

STATE BAR OF MICHIGAN
FAMILY LAW SECTION COUNCIL

Date: October 8, 2022
Location: The Delamar, Traverse City, Michigan
Time: 9:30 AM

MINUTES

I. Administrative Matters

A. Attendees

1. *Council members present:* Shelly Kester (Chair), Liisa Speaker (Treasurer), Don Wheaton (Corresponding Secretary), Josh Pease (Recording Secretary), Keela Johnson, Peter Kulas-Dominguez, Steve Reinheimer, Steve Heisler, Sean Blume, Alicia Storm, Kristen Wolfram, Cara Willing
2. *Council members absent:* Mat Kobliska, Kristen Robinson, Hon. Tina Yost Johnson, Hon. Carla Testani, Jim Chryssikos, Randy Pitler, Michelle Letourneau, Gail Towne, Amy Spilman
3. *Ex officio:* Liz Sadowski
4. *Section Members:* Julie Griffiths, Emily Calabrese, Jenny Johnsen, Randy Velzen
5. *Guests:* Stephanie Johnson (lobbyist)

B. Chair Kester called the meeting to order at 9:30 AM and found quorum with 12 council members present.

C. *Chair Report:* Future electronic vote requests will not be approved unless there is an emergency. The January 14 meeting has been moved to January 7. Chair Kester is making contacts to promote the Family Law Section to undergraduate political science students and will be speaking on a panel about it soon.

D. *Recording Secretary:* Pease moved to approve minutes from September 17 meeting and minutes addendum. Blume seconded. Wheaton offered a friendly amendment to include the annual meeting minutes. Pease and Blume accepted friendly amendment. Motion passed unanimously.

E. *Corresponding Secretary*: No report

F. *Treasurer*: Speaker reminded council members that request for travel reimbursement must be submitted within 45 days. The code for travel reimbursement is 1-9-99-425-1493. A reimbursement request must include receipts, including a Google Maps print off showing miles. The cap for travel reimbursement is \$900 per council year. Robinson created a written protocol which will be passed through subsequent treasurers.

II. Key Committee Reports

A. *Legislative Committee*: Committee meetings are the Thursday before council meetings at 4:30 PM via Zoom

1. Two packages of surrogacy bills have been introduced (HBs 6389-92 and SBs 1177-80). These bills amend the criminal code, public health code, and ROPA and introduce the Gestational Surrogacy Parentage Act. Blume moved to support both packages. Storm seconded. Motion passed 11-0-1 (Heisler). Sadowski urged council members to be proactive in creating relationships with the mental health community. Thanks to Sadowski and S. Johnson for their work getting these bills brought forward.
2. SBs 1114-16 and 1119-20 were introduced regarding child marriage. They are consistent with the previously-introduced HBs 4226-29. Council voted in 2021 to support the House bills. There was no motion on the Senate bills.
3. SB 1175 would reform the jury selection process. The committee found that it would have minimal impact on family law. The bill is *Keller* permissible, but the committee chose not to take a position.
4. Yost Johnson had urged the committee to reconsider council's position on HB 6291, which council voted to support at the September meeting. She is concerned about the costs and mandates associated with assistance dogs already in the statute (MCL 600.2163a). The committee chose not to take action as the concern was outside the scope and intent of the bill, and it would be better addressed through a separate bill.

B. *Amicus*: Meetings are the fourth Tuesday of the month at 3 PM via Zoom. The committee considered a request to submit a brief regarding the application for leave to appeal in *Safdar v Aziz*. The committee did not disagree with the Court of Appeals' holding but was concerned that the opinion was published. The committee declined to take a position at this time.

- C. *Court Rules*: Meetings are the Tuesday before the council meeting at noon via Zoom. The committee considered three items but took no action on them.
- D. *Dedicated Family Court*: Meetings are the last Friday of the month at 12:30 PM via Zoom. Some committee members recently met with the Governor's office to discuss judges being appointed to the family division without family law experience. The Governor's office recommended that the committee recruit more people to apply for judicial openings. The primary consideration for appointment is diversity. A few members of the committee subsequently met with SBM Executive Director Peter Cunningham. He was concerned about the idea of council endorsing candidates. He was also concerned about calling candidates qualified/not qualified because of potential political issues. He seemed okay with the council sending letters of recommendation. The committee will look into creating relationship with members of the Michigan Association of Justice because their endorsement is important to the governor. Rep. Kara Hope sent the committee draft bills and a letter from Legislative Services Bureau looking for the committee's input.

III. Standing Committee Reports

- A. *Adoption*: No report.
- B. *ADR/Collaborative*: No report.
- C. *Annual Meeting*: No report. Robinson is the new chair
- D. *CLE/ICLE*: No report. Reinheimer is not actually a chair.
- E. *Domestic Violence*: Meetings are the Monday before council meetings at 3 PM. Wolfram is the new co-chair, and Rebecca Shiemke has retired. The committee has done a lot of work with articles. Courts are reaching out regarding trainings for court staff based on an article about lethality factors. ICLE has also reached out about training. Someone suggested a Rebecca Shiemke Award to be given to judges who are strong advocates for domestic violence survivors.
- F. *Family Court Forum*: No report.
- G. *Family Law Journal*: No report.

H. *Family Law Journal Advertising*: Everything remains status quo.

I. *Family Support*: No report.

J. *Member Education and Public Relations*: Willing is the new chair. There was a suggestion of possibly merging this committee with membership because the two committees overlap.

K. *Membership*: Reinheimer moved council to approve a budget of \$500 for merchandise for ICLE. Heisler seconded. Wheaton offered a friendly amendment to make the budget \$500 for promotional items and \$350 for a new sign. Reinheimer and Heisler accepted the friendly amendment. Reinheimer withdrew the motion. Reinheimer moved council for an appropriation of not more than \$850 for promotional items inclusive of a retractable sign. Heisler seconded. Motion passed 12-0-0.

L. *Midsummer/Midwinter*: The State Bar has been slow getting things out for Midwinter. Robinson received the registration link recently. There is no e-blast yet. Robinson is still looking for \$2,5000 sponsorships. Midsummer will be August 3-6 at Mission Point. Pitler is working on getting speakers and would like an outline of presentations by January or February.

M. *PAC*: No report. Reminder to new council members that it is traditional for council members to donate to PAC every year. The current balance is north of \$30,000. There is no reason that PAC can't contribute to Court of Appeals candidates. S. Johnson will find PAC regulations but doesn't want us to overcomplicate things.

N. *QDRO/Taxation*: No report. The committee finally has new members. J. Johnsen would like a co-chair.

O. *Technology/Social Media*: Multiple action items:

1. Heisler moved to allow committee chairs to make request to make changes or add meeting dates to the section website. Wheaton seconded. The motion passed by acclamation.
2. Heisler moved to do an investigation into how Zoom can and cannot be used at in-person meetings to increase participation. Blume seconded. Kester offered a friendly amendment to expand the scope to all technology, not just zoom. Heisler and Blume accepted the friendly amendment. The motion passed by acclamation.

3. Heisler moved to no longer make the section's list serv service available to other sections. Pease seconded. The motion passed by acclamation.

IV. Ad Hoc Committee Reports

- A. *Court Administration and Procedure*: No report.
- B. *GAL Committee*: No report.
- C. *SCAO Forms*: No report.
- D. *Shared Parenting*: No report.
- E. *Parental Education*: New committee created by Chair Kester. Will be chaired by Melissa Riley.

V. Liaison Reports

- A. *Children's Law Section*: No report.
- B. *LGBTQA Section*: The section is trying to be more active and emulate Family Law Section.
- C. *Probate and Estate Planning Section*: No report. Blume is the new liaison.
- D. *Board of Commissioners*: No report. Hon. Kameshia Gant is the new liaison.

VI. New Business

- A. Kester announces that the Safe Delivery of Newborns Law committee will now be an ad hoc committee. The committee currently exists as a subcommittee of Children's Law Section Legislative Committee, and Pease already chairs. It is a collaboration between FLS and CLS.
- B. Speaker's office has created digital badges for council members, executive board members, and ex officio. Kester moved to approve use of the badges. K. Johnson seconded. The motion passed by acclamation.
- C. Blume recommended that council members get involved in local bar associations.

VII. Adjournment: Meeting adjourned at 11:58 AM.