



Richard Kraus Receives Theodore W. Swift Civility Award

FOR IMMEDIATE RELEASE

Ingham County Bar Association

November 13, 2012

LANSING, Mich. – Foster Swift is proud to announce attorney Richard Kraus, a shareholder in the firm's Lansing office, has received the Theodore W. Swift Civility Award from the Ingham County Bar Association. The Swift Civility Award is given to the member of the Ingham County Bar Association that has distinguished himself or herself by "manifesting civility in his or her relations with the Bench, Bar, clients, and the public, while adhering to advancing the highest principals and traditions of the Legal Profession".

Richard's practice focuses extensively in the areas of, appeals, health care law and commercial litigation. As an appellate lawyer, he has handled difficult cases at all levels of state and federal appeals courts, with recognized expertise in the written and oral advocacy necessary for success in appeals. In the area of health care Richard's breadth of experience in representing individual health care professionals as well as hospitals, health systems, long term care facilities and multi-practitioner clinics includes:

- Licensing investigations and proceedings for health care professionals and facilities.
- Regulatory and administrative matters for health care professionals, organizations and facilities.
- Response to government investigations (criminal, civil and administrative).
- Reporting and disclosure obligations.
- Defense of health care criminal charges.
- HIPAA and privacy issues.

Rounding out his practice Richard regularly handles litigation involving commercial, business, governmental and constitutional matters.

Three representative examples of Richard's legal skills follow:

- Richard successfully defended the State Bar of Michigan in federal court in two cases involving constitutional challenges to the association's character and fitness review process. The appellate decision held that Michigan's process for determining qualifications of attorneys is constitutional and that members of character and fitness committees are immune from suit.
- The University of Michigan Health System hired Richard to defend a 2006 Michigan Supreme Court case about the qualifications of expert witnesses in medical malpractice claims. The lawsuit against a pediatric specialist was dismissed, and, because of his work on this matter, Richard was named Lawyer of the Year by Michigan Lawyers' Weekly.



- In a precedent-setting case, Richard represented a multi-state apartment development company in state and federal courts, opposing the City of Lansing's exercise of eminent domain on behalf of franchised cable television companies. After obtaining a favorable Michigan Supreme Court decision on an issue of first impression in the country, the court dismissed the city's claim of eminent domain and his clients were awarded \$750,000 in legal fees.

Richard has always recognized the importance of serving the profession and has a very long history of serving, the local, state and national bar associations. His active involvement includes:

- Ingham County Bar Association
 - Judicial Qualifications Committee, 1982-1984
 - Publications Committee, 2008-present
- State Bar of Michigan
 - Appellate Law Section, Member
 - Health Law Section, Member
 - Publications and Website Advisory Chair
 - Representative Assembly, 1989-1996
- American Bar Association
 - Appellate Law Section
 - Council of Appellate Lawyers
 - Health Law Section
 - Michigan Legislative Liaison
 - Subcommittee on Health Care Fraud and Abuse-False Claims
- Federal Bar Association
 - Western District of Michigan Executive Committee, 1978-1979
- American Institute of Appellate Practice - Chair and co-founder
- American Health Lawyers Association

His involvement in the profession extends beyond practicing lawyers. Richard is committed to providing insight and guidance to the upcoming generation of lawyers on the value of civility in the practice of law. In addition to taking an active role in Foster Swift's mentoring program, he also helps with internal continuing legal education programs within the firm and is a Master with the Michigan State University College of Law chapter of the American Inns of Court.

The accolades Richard has received are indicative of both his talent and his ever-present civil demeanor. He has an AV rating from *Martindale Hubbell*, is listed in *Best Lawyers* in America for Healthcare, and Michigan *Super Lawyers* for Appellate matters. Additionally, he received the Distinguished Brief Award for Exceptional Appellate Advocacy Before the Michigan Supreme Court, *Cooley Law Review* in 1992 and was honored Lawyer of the Year by *Michigan Lawyer's Weekly* in 2006.