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Connecting Lawyers and Communities

CLR e-Briefs

A legal information resource for Community Legal Resources' clients

November 1, 2006

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Election 2006: Get Informed and Get Involved

Resources available to nonprofit organizations



CLR encourages nonprofit organizations, their boards and staff to get involved in permissible, nonpartisan activities, such as voter registration and education. The [Michigan Participation Project](#) is a nonpartisan, nonprofit initiative dedicated to expanding the role of Michigan's 501(c)(3) nonprofit organizations in voting and elections. Visit the [MPP website](#) to download voter registration materials and help direct your clients to their polling place and absentee ballot

information.

Proposal 4: Eminent Domain

Critical issue for the state's community development industry

Proposal 4 proposes a state constitutional amendment regarding the use of eminent domain. From the [Citizens Research Council of Michigan's website](#):

"In part, this proposed amendment is about ending the uses of eminent domain in which private property is condemned for transfer to a private entity for the purposes of economic development or the enhancement of tax revenues. It would adopt by reference the three-part standard of the County of Wayne v. Hathcock ruling defining when eminent domain is permissible to transfer property to a private entity. 1. 'public necessity of the extreme sort' requires collective action; 2. the property remains subject to public oversight after the transfer to the private entity; or 3. the property is selected because of "facts of independent public significance," rather than the interests of the private entity receiving the property.



The proposed amendment goes further than simply placing the Hathcock standards in the Constitution so they may not be undone by future court rulings. The amendment would require governments to provide compensation at least equal to 125 percent of a

residential property's fair market value. The proposed amendment would shift the burden of proof that the taking is for a public use from the owner objecting to the taking to the government proposing the taking. Finally, Proposal 2006-04 protects against future legislative actions or judicial decisions that would reduce the rights, grants, or benefits afforded to property owners."

While the proposal's supporters argue for protection of private property rights, detractors claim it could further muddy efforts to seize blighted property for redevelopment. Click [here](#) to read CRC's full analysis of the proposed amendment and click [here](#) to read CLR's August 12, 2005 *E-Brief* which discusses the status of eminent domain in Michigan after the 2004 Michigan Supreme Court Hathcock decision and the 2005 U.S. Supreme Court Kelo decision.

TOMORROW! Employment Law Seminar November 2

Open to nonprofit executives and board members

KEY ISSUES IN EMPLOYMENT LAW FOR THE NOT-FOR-PROFIT AGENCY: NAVIGATING THE ROUGH ROAD AHEAD

Thursday, November 2, 9AM - 5PM

Location: Butzel Long PC, 150 W. Jefferson, downtown Detroit

Learn the fundamentals of the employment relationship including how to properly hire, evaluate, discipline and, when necessary, fire employees. Presenters will provide guidance concerning policies and procedures necessary to manage risk and provide support to defend against litigation. Managing sick or disabled employees and new laws protecting whistleblowers will also be addressed.



THERE IS NO CHARGE FOR THIS EVENT, and it includes breakfast, lunch and all materials. Further details, including location information and a full agenda, can be found [here](#). To register please contact Ms. Robin Luce at Butzel Long via [email](#) or fax (313- 225-7080). Include your name, title, organization, email, address and telephone.

Legal Manual on Internet, IP and Revenue-Generating Activities for Nonprofits Available

Contact CLR for your free copy

Nonprofit staff and board members who attended our October 10th "Strategic Legal Thinking for Nonprofit Executives" Seminar at Butzel Long walked away with an inch-thick manual of tips and guidelines covering internet issues, intellectual property, and revenue-generating activities to support nonprofit programs.

THOSE WHO MISSED THE SEMINAR CAN OBTAIN A FREE COPY OF THESE MATERIALS AND A COMPANION CD WHILE SUPPLIES LAST BY CONTACTING SARIDA SCOTT BY [EMAIL](#) OR

AT (313) 964-4130 x227. Click [here](#) to view the manual's Table of Contents.

SAVE THE DATE! December 5

CLR's Annual Celebration @ Mexicantown Mercado



Community Legal Resources invites you to enjoy cocktails and appetizers at our 8th Annual Celebration and Recognition Event from 5:30 - 7:30pm on Tuesday, December 5. We will present awards to our outstanding volunteer lawyers and law firms and hear from the nonprofit organizations that have benefited from their extraordinary service.

This year's event will also celebrate the much-anticipated opening of the [Mexicantown Mercado](#), a business incubator and public market developed by the nonprofit Mexicantown Community Development Corporation at the foot of the Ambassador Bridge in southwest Detroit. Local food and music will be featured! Invitations will be mailed later this month.

Contact CLR with any questions or legal needs

Request Assistance

Community Legal Resources (CLR) provides free legal assistance to community-based organizations.

Contact us at 313-964-4130 or visit our [website](#) for more information.

email: agaabo@michiganlegal.org
 phone: 313-964-4130
 web: <http://www.clronline.org>

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