### MINUTES OF THE JANUARY 17, 2009 FLS MEETING

# **Council Members Present:**

Barb Kelly

Traci Rink

Amy Yu

Connie Thacker

Donna Mobilia

Liisa Speaker

Anne Argiroff

Kristen Robinson

Rebecca Shiemke

Philip Navarre

John Hammond

Jim Harrington

Judith O'Donnell

Kent Weichmann

**Bob Treat** 

Jules Hanslvosky

Lorne Gold

Erica Salerno

### **Guests Present:**

Stacy Van Dyken Neil Colman

# Ex-Officio

#### I. Administrative matters

- A. Meeting called to order at: 9:36 a.m. by Chair-Elect Barb Kelly
- B. Chairperson's Report- Carlo had to speak at a conference today and couldn't be here. Some didn't get Council meeting e-mail, make sure Council list serve is enabled (need password) and if it is still a problem, e-mail Barb and cc Liz Sadowski. Much of what Council needs to discuss at meetings happens (particularly legislation) within a week of meeting, so, in order to prepare written packet, the Bar would need it two weeks ahead; not very effective to address urgent issues. John Hammond suggested the Bar could save money by just doing it as an e-mail. Every Council member's name is on the Council listserv. Liz can give you the passwords. Need password to manage account. To enable, contact with Listserve. Marilyn Kelly is now Chief Justice of the Michigan Supreme Court. Next month we are trying to arrange bus (if enough interest) to go to Grand Rapids. Pick-up possibilities are at Lahser and 11 Mile, or at I-696 and Milford Road. Carol Breitmeyer is bringing coffee cake.

Connie pointed out that the bus will be expensive and that it is only cost-effective if we take the bus to get there rather than a bunch of people driving separately and requesting reimbursement. Liisa asked about a stop at Okemos and Connie indicated that all stops are extra. March meeting starts later, breakfast at 9:30 and meeting at 10:00.

Dr. Friedberg working on parenting time coordinator issues. We already have committee which includes Richard Halloran.

Carlo's message from Chair is about the alienated child. He wants to form an ad hoc committee on this. He will ask for volunteers. If interested, e-mail Carlo.

New by-laws require an article in your term. If you haven't written anything, start writing!

Annual meeting is Sept 16-18 in Dearborn.

The Section meeting is 9/17 at 9:00 and the dinner is the night before at the Hyatt again.

ICLE institute is 12<sup>th</sup> and 13<sup>th</sup> of November.

Website should have all meeting minutes from this year and last year.

- C. Recording Secretary's minutes were adopted.
- D. Treasurer's Report. Amy disbursed balance sheet and budget for end of December. Report adopted.
- E. Introduction of Local Bench/Bar guests Stacy Van Dyken from GR

## II. Standing Committee Reports- Previous Chair's Status Report

**Adoption**- no report

**ADR** – Had to bear some cost of cancelled joint seminar with ICLE.

**Alternative Families**- Connie indicated it was a little unfair to stick Carol with it on her first term. Connie will take over chair, and set up phone conferences. The case she previously discussed is still pending (waiting for Court of Appeals decision) and the second parent adoption bill is being introduced by a woman from Ann Arbor (Alma Smith?).

Amicus- No report. Hunter brief not due yet, Appellee has not filed their brief yet.

# Annual Meeting - Already discussed

## **CLE/ICLE**- Already discussed

**Court Rules**-. Asset/liability Disclosure (marked A), document prepared by Carol Breitmeyer. Take a look at it and comment, even if you're not on Committee. They are considering a document that had Court signing asset/liability sheet. March 4<sup>th</sup> teleconference meeting scheduled. Link to SCAO and what they're considering is included in committee report. Will report at next council meeting with fully tweaked report. Do we want to craft a court rule or just tweak the settlement conference rules?

The committee also discussed the proposed amendments to the mediation court rule (MCR 3.216(E) and supports the revision removing the court from any direct role in recommending a mediator unless the parties stipulate. The committee also discussed the usage of 'community resource center' for dispute resolution, provided the Court retains responsibility for insuring the qualifications of domestic relations mediators. Move to approve the revisions to 3.216 with further statement that court ADR clerk will make primary responsibility for ensuring that community dispute mediators are qualified. Neil asks if the FOC is considered 'The Court ' for purposed of appointment, because in Macomb co the referee's do the settlement conferences and appoint mediators. Motion passed. 18-0.

008-29 and 2008-40 were referred to us for comment, and both seemed more appropriate for other sections, recommended no action be taken (both deal with juveniles)

# Domestic violence- no report

#### Family Court Forum- no report

**Journal-** Lorne went through list of who hasn't written article for their term. Need article by the 8<sup>th</sup> of the preceding month. For terms expiring in 2009, Ann, Judith, Traci and Kristen. For 2010, Jules, Donna and Erica. For 2011, Richard, Phil, Connie and Bob.

# Family support- no report

**Journal advertising**- Neil said people are calling and asking if they owe money. Todd had it running and Barb suggests Neil talk to Todd.

**Legislation-** Kent says that since every bill died at end of 2008 and nothing's happened this year yet. Paternity standing bill died and Carlo commented (through Kent) that this may be a bill we want to help by draft instead of responding. We may want to find sponsors for some of the stuff that died that we are pushing, such as the Parental Kidnapping. FOCA package died. EDRO bill passed.

### **Membership**- nothing.

**Mid-Winter**- good to go

**Mid-Summer seminar-**Lorne and Traci playing bids (Grand Traverse/Homestead) off each other.

**PAC**- Contributions down, no one has anything to send in apparently.

**QDRO-** no report

**Tech**- no report

### AD HOC COMMITTEES

Resource Allocation- discussed report \$#\*&#\$&(%

John Hammond has been doing unofficial liason work with section and Michigan Judges Association, willing to keep up. Lorne asked where reserves are held, Barb says at State Bar. No interest. Judith suggests litigation section has hundreds attend their summer seminar. Maybe we could consider speakers with Nation star power that would increase seminar attendance. Maybe expand little by little with inclusion of national speaker. She suggests we talk to Shel Stark about it because of the big draw the litigation section gets. Connie states that we used to have official liason to various groups, mutually attend meetings. Create three or 4. They can contact their groups for participation is such a meeting as the committee is discussing.

Jules is not sure why they disappeared from agenda. He has been the liaison with the SCAO and fOC advisory committee. Full day four times per year. We can learn form the reports from these liaisons. Jim Harrington asks whether we should have standing commiees on liaisons to report what's happening

Barb adds that the committee is only three and when we decide which ideas to put into action, we will need volunteers, many more hands. Let Traci or Barb know. Ann asked if we are still taking suggestions, yes we are. Jim said we specifically discussed membership and increasing it. Target new members. Any council members who have ideas about how a few dollars here or there could help, please let us know.

# **III. New Business**

Connie says Kent county is starting pilot project in \_\_\_\_ and all forms are different. You really must engage local counsel to wade through the forms. Very little judicial discretion. Must go to ADR with approved mediators. No cases involving minor children are exempt. Jules thinks this came out of FOC advisory meetings. He can get copy of report that lead to this.

Ruling on minimum fee case, thinks this Council did a lot on this. Good job amicus. We still have rule we proposed on this. Hopes we can put proposed rule on agenda for this.

Meeting adjourned: 10:40 a.m.