do with drinking), or driving on a suspended license, the additional "bad driver tax" is **\$500** per year for **two** years. Again, this is over any fines or costs imposed by the court upon conviction of the offense.

So be careful out there. Those points on your driver's license for everyday driving offenses are getting more costly all the time. If you have questions, please call me at 517-394-7500; I will be happy to assist you.

Divorced and traveling with your children?

By Bernard F. Finn, May 2004

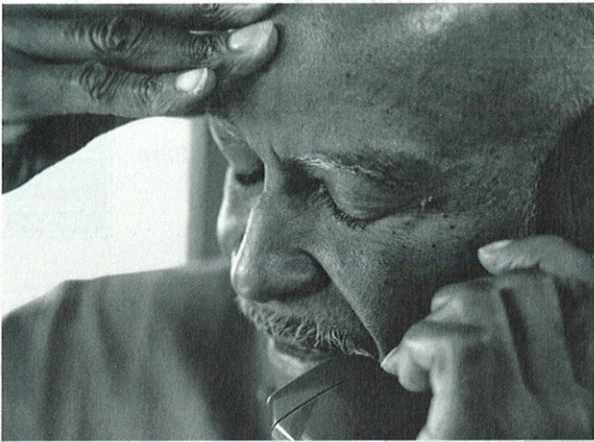
Okay, that long-awaited vacation with the children is finally here. You and the kids have been talking for months about the trip to Cancún (or Europe or the Far East). You get to the airport and the excitement is more than you can stand. You pull up to U.S. Customs and they ask you if you are the parent of this 17-year-old next to you. You say, "Why of course I am, and even though I am divorced, I have legal custody" (along with the child's other parent, your ex). "Prove it," says the Customs Officer. "What do you mean prove it?" The Customs Officer, who has been dealing with this all week, abruptly tells you that you may not leave the country with your minor child, even though you have legal custody of the child(ren), unless you can prove that you have legal custody of the child and, in some cases, a signed notarized statement from the other parent (you know, the one you are on great terms with) allowing you to take the child out of the country.

This scenario plays out time and time again, particularly during spring break, summer vacation time, and Christmas and Thanksgiving school vacation times. It is happening more frequently since the events of September 11. What is

the U.S. Customs' authority to preclude you from leaving the country with your own child? Are you going to tell them that they must let you leave even if you don't have the papers they require?

The best remedy for this problem is to know about it (now you do) and to plan ahead—way ahead. First of all, contact your attorney or the court in the county in which you were divorced, and obtain a true copy or a certified copy of the Judgment of Divorce in your case. Further, even if you were granted joint legal custody of your child(ren), you should contact your child(ren)'s other parent and obtain a signed and notarized letter or statement from them allowing that they have no objection to you taking the child(ren) out of the country to wherever it is that they are going for the period that they are going there. If making this request is very uncomfortable for you or if they unreasonably refuse to sign the letter or statement, you should try to obtain a letter from your own attorney setting forth the circumstances of the Judgment of Divorce, and setting forth further your authority under the Judgment of

(continued on page 3)



Auto accidents Seven slip-ups

Time and experience have shown that drivers can make seven mistakes that forfeit rights and limit opportunities for fair restitution in auto accidents.

1. Failing to call the police. Without an official police accident record, it is, unfortunately, one driver's word against the other's about what happened. All claims bear equal weight.
2. Consenting to working out auto-damage repairs and medical-injury care with a trusting handshake. People change their minds and tell different stories.
3. Declining an immediate checkup and ongoing medical assistance. A neck that starts hurting a week after the collision is harder to justify. Also, insurance companies often counter that delayed pain may come from an existing condition or an earlier or subsequent occurrence.
4. Failing to collect or exchange information with other drivers, passengers, or eyewitnesses. The document trail of evidence and statements can make or break a claim.
5. Forgetting to notify your insurance company. You paid the insurance premiums, but by forgetting to call, you may incur out-of-pocket costs that the insurer should cover.
6. Saying "It was my fault." Be fair to yourself. This accident may really not have been your responsibility.
7. Not consulting an attorney. It's often said, "He who defends himself is foolish." Omitting legal representation cedes your rights to the other driver's insurance company.

What is tort reform...really?

When you hear the words "tort reform," replace them—every time—with the following: "My family and I will lose our legal right to sue wrongdoers in court for harm that we experience."

It's a mouthful, but it's true.

Tort, or legal, "reform" is not "reform" at all. It's an excuse that lawmakers use to try to take away many of the legal rights of American families in order to subsidize corporate wrongdoers, including the manufacturing, asbestos, pharmaceutical, tobacco, and insurance industries, among others.

These powerful and wealthy corporate interests don't want to be held accountable—it's bad for their bottom lines—and some politicians are eager to help them.

Lawmakers are discussing "reforms" that, if enacted into law, will adversely affect medical malpractice victims, injured workers under Workers' Compensation, vehicle accident sufferers, people harmed by defective products, and many others who are injured by other wrongdoers. Tort "reform" will simply make it harder for the victims that the system is really supposed to protect to obtain justice and compensation for the harm done to them.



Divorced and traveling with your children?

(continued from page 2)

Divorce to travel abroad with the children.

If you are not the primary custodial of the child(ren) (i.e., you do not have joint legal custody or you only have parenting time with the child(ren)), it is critical that you obtain a statement from the other parent or, if necessary, ask the court that divorced you for an order allowing you to take the child(ren) on this specific trip for the dates, times,

and locations to be traveled to.

Imagine how disappointed you and your children will be to find out that your long-awaited vacation has been ended at the airport before ever getting off the ground. If you have any questions, please call us at 517-394-7500; we will be pleased to explain.

George T. Sinas
Timothy J. Donovan
Bernard F. Finn
Michael E. Larkin
Deborah A. Depez

James F. Graves
Bryan J. Waldman
Catherine Groll
L. Page Graves
Brenda L. Lawson

Martha J. Kaser
Barry D. Boughton
(of counsel)
Kenneth G. McIntyre
(of counsel)

Thomas G. Sinas
(1922–1985)
Lee C. Dramis
(1922–1981)
Richard J. Brake
(retired)



Lawyers in the news

TIM DONOVAN has been appointed to serve as a member of the Michigan Supreme Court Committee on Model Civil Jury Instructions for a three-year term.

JAMES GRAVES was reappointed 2004 Regional Chair of the State Bar Access to Justice Program for the mid-Michigan region. More than \$4 million has been raised by ATJ to fund legal services for low-income families. Mr. Graves was also invited as a guest lecturer to the "Law and Medicine" class at MSU-DCL Law School.

CATHERINE GROLL was elected treasurer of the Lansing Chapter of the Brain Injury Association of Michigan. She was also appointed as the American Trial Lawyers Asso-

ciation Ambassador to Thomas M. Cooley Law School, where she will assist in mentoring future trial lawyers. Ms. Groll recently spoke to psychology students at Michigan State University on the subject of expert deposition testimony.

L. PAGE GRAVES published an article in the *Michigan Trial Lawyers Quarterly* entitled "Statutory Duty is Not Excused by Lugo." The article references important information about premises liability cases and the responsibilities of landlords and innkeepers to their tenants and guests. Mr. Graves was also asked to return for the fall 2004 semester at Thomas M. Cooley Law School as an adjunct professor, teaching auto no-fault law.

The information included in this newsletter is not intended as a substitute for consultation with an attorney. Specific conditions always require consultation with appropriate legal professionals.

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