

Replacing Judge O'Brien may take months

By Tim Richard
staff writer

It may take a few months before John J. O'Brien is replaced as an Oakland probate judge.

O'Brien, 58, was automatically suspended from the practice of law when he was convicted last week in U.S. District Court on two counts of making false credit applications, according to a spokesman for the Michigan Supreme Court.

"You must be an attorney to be a judge," said Tom Farrell, the high court's information officer. That would make O'Brien ineligible to serve as a judge.

"He has the right of appeal," Farrell said. "The Supreme Court may or may not remove him."

THE HIGH court Tuesday cut off O'Brien's \$88,000-a-year salary and continued his suspension.

O'Brien, a judge for 11 years, could avoid removal by resigning. He has been drawing pay since being suspended in mid-1987 following his indictment.

Greg Morris, personnel director for Gov. James J. Blanchard, said "there are always people in line" for judicial appointments, "especially in Oakland with the highest per capita attorney population in the world."

But the process might be lengthy, Morris said, because although many attorneys are being considered for three Oakland judicial appointments, they aren't necessarily qualified for probate work.

"The State Bar could say someone's qualified for district or circuit court but not probate," Morris said.

THE PROCEDURE starts when attorneys apply to the governor's office for a specific appointment. "We ask the Bar to set an interview date. We've already got a lot of judicial vacancies. I'm not sure when we could set up a date," he said.

Morris said his office would set up a file on the Oakland Probate Court post only when it is actually vacated, either by Supreme Court action or O'Brien's resignation.

Blanchard will make his appointment from the list of candidates cleared by the State Bar.

O'BRIEN'S ABSENCE has been hard on the four-judge bench, said Barbara Consilio, Probate Court administrator.

"We're covering his caseload," she said. At first a sitting judge from Monroe County was assigned by the Supreme Court administrator. Later, two retired judges — Loren Campbell of Washtenaw County Probate Court and Carl Ingraham of the 48th District Court — have handled O'Brien's caseload.



M. Richard Knoblock

Huron judge enters race

A Huron County circuit judge has entered the Michigan Court of Appeals race in the second district.

Judge M. Richard Knoblock, 44, will seek nomination to one of the two newly created seats in the August primary. The district covers Oakland and 14 other counties stretching to Lansing and Midland but excluding Detroit and Wayne County.

A nine-year veteran of the bench, Knoblock grew up in Fort Austin, earned a bachelor's degree from Michigan State University and a law degree from Wayne State. He also is president of Catholic Family Services in the Thumb Area.

Knoblock said he has served on the Court of Appeals as a visiting judge, participating in 300 cases and writing 100 opinions.

Last week Marilyn Kelly, a Bloomfield Hills lawyer and former member of the State Board of Education, announced her candidacy.

Diabetes classes open

A series of six diabetes classes will be held on Thursdays from 7 to 9 p.m., in the auditorium of the Oakland County Health Division's south office, 27725 Greenfield, Southfield. Classes begin Feb 25.

No fees are charged. Pre-register because enrollment is limited. To register, call 424-7042.

"The governor appoints a successor. That person goes up in the next general election as in incumbent," she said. The new judge, if and when appointed, would face voters in the Aug. 2 primary and Nov. 8 general election.

O'Brien was elected to a six-year term in 1986. Almost five years are left in his term.

THE JUDICIAL Tenure Commission recommended O'Brien's suspension when he was indicted on three federal counts of giving false credit information.

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— Greg Morris
governor's aide

This week it asked that he be suspended without pay.

Federal Building, U.S. District Judge George LaPlata — himself a former Oakland circuit judge — found

O'Brien guilty of two counts and innocent of one.

O'Brien faces a sentence of up to two years and a \$5,000 fine on each count. LaPlata set sentencing for Feb. 29.

O'Brien was convicted of failure to list more than \$76,000 in debts on a loan application to the Oakland County Employees Credit Union in August of 1984 and failure to list more than \$85,000 in debts when applying for a loan from Truck and Coach Federal Credit Union in December 1984.

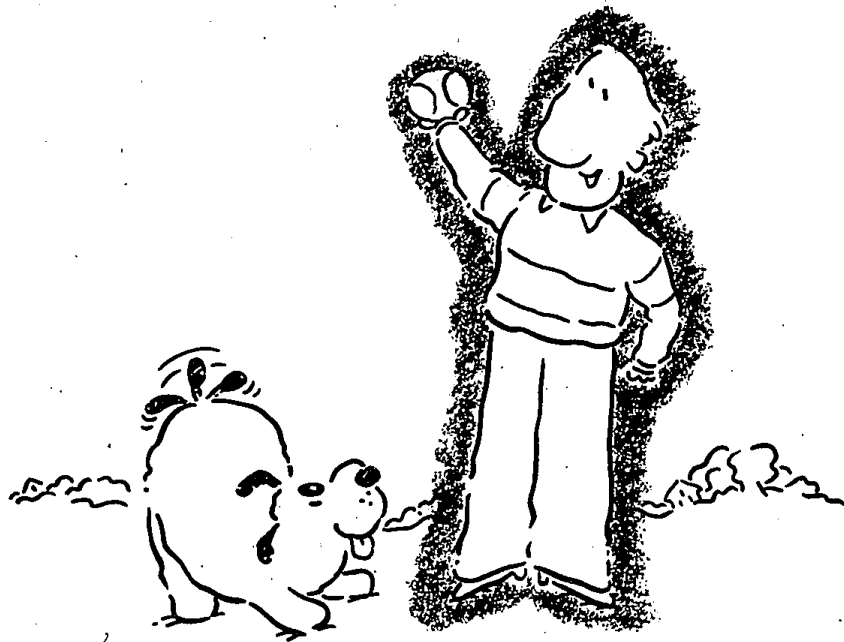
In March 1985 O'Brien filed for

personal bankruptcy in federal court.

JOSEPH REGNIER, the tenure commission's executive director, said last October that "I cannot equate Judge O'Brien's conduct in this matter as purely a personal problem."

He said O'Brien's financial problems involve many of the same banks, credit unions and thrift institutions that have business in his court.

Regnier added that false loan applications were made not "once or twice but 21 times over four years."



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