

STATE BAR OF MICHIGAN
FAMILY LAW COUNCIL

MINUTES

Date: 4 December 2021
Location: Webers Inn, Ann Arbor, Michigan
Time: 9:30 a.m.

I. Administrative Matters

- A. Chair Chris Harrington called the meeting to Order at 9:32 a.m. A Quorum was present, starting with 18 Council Members in attendance. (One more was later elected.)
- B. Introductions of Attendees:
 - 1. Council Members Present: Shelley Kester (Chair-Elect), Liisa Speaker (Corresponding Secretary), Kristen Robinson (Treasurer), Don Wheaton (Recording Secretary), Sean Blume, Steve Reinheimer, Gail Towne, Josh Pease, Jim Chryssikos, Keela Johnson, Randy Pitler, Alicia Storm, Randy Velzen, Matt Catchick, Amy Spilman, Kristen Wolfram, The Hon. Tina Yost-Johnson, and Jenny Johnsen.
 - 2. Council Members Absent: Steve Heisler.
 - 3. Council Members Excused: Peter Kulas-Dominguez (COVID-19-related).
 - 4. Ex-Officio, Former Council Members, Liaison, Non-Council Member Committee Chairs, and Lobbyists present: Stephanie Johnson (Lobbyist), Liz Bransdorfer (former Chair), Mat Kobliska, Amy Yu (former Chair), and Liz Sadowski (former Chair, listserv Mom).
 - 5. Guests: Amanda Shelton, Jeff Kirkey and Lindsey DiCesare (ICLE), Theresa Wozniak-Jenkins, Julie Griffiths, The Hon. Namita Sharma (recently appointed to the 8th District Court in Kalamazoo), and Cara Willing.
- C. Chair Report – Chris Harrington
 - 1. Chris announced and read the Proclamation from Governor Whitmer’s Office making November 2021 Family Court Awareness Month and directed each Council member to contact their respective legislators regarding its existence and language. Once each has spoken to their Representative (and Senator) they are to contact Liisa Speaker as she will be keeping a tally of who spoke with whom.
 - 2. Josh Pease and Keela Johnson have been appointed the chairs of the GAL/LGAL Committee.
 - 3. Chris reminded all of the luncheon in honor of Bob Treat immediately following the meeting.
 - 4. Chris was asked for a copy of the enhanced skinny bill that Council approved.
 - 5. Chris recognized Theresa Wozniak-Jenkins, who asked everyone to contact Kara Berg at the Lansing State Journal, kberg@lsj.com, (517) 256-7411, with stories of CPS incompetence or inaction and children being placed or remaining in harm’s way as a result. Ms. Berg is working on an investigative report on CPS.
 - 6. Council member election: applicants were Amanda Shelton, Ashish Joshi, and Jacob Simon. There were no further nominations from the floor. A vote was taken, and Amanda Shelton was elected to the open position on Council.

D. Recording Secretary Report: The Minutes from the 6 November 2021 Meeting had been circulated. **Motion:** Don Wheaton moved their approval and Randy Pitler seconded. **Vote: 18-0-0**

E. Corresponding Secretary Report: No report.

F. Treasurer's Report: Kristen Robinson asked everyone to turn in their reimbursement requests timely and to use the proper form.

II. Key Committee Reports

A. *Legislative:* Jim Chryssikos reported on the committee's discussion of House Bill 5436 that is tied to HB 5443 that addresses revamping the strictures and guidelines for setting bail/bond for criminal defendants. **Motion:** Jim moved for the Section to oppose HB5436 and that it should not be tied to HB5443. Don Wheaton supported. **Vote: 19-0-0.**

B. *Amicus:* No formal report, and Gail Towne noted that the Committee worked on eight briefs in the past year, with (currently) no new requests. Liz Sadlowski suggested reporting through the ListServ the activities of the amicus committee so that the section can more appreciate the work being done and the value that adds to the section.

C. *Court Rules:*

1. ADM File 2019-16 was referred to the committee, which chose not to take a position. Because the Board of Commissioners will be considering any comments from us by 13 January 2022. Liisa suggested that we contact Scott Bassett, who has compiled a lot of statistics about word counts, etc. involving lengthy custody battles. This may result in a motion and e-vote because Council's next meeting is scheduled for 14 January 2022.
2. Mediator Mandatory Disclosure Rules: Mat Kobliska gave an overview of why and how mediator disclosures have been developed. **Motion:** Sean Blume moved, and Tina Yost-Johnson seconded, that Council support amendments to MCR 2.411(B)(5) and MCR 3.216(E)(5) to remove the sentences regarding disqualification and replace them with the statement that the Michigan Standards of Conduct for Mediators govern mediator disclosure and withdrawal, and to amend the mediator standards of conduct, as written (the proposed changes were circulated as part of the Council packet). Discussion followed. **Vote: 18-0-1.**

D. *Dedicated Family Law:* No meeting. Tina Yost-Johnson reminded us that we are early on in the phase of developing solid language that can be presented and supported. The strategy is different, and patience is urged because this is a heavy lift. We are not to involve other organizations just yet. We are urged to go to our legislators' town halls and coffee hours.

III. Standing Committee Reports

A. *Adoption:* Dion Roddy messaged Chris that the Adoption Committee is looking for additional members.

B. *ADR/Collaborative:* No report.

- C. *Annual Meeting*: Shelley is looking at The Inn at St. John's, Sept. 10 or 24, 2022 – and perhaps an associated golf outing? Your input is welcome.
- D. *CLE/ICLE*: Liz Bransdorfer turned the report over to Jeff Kirkey from ICLE. Jeff reported that while fewer were in attendance at the Family Law Institute, there were still 364 present in-person and 185 have requested online. ICLE partners will not get access to the videos from the FLI, but anyone who came in-person will be able to access the videos and materials. Jeff's quick perusal of the evaluations revealed that the reviews are uniformly positive. Tina Yost-Johnson was displeased with meetings that were scheduled during the FLI (e.g., mandatory Judges' training, Children's Law Section) and suggested that we reach out to the Supreme Court and to other sections to raise awareness of the FLI so nothing will conflict with the FLI in the future.
- E. *Domestic Violence*: Rebecca Shiemke submitted a report. Randy Pitler reported plans are to develop a follow-up presentation (to the recent one) on domestic violence for our section members.
- F. *Family Court Forum*: Chris's overture to former chairs/leaders of this event has gone unanswered. This event is therefore unlikely to take place this coming year.
- G. *Family Law Journal*: No report.
- H. *Family Law Journal Advertising*: Sean reported adding more advertising.
- I. *Family Support*: No report.
- J. *Member Education and Public Relations*: The committee has grown and new members are listed in the report that was circulated. They will be trying to profile lawyers in the Section.
- K. *Membership*: Alicia Storm wrote a report but didn't submit it. Steve Reinheimer reported that we had \$95 in pin sales and the Section table at the Family Law Institute was well-visited and had good engagement. The committee is looking at developing a business card with a QR code that will send people directly to sign up for section membership. Many highlighters were left over from the FLI and Steve found the pens from a couple years ago.
- L. *Midwinter/Midsummer*: Kristen reported midwinter (1/29 – 2/5/22) conference now has room and airfare available because a couple had to cancel. If anyone is looking to attend but was discouraged because spots were formerly taken, please have them contact Kristen. Liz Bransdorfer reported that Mission Point is booked for the summer of 2022. Steve is looking to Boyne and Crystal Mountain for 2022 and asking for proposals. Mission Point provided Liz proposals for August 3-6, 2023 and July 25-28, 2024, with better pricing and availability for us than if we reserved for only one year. Liz asked for approval of two, \$2,500.00 deposits for these contracts, with some changes she wants made to the terms and conditions before asking Kristen to request the checks. **Motion:** Tina Yost-Johnson moved, Randy Pitler seconded, to authorize the two \$2,500 deposits *if* Liz B. can get the changes to the contracts made. Discussion followed. **Vote: 19-0-0.**

- M. *Political Action Committee*: Matt Catchick reported the balance in the account and that many donations were made during the Family Law Institute. He will acknowledge and recognize donors over the ListServ and reminded that all donations must be made by personal check.
- N. *QDRO/Taxation*: No report.
- O. *Technology/Social Media*: Liz Sadowski reported that while not seamless, the transition to the new ListServ has been mostly without difficulty. There were issues with Comcast and others, which had to be white-listed so people will still be receiving their notifications.

IV. Ad Hoc Committees

- A. SCAO Child Support: No report
- B. SCAO Forms: Amy Yu reported that a meeting is scheduled for 17 March 2022, the first in two years. Making gender-neutral forms was a hot topic before meetings were suspended. A suggestion was made to make the forms gender nonconforming as well.
- C. Shared Parenting: No report.
- D. GAL/LGAL: No meetings yet, but Josh and Keela have been talking to lay groundwork. They reviewed the training handbook that is 16-17 years old. They will be collaborating with the Children's Law Section and assembling a committee with FLS and CLS members, and will have a meeting by not later than mid-January.

V. Liaison Reports

- A. Children's Law Section: Josh reported that CLS voted to oppose HB5459 and HB5460, and will have a training update on statutes, court rules, and case developments on 7 January 2022.
- B. Committee on Civil Procedure and Courts: No report
- C. LGBTQA Section: Don and Amanda reported that this Section will be preparing and submitting its first amicus brief in the *Rouch* case.
- D. Probate and Estate Planning Section: No report.
- E. State Bar Board of Commissioners: No report.

VI. New Business

None.

VII. Announcements

None.

VIII. Adjournment

Shelley Kester moved to adjourn, Alicia Storm seconded, and the meeting adjourned at 11:41 a.m.