

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 12th and 13th 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 4th 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 8th 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.

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.