

Minutes - Family Law Council, Family Law Section
Family Law Section Meeting, Saturday, April 10, 2010
Location: Meijer Gardens, Grand Rapids MI

Attendance:

- ° **Council Members Present:** Anne Argiroff; Carol Breitmeyer, Neil Colman; Lorne Gold, Hon. Richard Halloran, Jules Hanslovsky, James J. Harrington, III; Barbara Kelly; Philip Navarre; Traci Rink; Kristen Robinson; Erika Salerno; Liisa Speaker; Connie Thacker; Elizabeth Kitchen-Troop; Kent Weichmann; Amy Yu. (17) Council members present.
- ° **Ex Officio & prior Council members:** Elizabeth Sadowski; David Sarnacki; Joseph William Cunningham; Ross Stancati
- ° **Guests:** Hon. John Van Allsburg; Gail Towne; John Potter; Ms. Amanda Yu; Ms. Katie Rink.

I. Administrative matters:

- A. Call to Order: 9:42 a.m. Introduction of Council Members & Guests.
- B. Chairperson Person Report - **Barbara Kelly:**
 - 1. **"Scott Basset Payment":** By a vote of 17-0 Council unanimously voted to approve the current payment due Scott Basset for his Family Law Journal Services.
 - 2. **Pro Bono Training:** By a vote of 17-0 Council unanimously voted to allocate \$200 in support of the "Pro Bono training" being offered in Macomb County; each participant at this "free" seminar will commit to taking one (1) pro bono case this year.
 - 3. **Oakland County e-filing:** Liz Sadowski discussed significant issues arising out of the mandatory e-filing program in Oakland County. There are problems with cost, with documents not having actual signatures, and the absence of "true copies". Council Members urged to continue to send letters to the Supreme Court regarding their concerns over this program. Amy Yu will continue to closely monitor the progress of this program.
 - 4. **Divorce Marketing Book:** No compelling or persuasive reason to support distributing these at CLE's. Perhaps they might want to take out advertisements in the Journal?
- C. Recording Secretary report:
James J. Harrington, III: Despite the absence of "account statements" referenced in the Chair's agenda, By Motion, with second, the minutes from the March 6, 2010 meeting were approved 17-0.
- D. Treasurer's Report: **Connie Thacker.** Which did include "account statements" the Treasurer's Reports were accepted by Council. The Treasurer will inquire into the status of the "Inherent.Com" charge.

II. Standing Committee Reports (A-to-R this month):

- A.** Adoption - **Liisa Speaker**. Thorough and detailed Report of teleconference meeting on March 31, 2010 dealing with legislation involving both the adoption code and the paternity act. The Committee is reviewing and considering various provisions regarding the Adoption Code. This is an ongoing process. At the April 1, 2010 legislative committee meeting, the legislation including SB 1200, 1201 and 1203 was opposed, except for SB 1202.
- B.** Alternative Dispute Resolution - **K. Weichmann**. A Planning Meeting was held for the Regional Mediation Competition held on April 1, 2010 which will be held at the Cooley law School on February 4 & 5, 2011. Judges are needed.
- C.** Alternative Family - **Carol Breitmeyer**: Lot's of progress made; close to a mission statement; excellent committee meeting prior to the Council meeting.
- D.** Amicus - no report.
- E.** Annual meeting - no report.
- F.** CLE/ICLE - no report
- G.** Court Rules - **Jim Harrington**. (1) Review and recap of very successful appearance and "yes" vote from Representative Assembly on the Attorney Solicitation issue. (2) ADM 2010-X - the CR/E continues to work on these case management guidelines and will make recommendations prior to the deadline for comment, July 1, 2010. (3) Proposed Amendment to MCR 3.211(b)(3) which would have permitted post Judgment arbitration of property issues failed by obtain a majority approval of Council by a vote of 6-8. (4) Abuse of Subpoena's/Record Production. These issues will continue to be discussed by the CR/E Committee with recommendations to Council to follow.
- H.** Domestic Violence: No report.
- I.** Family Court Forum: **B. Kelly**. Preparations continue. We have 130 persons lined up already.
- J.** Family Law Journal: No report.
- K.** Family Support - **C. Martina**. The committee is requesting input from practitioners regarding problems or issues arising out of the 2008 Formula revisions. Issues have arisen regarding depreciation and determining real income for self-employed persons. **K. Weichmann**. The USCO does not actually Order the payor to pay anything.
- L.** Journal Advertising: **N. Colman**. We need some more advertisers.
- M.** Legislation: **Kent Weichmann**: A comprehensive and thorough Legislative Report was presented to Council, which dourly voted "No" and opposed each and every one of the following Legislative proposals:
 - 1. **SB #1200** - "No" 14-2
 - 2. **SB #1201** - "No" 13-2
 - 3. **SB #1202** - "No" 16-0
 - 4. **SB #1203** - "No" 16-0
 - 5. **HB #5940** - "No" 16-0

6. **HB #5949** - "No" 17-0
 7. **HB #5950** - "No" 17-0
 8. **HB #5951** - "No" 17-0
- N.** Membership/Mentor Roundtables: No report.
- O.** Midwinter/MidSummer Meetings:
- MidWinter Seminar. **T. Rink.** We have a terrific "all inclusive" resort, Galley Bay, lined up for Feb. 5 to 12 in Antigua in the Caribbean. Because of the "all inclusive" this is very price competitive with prior mid Winter seminars. By unanimous vote, 17-0 Council approved and authorized the Contract for this Resort.
- MidSummer. **T. Rink.** The mid Summer meeting will be at the Homestead, in Glen Arbor, MI and be held on July 16, 17, & 18, 2010. The Brochures are not yet printed but should be out shortly.
- P.** Political Action Committee: **Neil M. Colman.** As of March 29, 2010 we have received \$3,720,00 from 43 List Servees, with some extraordinarily dedicated attorneys contributing 2 or 3 times (We know who you are Sahera & R. Treat, outstanding !) As of March 29, 2010 we have received contributions from only 11 of 21 Council members (note to B. Kelly - under Karen Sendelbach we received contributions from 100% of Council members). We are already ahead of the 2009 pace of \$3,305 being donated for the entire year, through June, 2009. Keep the \$\$\$\$ coming ! You know where to send the checks. You know who you are !
- Q.** QDRO/Taxation. **J. Cunningham.** Report presented to Council following the March 29, 2010 Committee meeting. Expanded QDRO training session, geared to develop and train QDRO specialists among Legal Aid attorneys is
- R.** Technology - **E. Sadowski:** Regarding the "banning" of for-profit seminars/activities on the list serv, this does not apply to "non-profits" who are related to family law. Also, the AAML is closely linked to the Section, and they are permitted to advertise their annual seminar. Update on e-filing project, ADM 2002-37, in place in Oakland County. Council members with comments on e-filing are urged to forward their comments to Corbin Davis, Supreme Court Clerk.
- III. Ad Hoc Committees**
- A.** Parenting Coordination Committee. **Kent Weichmann.** Thorough and comprehensive report regarding the March 27, 2010 PCC meeting re: a proposed Parenting Coordinator Statute, including the ten (10) suggested provisions.
- IV. New Business. Neil Colman.** We will post the names/list of legislators to whom we have been making PAC contributions.
- B. Kelly.** The State Bar has requested our voting and approval of the addition to the Website setting forth the "expectations for Council members". Approved 17-0.
- B. Kelly.** Shel Stark has been awarded the Michael Frank award by the State Bar of Michigan; a wonderful and well deserved achievement.

By Motion & 2nd, the April 10, 2010 meeting concluded at 11:23 a.m.

The Next Family Law Council meeting is scheduled for Saturday, May 1, 2010 at the Doubletree Hotel, Novi, MI; hearty breakfast at 9:00 a.m. and exciting meeting immediately thereafter at 9:30 a.m.

James J. Harrington, III
Recording Secretary

May 1, 2010