

# STATE BAR OF MICHIGAN SECTION ANNUAL REPORT

**Bar Year: 2013-2014**

**Section Name: FAMILY LAW SECTION**

**Mission Statement:** To study the laws, court rules, and procedures regarding family law; to study and report upon and recommend legislation and court rules, and to promote throughout the State of Michigan the legal education of members of the Bar and the Public on the problems relating to the family; sponsoring meetings, institutes and conferences regarding family law; preparing and sponsoring and publishing legal writing regarding family law. Family law includes issues associated with marriage, divorce, separation, adoption, paternity and the rights of minor children.

**Officers and Council Members:**

Officer	Name	Address	Telephone	Email
Chair	James J. Harrington III	Novi, MI	248 347-9620	<a href="mailto:jjh@jjharringtonlaw.com">jjh@jjharringtonlaw.com</a>
Chair-Elect	Rebecca E. Shiemke	Ann Arbor, MI	734 998-6100	<a href="mailto:rshiemke@lsscm.org">rshiemke@lsscm.org</a>
Secretary: Recording	Kent L. Weichmann	Ann Arbor, MI	734 997-9465	<a href="mailto:weichmannk@att.net">weichmannk@att.net</a>
Secretary: Corresp.	Hon. Richard Halloran	Detroit, MI	313 224-7430	<a href="mailto:hewhodreams@comcast.net">hewhodreams@comcast.net</a>
Treasurer	Carol F. Breitmeyer	Detroit, MI	313 962-4600	<a href="mailto:breitmeyer@bcfamlaw.com">breitmeyer@bcfamlaw.com</a>

Member	Term	Member	Term
Rebecca Shiemke	2014	Allison Sleight	2015
Carol Breitmeyer	2014	Robert Treat	2015
Hon. Richard Halloran	2014	Randall Velzen	2015
Mathew Kobliska	2014	Kent Weichmann	2016
Colleen Markou	2014	Elizabeth Bransdorfer	2016
Steven Reinheimer	2014	J. Matthew Catchik, Jr.	2016
Ross Stancati	2014	Sahera Housey	2016
Daniel Bates	2015	Peter Kulas	2016
Christopher J. Harrington	2015	Anthea Papista	2016
Tina Yost	2015	Gail Towne	2016
Kristen Robinson	2015		

***Council Meeting Schedule:***

Please attach any additional information needed regarding Council meetings as an addendum.

Meeting Type	Date	Location
Annual Meeting	September 19, 2013	Lansing, MI
Council Meeting	October 5, 2013	Grand Rapids, MI
Council Meeting	November 2, 2013	Novi, MI

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Council Meeting	December 7, 2013	Ann Arbor, MI
Council Meeting	January 25, 2014	Lansing, MI
Council Meeting	March 8, 2014	Novi, MI
Council Meeting	April 5, 2014	Lansing, MI
Council Meeting	May 3, 2014	Ann Arbor, MI
Council Meeting	June 7, 2014	Grand Rapids, MI
Annual Meeting	September 18, 2014	Grand Rapids, MI

**General Budget Information:**

The Family Law Section commenced FY 2013-2014 in September, 2013, with a budget surplus of approximately \$20,000.00. This represented a significant decrease from a surplus of over \$100,000.00 over the last couple of years. This decrease has been countered by the transition to an Electronic Journal, and other significant cost cutting measures. The Section anticipates a significant increase in the end of year, September fund balance.

**Events and/or Seminars:**

The Family Law Section actively partners with the Institute of Continuing Legal Education, Ann Arbor, MI, and furnishes speakers and written materials for all of the ICLE Family Seminars during the year. In addition, the Family Law Section is a co-sponsor of the Family Law Institute and furnishes nearly all speakers and written materials for the annual Family Law Institute held in November each year. This 1 ½ day Seminar is the premier Family Law event in Michigan. The Institute had a new location at the Suburban Collection Exhibition Center in Novi, Michigan. There were a record number of attendees, Attorneys, Judges, and Friend of the Court staff present. In conjunction with the ICLE, the Section was most proud to have long time Section Member Diana Raimi be the recipient of the *Blaine Johnson Award* which recognizes outstanding contributions to continuing legal education in Michigan. In addition there are approximately 6 to 8 ICLE Family Law seminars each year, as well as the ICLE Certificate Program, with presenters from the Family Law Section.

**Legislative issues:**

The Legislative Committee of the Family Law Council includes Members Kent Weichmann as Chair, Daniel Bates, Carol Breitmeyer, Hon. Richard Halloran, Christopher Harrington, Sahera Housey, Rebecca Shiemke, Ross Stancati, Robert Treat, Randall Velzen and Tina Yost Johnson, as well as non-Council Members Barbara Kelly as Co-Chair, Sandy Glazier, Luran Howard and William Kandler. Every single legislative proposal involving Family Law is reviewed by this Committee, recommendations submitted to Council, and positions on the legislation published on the State Bar website. This is a key committee, and its input is critical to protection of families and children in Michigan.

The Legislative Committee reviewed 62 family law bills, and made recommendations to Council on each bill. The Legislative Committee also obtained sponsors for the Uniform Collaborative Law Act, the Uniform Child Abduction Prevention Act, the Parenting Coordination Act, and a package of bills to streamline Adoption. The Legislative Committee is working to affect bills to revise the Paternity Establishment Process, as well as promote sponsored bills.

**Court Rules & Ethics Committee:**

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The Court Rules & Ethics Committee includes the Chair, Mathew Kobliska, and members Carol Breitmeyer, Elizabeth Bransdorfer, Sahera Housey, Steven Reinheimer, Kristen Robinson, Rebecca Shiemke, Kent Weichmann, and Tina Yost Johnson. Non-Council members include Lori Buiteweg, Jennifer Johnson, Andrew Littman, Elizabeth Sadowski, and Amy Spilman.

This is also a key committee. Every proposed Court Rule, or Court rule Amendment involving Family Law is considered by this Committee.

The Committee has taken a variety of positions on proposed Court Rules, including “support” or “support with conditions”; it has also opposed numerous court rules amendments which would adversely affect family law. The Committee responded to the request of the Michigan Supreme Court for the section’s position in *In re: Timothy T. Fryhoff*. There are a number of proposed Court rules amendments which originated with the Committee, including MCR 7.204 (docketing statement); MCR 2.107 and 2.117 (duration of appearances – enacted); MCR 2.302 (post-Judgment discovery); MCR 3.211 (post-judgment arbitration of limited matters). These proposals are at various stages of the amendment process. The Committee has also worked with SCAO Forms Committee regarding changes in MC 306 (substitution of attorneys).

The Committee’s proposed amendment to MCR 2.302 has received wide support from family law practitioners and judges. The proposal was recently the subject of Public Hearing before the Michigan Supreme Court on May 28, 2014 and the subject of testimony by Court Rules Chair Matt Kobliska. The Supreme Court also considered ADM 2010-32 which would establish a separate “Default Judgment” and “Consent Judgment” Court Rule for family law cases. The Family Law Section Chair, James J. Harrington III testified in favor of this court rule before the Supreme Court.

The Committee and the Family Law Section have also been constructive participants in the development of e-filing rules and processes.

### **Amicus Committee:**

The Amicus Committee is Chaired by former Council member Anne Argiroff, and Co-Chaired by Member Rebecca Shiemke. The Committee includes Members Elizabeth Bransdorfer, Kristen Robinson, Gail Towne and Kent Weichmann. Non-Council members include Judith Curtis, Trish Haas, Katherine Root, Joanne Ross, Erica Salerno, and Liisa Speaker.

The Amicus Committee has received and reviewed numerous amicus requests involving Family Law. It has filed various Amicus briefs, including *In re: AJR, Furneaux v Miller*, *In re: Mays*, *In re: Sanders/Laird*. The Committee has also summarized appellate case decisions for each issue of Family Law Journal.

### **Alternative Dispute Resolution:**

The Alternative Dispute Resolution Committee is chaired by Council Member Randall Velzen, and includes Member Gail Towne, as well as Non-Council Members Deb Berecz, Nina Abrams, Shelley Kester and Zena Zumeta. The ADR Committee has continued its efforts to reach out across the State with approximately 8 small meetings to facilitate understanding and use of ADR and evaluate improvements for delivery of ADR information to the Family Law Section.

### **Domestic Violence:**

The Domestic Violence Committee is Chaired by Council Member Rebecca Shiemke. Members Daniel Bates, Hon. Richard Halloran, Kent Weichmann were joined by Non-Council Members Kari

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Deming and Antoinette Raheem. This Committee reviewed and commented on a package of approximately ten Domestic Violence bills, in conjunction with a work group established by Representative Santana's office.

**Family Law Journal:** The newly appointed Editor of the Family Law Journal, Anthea Papista, and her co-editors have performed an incredible transition from a bulky, unwieldy, and expensive paper Journal to a fully electronic Family Law Journal. This new format has reduced expenses of the Journal an estimated 66 2/3 % while at the same time offering significantly expanded publishing capability, hyperlinks for advertisers and contributors. In addition, the first rollout edition of the Family Law Journal was a "special edition" and co-Edited by former Chair Traci Rink and current Family Law Section Chair James J. Harrington III. The Family Law Journal is now "state of the art" and in stride with similar electronic publications.

**Family Law List Serv:** Under the very capable leadership of Elizabeth Sadowski, the List Serv is available to a record number of Section members. It is a dynamic and powerful communication tool for attorneys.

**Journal Advertising:** The Family Law Section implemented the "Honor Roll" to permit individual attorneys to financially support the Journal, without having to take out formal advertisements. The "Honor Roll" has significantly augmented the normal advertising revenue of the Journal and the Section is most appreciative of the contributors.

**QDRO:**

The Qualified Domestic Relations Order Committee was chaired by Robert Treat. He was joined in this Committee by Non-Council Members Joseph Cunningham, and Nancy Keppelman. This Committee is assessing the recoupment problems presented by the EDRO Act and possible Amendment to the EDRO Act. Bob Treat has exhibited great leadership and in depth knowledge of the QDRO process which has significantly benefited the Family Law Section.

**MidSummer Seminar:** The Co-Chairs of the Mid Summer Seminar, Traci Rink and Elizabeth Bransdorfer, had an outstanding success with the 2013 Mid Summer Seminar at Mission Pointe, on Mackinac Island. Record numbers of attendees, and record Sponsorship contributions evidenced this success. The wide range of presentations by Judges and Attorneys who were experts on their topics was substantially responsible for the success of the 2013 Mid Summer Seminar.

The Family Law Section is very excited about the upcoming 2014 MidSummer Seminar scheduled for Boyne Mountain Lodge in Northern Michigan. The high level of speakers, cutting edge topics and a family friendly environment promises to make MidSummer 2014 a memorable event.

**MidWinter Seminar:** This 7 day Seminar in the doldrums of Winter have made this "sun & sand & seminar" event the highlight of the year for many Section members. Once again, Judith O'Donnell exceeded all expectation with this Seminar at Peter Island Resort in the British Virgin Islands from February 1-8, 2014. Outstanding speakers were only exceeded by the spectacular beauty of this exclusive Caribbean getaway.

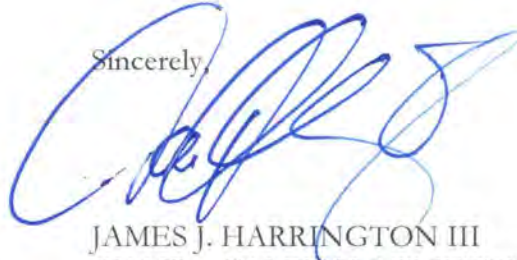
An equally exciting adventure is planned by Judith O'Donnell for 2015, at the Maroma Resort & Spa on the sugar sands of the Mayan Riviera, Mexico, between January 31-February 7, 2015. This

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fabulous trip has “sold out” and all attendees are looking forward with great anticipation to this January getaway.

**Conclusion:** Between now and September there will continue to be dramatic changes in both Legislation and Court Rules affecting the Family Law Section and family law. One of the most significant is the so-called “Voluntary Bar” proposition has been actively opposed by the Family Law Section, and it believes this would have a disastrous affect upon the Section, and well as the Bar as a whole, and have spill over negatives consequences for the citizens of the State of Michigan.

Sincerely,



JAMES J. HARRINGTON III  
CHAIR - FAMILY LAW SECTION  
2013-2014