

**MINUTES – FAMILY LAW SECTION
COUNCIL MEETING**

Date: May 7, 2016

Place: University Club, East Lansing

I. Administrative matters

A. Call to Order and Welcome

Chair Carol Breitmeyer welcomed everyone and called the meeting to order at 9:30 am. Eighteen council members were present: Liz Bransdorfer, Carol Breitmeyer, Matt Catchick, Jim Chryssikos, Shon Cook, Dick Halloran, Chris Harrington, Sahera Housey, Matt Kobliska, Peter Kulas, Anthea Papista, Steve Reinheimer, Kristen Robinson, Amy Spilman, Gail Towne, Bob Treat, Randy Velzen and Kent Weichmann.

Ex-Officio and former council members: Elizabeth Sadowski and Ross Stancati.

Guests: Stephanie Johnson, KRKM and Justine Sylvester.

B. Chair Report

Carol reported that one privilege of being Chair is having a lens on the work done by the section every month. She congratulated everyone on all their hard work. She highlighted the adoption of domestic violence legislation, the members who testified related to the pending dower legislation, the work of the PR committee, the release of another exceptional Journal and efforts to increase readership of this publication. She invited consideration of how the section can use the PAC funds to advance our efforts.

C. Approval of Minutes

Liz Bransdorfer moved for approval of the minutes of the April, 2016, meeting as circulated. Dick Halloran seconded and the motion carried.

D. Treasurer's Report/Finance Committee

Kent Weichmann reported that we have not received any update from the State Bar, but believes we remain comfortably solvent.

Dick Halloran reported on the cost of attending the State Bar Leadership Meeting on Mackinac Island in June and moved that the Section cover the cost of attendance for the chair elect (or an alternate if he or she cannot attend) to attend. Shon Cook seconded. After discussion about the cost (this year \$1,200) and the benefits to the section of having its officer present, the motion carried 18-0.

II. Key Committee Reports

A. Legislation

Kent Weichmann moves the committee recommendation that the Section support HB 5511, making unmarried cohabitation no longer a misdemeanor. Dick Halloran seconded and the motion carried 18-0.

Kent Weichmann reported that the committee was divided on the Section's position on HB 5536, related to assignability of parenting time rights by deployed parents. Kent Weichmann moved that Council should take a position, but not what that position should be. Dick Halloran seconded. Sahera Housey moved that the position should be to oppose. Dick Halloran seconded. After discussion, it was determined that the Section's opposition should be tempered with an offer to help work on the problems with the bill as written, such as "who is family," what is the jurisdiction to enforce against non-parties, and the scope of the rights assignable. The motion carried 17-1.

Kent Weichmann reported that the Legislative Committee of the Section referred the State Bar ADR Section proposal for automatic mediation to the ADR committee of the Family Law Section.

There was a question about the status of HB 4141, mandatory physical custody. Stephanie Johnson reported it is in committee but not set for hearing, its primary sponsor is working on a similar, related bill that has not been filed yet.

B. Court Rules

Chris Harrington reported that he will appear at the Supreme Court hearing on May 18 and speak on two matters the Section has taken a position on – the court rule change about communication during depositions and the time line for subpoenas.

Chris also reported that the State Bar Representative Assembly voted to approve the two rule changes we voted on at the April meeting – MCR 8.119 on sealing materials in files and MRPC 7.2 regarding anonymous advertising.

Chris initiated a discussion about the practice in some counties of automatically dismissing cases where no return of service is filed within 91 days and whether a notice of intent to dismiss should be issued first. He will follow up with the Oakland County court administrator and report back. .

C. Amicus

No report.

III. Standing Committee Reports

A. Adoption

No report. Dick Halloran noted that MJA is concerned about adoptions, specifically HB 4911, which would take judges out of the process.

B. Alternative Dispute Resolution

No report.

C. Alternative Family

Peter Kulas reported that there is an upcoming meeting. Still no word from Peter Cunningham, so he is reaching out to Janet Welch. The LGBTQA section formation is moving forward. There is also interest in a special Journal issue devoted to LGBTQ issues and perspectives, and he will coordinate with the Journal committee. Finally, he recommended a 2013 article by the ACLU about protecting the rights of transgender parents and children. Anyone can contact him for a copy.

D. Annual Meeting

Annual meeting will be September 21 in Grand Rapids, with the dinner on the 20th. Carol Breitmeyer encouraged anyone needing hotel reservations to make them soon as the hotels fill up.

E. CLE/ICLE

Liz Bransdorfer reported that the Family Law Advisory Board is meeting later in May and looking for topic suggestions for all forms of CLE. Carol Breitmeyer also reported that ICLE is looking for diverse presenters and authors.

F. Domestic Violence

In Dan Bates' absence, Dick Halloran reported that the work group on standards for batterer intervention will meet next on June 16, at the office of the Michigan Domestic Violence Sexual Assault Prevention and Treatment Board. Also, the anti-domestic violence bills were signed yesterday.

G. Family Court Forum

Forum will be held June 10.

H. Family Law Journal

Anthea Papista reported on ongoing discussions related to ways to increase readership of the Journal, including the possibility of fewer issues per year and more publicity when each comes out, as well as the interrelationship between the

list serv and the Journal for advertisers. A lively discussion followed. The Journal Committee will keep working on ideas and recommendations.

I. Family Law Journal Advertising

Report included in discussion of Journal, above.

J. Family Support

No report.

K. Membership

Steve Reinheimer reported that the Section will have a presence at the Young Lawyer Summit on June 4, 8-3 in Novi, which conflicts with the next Council meeting (council members staffing the table at YLS will have an excused absence). We will present a panel discussion on Obergefeld, with Ric Roane, Liisa Speaker and others.

Membership is at about 2,800.

L. Political Action Committee

Ross Stancati reported on how the funds in the PAC are held and handled.

There was discussion, following Carol Breitmeyer's suggestion, about exploring options for use of PAC money to advance the interests of the section.

M. QDRO/Taxation

No report.

N. PR Committee

Liz Sadowski reported that the committee has had 2 telephone meetings, with poor levels of participation. It is looking at a 2-prong approach – awareness of the section to the public (to encourage clients to hire section members) and minimizing the adverse effect of the State Bar's efforts to provide DIY information on the section. Options included getting a URL with a link to the roster of section members to promote and putting together a flyer to promote section.

O. Mid-Winter/Mid-Summer Seminars

Kristen Robinson reported that the contract for the 2017 Mid-Winter has been approved by Cliff Flood and signed. The deposit will be paid Monday or Tuesday. She complimented the State Bar finance people for their help. There are a few openings left.

Liz Bransdorfer passed out a flyer for the 2016 Mid-Summer and encouraged everyone to share it and register.

IV. Ad Hoc Committees

A. SCAO Forms Committee

No report.

B. Comments from Rep Assembly, SBM/ICLE attendee

Included in Court Rules Committee report.

V. New Business

Liz Sadowski initiated a discussion about the possibility of a “complaint department” in the Section to assist members who have issues that require a “local fix” but cannot be raised by a local attorney. It is possible that this could be under the auspices of the corresponding secretary.

VI. Next Meeting and Future Meetings

Saturday, June 4, 2016, Weber’s Inn, Ann Arbor

2016-17 Council year has confirmed the following meeting schedule

September 21, 2016, annual dinner, Amway Grand Plaza, Grand Rapids
September 22, 2016, annual meeting and elections, brief council meeting, DeVos Place,
Grand Rapids
October 8, 2016, Weber’s Inn, Ann Arbor
November 11, 2016, Suburban Collection Showplace, Novi (following FLI)
December 10, 2016, Doubletree, Novi
January 21, 2017, University Club, Lansing
February 4-11, 2017 Mid-winter, no council meeting
March 4, 2017, Doubletree, Novi
April 1, 2017, Amway Grand Plaza, Grand Rapids
May 6, 2017, Weber’s Inn, Ann Arbor
June 3, 2017, University Club, Lansing

VII. Adjournment

Respectfully submitted,

Liz Bransdorfer
Recording Secretary