

**MINUTES – FAMILY LAW SECTION  
COUNCIL MEETING  
Date: December 5, 2015  
Place: Amway Grand Plaza, Grand Rapids**

**I. Administrative matters**

**A. Call to Order and Welcome**

Chair Carol Breitmeyer welcomed all of the guests called the meeting to order. 19 Council Members were present: Dan Bates, Liz Bransdorfer, Carol Breitmeyer, Matt Catchick, Jim Chryssikos, Shon Cook, Dick Halloran, Chris Harrington, Matt Kobliska, Peter Kulas, Vanessa Moss-Wilson, Anthea Papista, Steve Reinheimer, Kristen Robinson, Amy Spillman, Gail Towne, Kent Weichmann, and Tina Yost. Sahera Housey and Bob Treat were absent.

Ex-Officio and Former Council Member: Ross Stancati

Guests: Rachel Gruetener, Hon. Douglas Dosson, Jenny Johnson, Hon. Jon VanAllsburg, Bill Kandler, Laurie Schmitt and Brandon Scott.

**B. Chair Report**

Carol reported that she was very impressed with the amount of committee work being done. Carol expressed her belief in the need to cultivate new committee members, who need not also be Council members, to share the workload.

**C. Approval of Minutes**

The Minutes of the November 13 meeting were accepted on Motion by Liz Bransdorfer, seconded by Kent Weichmann.

**D. Treasurer's Report/Finance Committee**

Kent reported that the State Bar is still auditing the 2014-15 financial information, so that we have not received any reports.

We need to set reimbursement levels for this Council year. Dick Halloran moved to continue the \$300 per member expense reimbursement level for council meetings. Kent Weichmann and Peter Kulas seconded and the motion passed unanimously (18-0 at this point in the meeting). Dick Halloran moved to approve the section paying the expenses for the section Chair to attend the mid-Winter seminar. Kent Weichmann seconded and the motion passed (17-0-1), with Carol Breitmeyer abstaining.

## **II. Key Committee Reports**

### **A. Legislation**

Kent reported that no new legislation had been introduced since our last meeting.

Kent asked Council to consider recognizing a “Legislator of the Year” this year, which happens from time to time, and nominated Kurt Heiss. Mr. Heiss is a Republican from the 20th House District (Plymouth, Northville, Canton) who is also a knowledgeable attorney and has sponsored and been instrumental in getting important legislation passed – such as the Uniform Child Abduction Prevention Act. The motion included Executive Committee authorization to decide what type of award to present. Dick Halloran seconded and the motion passed.

Kent also noted that the Committee, working with Ross Stancati and Tina Yost, is still looking at possible amendments to MCL 552.605b, regarding child support after age 18, in the hopes of clarifying “full time,” “high school,” “reasonable expectation of graduation,” and other matters that have been decided differently in different counties, and by different judges within the same county. Rep. Bizon is interested in this topic. Input is requested from any Council Member.

### **B. Court Rules**

Chris Harrington reported that the Committee is looking at Administrative Order 2015-12, about ability to pay in the context of contempt proceedings, and how that may affect family law. The comment period runs until March 1, so this will be brought back at the February meeting.

Also, there is an effort to work on more non-adversarial forms in family law. The committee received a letter from Ann Boomer indicating a work group is being formed and we will be involved/informed.

### **C. Amicus**

Gail Towne reported that the Committee is working on the brief to the Supreme Court in *Allard*, with a December 21, 2015 deadline (which was extended into January after the meeting). Carol Breitmeyer asked about the Committee’s position on the issues and Gail summarized them as – Jim Harrington writing on unconscionability, Liz Bransdorfer writing on the LLC issue and the others working on the equity arguments about waiving contribution and need as bases to invade property made separate by reason of a pre-nuptial agreement and the permissibility of a waiver of spousal support. Anthea Papista raised the question of retroactivity and Gail responded that she didn’t think that was likely.

### **III. Standing Committee Reports**

#### **A. Adoption**

No report.

#### **B. Alternative Dispute Resolution**

Randy Velzen noted that there was a written report, copy attached, and in addition reported (1) there is overlap between the Domestic Violence Committee and the DV subcommittee of ADR, and the two are working to coordinate and not duplicate efforts, (2) the State Bar ADR section's mandatory mediation proposal is not moving fast, (3) the Parent Coordination Act passed there has been no SCAO action on training or forms [Dick Halloran noted that SCAO has not been directed to do anything], FLS should offer to help SCAO, (4) SCAO and Friends of the Courts are working on 6 or more statutes about ADR through FOCs, such as settlement conferences, mediation, joint meetings, etc. and all but "opt-out" cases are fair game for ADR through FOCs, issues include the role of attorneys, especially in conciliation conferences; confidentiality, as to which there are few protections outside Court Rule mediation; and the use of untrained conciliators and (5) that there will be another meeting on spousal support issues, at which smaller counties will be represented.

#### **C. Alternative Family**

Peter Kulas reported that the Committee has not met and there has been nothing new since the *Stankovich v Million* case decided Nov 11, 2015.

#### **D. Annual Meeting**

No report.

#### **E. CLE/ICLE**

The 2016 Family Law Institute will be November 10-11, 2016.

#### **F. Domestic Violence**

Dan Bates reported that there are discussions regarding merging the ADR Committee DV subcommittee into the Domestic Violence Committee, that there are serious concerns about the lack of proper DV screening in mediation, that there were about 70 participants in the listening session at the Family Law Institute on this topic.

#### **G. Family Court Forum**

No report.

## **H. Family Law Journal**

Anthea Papista reported that the December issue is in the editing process and that the Special Edition is moving forward with author selection.

## **I. Family Law Journal Advertising**

Kristin Robinson reported that we have a new full page advertiser from the Institute. That is “Sober Link” and they sell breathalyzers with a video chat smart phone feature that lets the other parent see the person blow and get the results by text simultaneously to minimize false results. She also reminded people to join or continue on the Great Lakes Honor Roll to support the Journal and the Section.

## **J. Family Support**

No report.

## **K. Membership**

Steve Reinheimer reported we have 3,041 members as of 9 am, up 30 from last month. Also, Candace Crowley of the State Bar notified him that the changes we just approved to the by-laws about membership cannot be retroactive, so will go into effect for 2016-17.

## **L. Mid-Winter/Mid-Summer Seminars**

Kristin Robinson reported that all is nearly ready for the Mid-Winter. She is trying to get Judith O’Donnell to help with the airport transfers, as she has experience.

Liz Bransdorfer reported that the Mid-Summer site selection is down to Shanty Creek and Grand Traverse. A “straw poll” showed a preference for Grand Travers. She is also taking suggestions for speakers/topics.

## **M. Political Action Committee**

Ross Stancati reported that the PAC has received \$2,190 and spent \$100 since the start of this fiscal year. The balance is \$27080.

## **N. QDRO/Taxation**

No report.

## **O. Technology/Social Media**

Peter Kulas reported that he is now also an administrator of the Section’s page at the State Bar Connect and can add items, such as amicus briefs, to the page. You can email him items to add to the page. Send a .pdf file and also let him know key terms so those can make searching the site easier.

Dick Halloran asked that committee meetings be added to the website. Jim Chryssikos asked that committee chairs also be added and Carol Breitmeyer said she would get those circulated.

#### **IV. Ad Hoc Committees**

##### **A. Website**

The ad hoc Website Committee is going to combine with the Technology/Social Media Committee.

##### **B. SCAO Forms Committee**

No report.

##### **C. Comments from Rep Assembly, SBM/ICLE attendee**

No report.

#### **V. Announcements**

Dick Halloran thanked council members for their support on his “proofs” issue.

Tina Yost noted that people needing shelter due to domestic violence in her area has increased by 84%.

#### **VI. Future Meetings**

Saturday, February 6, 2015, University Club, Lansing  
Saturday, March 5, 2016, Double Tree, Novi  
Saturday, April 9, 2016, Weber’s Inn, Ann Arbor  
Saturday, May 7, 2016, University Club, Lansing  
Saturday, June 4, 2016, Weber’s Inn, Ann Arbor

#### **VII. Adjournment**

Respectfully submitted,

Liz Bransdorfer, Recording Secretary