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Diane Akers is the Recipient of the 9th Annual Stephen H. Schulman Outstanding Business Lawyer Award

DETROIT, MI, August 08, 2014 – Diane Akers, of Bodman’s Detroit office, has been named the recipient of the 9th Annual Stephen H. Schulman Outstanding Business Lawyer Award by the State Bar of Michigan Business Law Section.

“I was always interested in law. But when I was in school growing up, what they said to girls who were smart and planned to go to college is, ‘do you want to become a nurse or a teacher,’” Akers said. “And I didn’t like the sight of blood.”

Akers was surprised to have learned that she was the 2014 recipient. “I was humbled because I think for certain things I have been associated with I have received way too much credit,” she added.

After being an English and Public Speaking teacher in the Farmington School District for 13 years, Akers made the move to the legal field. She graduated with her J.D. from Wayne State University School of Law and began working at Bodman in 1986.

“Teaching was a great lead-in to a trial legal career,” Akers said. “Standing in front of a jury is much like standing in front of a classroom. Some students – or jurors – want to be there while others don’t. They represent a cross-section of the local community. By the end of the lesson there is going to be a test and I won’t be in the room with them to help them make a decision.”

Akers has been involved in several important business law efforts that have had a significant impact on business owners and entrepreneurs throughout the state of Michigan. One is the push to establish Business Courts in Michigan, through the Business Law Section and as part of the State Bar Judicial Crossroads Task Force. Business Courts are now operating in all circuits that have three or more circuit court judges.

“Once the governor signed the law, this represented a major change in how business litigation is handled in Michigan,” Akers said.

The process started in 2001 and took over nine years to become law. Business litigation is now being managed differently because of these courts, as business cases are being handled in a way now to help reduce the expensive, unwieldy process, Akers said.

“Business Courts are designed to make legislation more efficient, less costly and faster and judges specialize in managing the challenges business owners face,” Akers said.

Akers was also involved in an effort to lessen the pressure that law enforcement officials at the federal and state levels were putting on businesses to waive the attorney client privilege in criminal investigations in order to gain favor with investigators. This effort was led by the Attorney Client Task Force that was part of the Business Law Section of the State Bar of Michigan.

“We wanted to raise awareness as to how dangerous this practice can be. As a business owner if you think something internally going on is improper, you should conduct an investigation. But if there is a risk that if you find out something has happened that is against the law, and you let investigators know, they could use that information against you,” Akers said. Moreover, waiver of the privilege for one purpose constitutes waiver for all purposes, so the consequences can be very far-reaching, she added.

So Akers and many of her colleagues worked to raise awareness with Michigan businesses and met with prosecutors to change “attitudes and practices.”

One of Akers’ mentors when she first started at Bodman was James A. Smith, also of counsel now to Bodman, who worked with Akers for more than 20 years in the firm’s Litigation group.

“Diane was very successful in her trial practice because she prepared thoroughly. She was outstanding in that regard. She could map out a strategy and prepare a case to make it work,” Smith said.

One example of that was her work in getting the concept of Business Courts to stick statewide, Smith said.

“The time has come – and Diane was one of the people who recognized it. It was an example of her leadership,” Smith said. “Her role as a litigator brought an important perspective because it is important to have some background in business litigation to be able to impact people the way she has. I saw her persuade judges in person that Business Courts were the right way to go. And they respected her judgment.”

Akers has held numerous leadership positions within the State Bar of Michigan, including service as chair of the 3,500 member Business Law Section, chair of the Ad Hoc Committee on Climate Change and Sustainability, co-chair of the Task Force on Attorney-Client Privilege, chair of the Business Court Ad Hoc Committee, chair of the Commercial Litigation Committee of the Business Law Section, and a member of the Judicial Crossroads Task Force and co-chair of its Business Impact Committee. She is a former member of the executive committee of the Alternative Dispute Resolution Section of the Detroit Metropolitan Bar Association.

Akers is listed in Michigan Super Lawyers 2006-2011 under Business Litigation. She is AV® Peer Review Rated by Martindale-Hubbell. She grew up in Detroit and attended Detroit Public Schools. She earned her Bachelor’s and Master’s Degrees from Western Michigan University and Oakland University, respectively.

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