

**MINUTES – FAMILY LAW SECTION  
COUNCIL MEETING  
Date: March 4, 2017  
Place: Doubletree, Novi**

**I. Administrative matters**

**A. Call to Order and Welcome**

Chair Richard Halloran welcomed everyone and called the meeting to order at 9:30 am.

The following (19) council members were present: Daniel Bates, Elizabeth Bransdorfer, J. Matt Catchick, James Chryssikos, Richard Halloran, Christopher Harrington, Sahera Housey, Jennifer Johnsen, Shelley Kester, Mathew Kobliska, Peter Kulas, Vanessa Moss-Williams, Anthea Papista, Steven Reinheimer, Kristen Robinson, Amy Spilman, Robert Treat, Randy Velzen, and Tina Yost.

Council member absent: Shon Cook and Kent Weichmann.

Ex-Officio and former council members: Carlo Martina, Traci Rink and Elizabeth Sadowski.

Guests:

Rebecca Decoster, Dan Ferency, Kanika Ferency, Christine Piatkowski, Dion Roddy, John Schrot and Kristin Smith.

**B. Chair Report:**

Dick Halloran welcomed everyone. Dick explained the various committees and the important work to be done by council. He also explained the result of the In Re MJG result and the effort of amicus committee.

**C. Approval of Minutes**

Sahera Housey made a motion to approve the January 21, 2017 minutes. Liz Bransdorfer seconded and the motion passed with clarifications.

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

Bob Treat went over the summary from the State Bar. Explained: 1) increase in revenue is because the journal is now in electronic format and less printing costs; 2) dues are declining; 3) the reimbursement for council members costs was increased at a prior meeting and 4) thanked and reminded council this is a civic duty and honor to serve on council. Bob council members to submit their receipts for reimbursement within 45

days. Kristen Robinson made a motion to adopt the treasurer's report, Randy Velzen seconded. The motion passed.

## II. Key Committee Reports

### A. Amicus

Liz Bransdorfer discussed the amicus brief that was proposed In Re: MJG and the result. She also showed council the letter that was sent to the Michigan Court of Appeals explaining council's position and time constraints.

Liz and council as a whole wanted to thank and acknowledge member of the amicus committee for all their hard work and time not only on this but prior briefs.

### B. Court Rules

Chris Harrington discussed the following as ADVISORY items only:

- 1) ADM File No. 2016-33: Re: allowing a party to consent to mediation if there is a PPO, abuse, or neglect proceeding, only after a hearing is conducted.
- 2) ADM File No. 2016-04: Re: allowing out-of-state attorney to seek a temporary license for child custody proceedings that are conducted under the Michigan Indian Family Preservation Act.
- 3) ADM File No. 2016-11: Re: allowing a "notice" to be issued by the Friend of the court, in lieu of an "order", for show cause proceedings.
- 4) ADM File 2015-18: Council position was in conflict with the State Bar, and could not be submitted to the Supreme Court. Recall that this proposal would allow the AGC to seek an injunction against an attorney from the practice of law, even if a disciplinary proceeding is not pending. Personal position reports may be submitted, but our group position is restricted.
- 5) ADM File 2015-02: The Supreme Court adopted an order specifically excluding Domestic Relations and protective actions from "mandatory mediation" being ordered by the Court of Appeals.
- 6) ADM File No. 2016-39 – Proposed Amendment to MCR 3.903, 3.932, and 3.936. These amendments deal with the consent calendar and were discussed by Christine Piatkowski on behalf of the Children's Law Section.
- 7) ADM File No. 2015-22: Re: agreements for e-service by the FOC. However, removing "text message" as a means for service. **A motion was made by Chris Harrington by e-vote on February 28 and the motion passed.**
- 8) ADM File No. 2015-24 – Proposed Amendments to MCR 2.116 and 2.119 dealing with setting specific limits on "reply briefs", both in Motions for Summary Disposition, and in general motion practice. The proposed

amendment would eliminate the ability to file a “reply brief, additional brief, or supplemental brief” in general motion practice, absent leave of the court. Also, any reply brief in “SD” motions would need to be filed 3 days in advance of the hearing, and not exceed 5 pages in length.

No vote was taken; the comment period expires May 1, 2017.

### **C. Legislation**

There was a brief discussion of elimination of tenancy by the entireties.

## **III. Standing Committee Reports**

### **A. Adoption**

Dion Roddy expressed disappointment that the amicus brief In Re; MJG was not filed.

An adoption workshop was held on February 23, 2017 to review form changes.

HB 5628 passed in January, 2017 that criminalizes “rehoming” with some exceptions.

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

Randy Velzen indicated ADR training and presentations are scheduled for March, April and May, 2017.

### **C. Alternative Family**

No report.

### **D. Annual Meeting**

The annual meeting will be at COBO Center on Thursday, September 28, 2017 at 10 am. The dinner will be held on Wednesday, September 27, 2017 probably at the Crown Plaza in Detroit.

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

Kanika Ferency indicated that ICLE is looking at competency maps and assist new lawyers to be more competent, effective and knowledgeable. Please send Kanika an email if you are interested in this program.

ICLE is also looking at more interactive education programs.

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

Dan Bates submitted his report and expressed concern about the lack of screening for DV.

Dan will bring action items for April/May meeting.

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

Friday, June 9, 2017.

#### **H. Family Law Journal**

Anthea and Amy discussed the meeting of the journal editors. They are looking for authors and advertisers.

Council members are required to write at least one article during their term on council.

Members are encouraged to take pictures of family law events they may attend and submit them for inclusion in the journal.

The special edition on LGBTQA is scheduled for June, 2017 and the special edition on Technology is scheduled for October, 2017.

The journal is going paperless as of April 1, 2017.

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

Kristen asked that if members come across potential advertisers to let her know. Also, potential ad may be for mental health professionals throughout the state. Discussion of having paper copies of the journal for advertisers to include in the lobby of their offices.

#### **J. Family Support**

No report

#### **K. Membership**

Steve Reinheimer made a motion to increase the \$250 previously approved for the Young Lawyers Summit, apparently the cost is \$350. Motion passed 19-0.

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

Kristen Robinson reported she is in negotiations for mid-winter seminar for 2018.

Liz Bransdorfer reported the mid-summer conference will be held at Mission Point Resort on Mackinac Island. The dates are July 20 – 23, 2017.

Traci Rink is in charge of the speakers and Traci is looking for well-rounded speakers to talk about various areas of family law.

**M. Political Action Committee**

Matt Catchick reported that this is a new year and gently reminded members to contribute.

**N. QDRO/Taxation**

Bob Treat reported on the recoupment issue.

The pro bono QDRO committee had approximately 57 cases open in 2016 and thanked the pro bono committee members for their work.

Council acknowledged Bob Treat and QDRO Express for their continued support of the journal and pro bono efforts.

**O. Technology/Social Media**

No report.

**P. Collaborative Law**

Dick Halloran moved this to a standing committee.

Jim Chryssikos discussed the options parties have in dismissing their case, putting it on hold, or extending the proceedings to allow parties to engage in the collaborative process.

Mat Kobliska discussed 90 to 180 stay, and up to one year.

Carlo Martina will be the liaison to the Collaborative Law Committee.

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

- A. SCAO Forms Committee** – No report.
- B. Twenty Year Review** – John Schrot will have a report for the next meeting.
- C. Parenting/custody Issues** – Dick Halloran and Vanessa Moss-Wilson reported they have a list of questions they received from Rep. Runsted. Vanessa to send notice of the meeting and send summary of status.
- D. E-Filing Issues** – Peter Kulas explained the issues with e-filing and the date filed vs date received by the courts and to be mindful of same.
- E. Public Relations Committee** – No report.
- F. Judicial Response Committee** – No report.

#### **V. Announcements**

Bob Treat acknowledged the talent and dedication of council members.

Jennifer Johnsen discussed the book written by our own Peter Kulas.

If you plan on attending the Supreme Court hearing for Judge Gorcyca, you must be there by 9:15 am.

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

2016-17 Council year meeting schedule

April 1, 2017, Amway, Grand Rapids  
May 6, 2017, Weber's Inn, Ann Arbor  
June 3, 2017, University Club, Lansing

#### **VII. Adjournment**

The meeting adjourned at 11:50 am.

Respectfully submitted – Sahera Housey