

Minutes - Family Law Council, Family Law Section
Family Law Section Meeting, Saturday, June 5, 2010
Location: Weber's Inn - Ann Arbor, MI

Attendance:

- ° **Council Members Present:** Anne Argiroff, Carol Breitmeyer, Lorne Gold, Hon. Richard Halloran, James J. Harrington, III; Barbara Kelly; Phillip Navarre; Traci Rink; Erika Salerno, Rebecca Shiemke, Liisa Speaker, Robert Treat, Elizabeth Kitchen-Troop; Kent Weichmann; Amy Yu. (15) Council members present.
- ° **Ex Officio & prior Council members:** Elizabeth Sadowski
- ° **Guests:** William Kandler; Johanna Peltier; Debra F. Donlan.

I. Administrative matters:

- A. **Call to Order:** 9:40 a.m. Introduction of Council Members & Guests.
- B. **Chairperson Person Report - Barbara Kelly:**
 - 1. **Annual Report presented to Council.** Certain Committee Chairs (you know who you are) still have reports outstanding.
 - 2. **Ballot initiative:** the "mandatory Joint Custody bill" died a natural death without making it to the ballot.
- C. **Recording Secretary report: - James J. Harrington, III:**
By Motion, with second, the minutes from the May 1, 2010 meeting were approved 15-0.
- D. **Treasurer's Report: Connie Thacker.** No report.

II. Standing Committee Reports (reverse order):

- A. **Adoption.** No report.
- B. **Alternate Dispute Resolution.** No report.
- C. **Alternate Family.** No report.
- D. **Amicus.** L. Speaker: extensive discussion of *Beck* case; the *amicus* committee will be working on this over the Summer; K. Weichmann: we should not reward child abusers with a termination of Support obligations.
- E. **Annual Meeting.** B. Kelly: The next Council meeting will be at the State Bar Annual Meeting in Grand Rapids at 9:00 a.m. on September 30th, 2010. The Council Dinner will be the evening prior.
- F. **CLE/ICLE.** ICLE is putting on a seminar "Domestic Violence in Child Custody Cases — Increasing Safety and Well Being For All Family Members" and the moderator will be Rebecca Shiemke (congrats Rebecca !)
- G. **COURT RULES.** The Court Rules report was reviewed, discussed and accepted by Council. The Council voted unanimously, 15-0 not to extend the proposed time limitations in ADM 2009-19 to Family Law cases. Judge Young, Oakland County Circuit Court, continues to lead a task force regarding the Default Judgment Court Rule. Thorough and detailed commentary by L. Gold regarding this Court Rule. Interested Council members are urged to participate in the task force, and appear at the upcoming meeting in Lansing. Written report and explanation by A. Argiroff regarding ADM 2009-19 which would restrict the current right to

file appeals for up to one year; the 2 proposals would shrink the period to either 21 or 35 days. Council voted 15-0 to oppose these proposals. Discussion regarding MCR 7.202(6) which opens the door to “bifurcated” appeals. Council voted 14-0 in favor of a simple definition of “final” Order to include the language in MCR 7.202(6)(a)(iii) “in a domestic relations action, a custody order entered as part of a judgment or a post judgment order affecting the custody of a minor”.

- H. **Domestic Violence.** The DV committee including Rebecca Shiemke and Kent Weichmann have been very active, and the Report from the May 24, 2010 meeting includes an update on the Power Point presentation on Domestic Violence, the July 13, 2010 ICLE training, a series of articles in the Family Law Journal on DV issues, and Connie Thacker’s assistance in obtaining funding for pro bono training in October, 2010. (Great work, DV Committee)
- I. **Family Court Forum:** B. Kelly. Council allocated \$2000 for the Forum, but only \$1,000 was required which is excellent news.
- J. **Family Law Journal.** No report.
- K. **Family Support.** Annual Report submitted by K. Weichmann reviewed and accepted by Council.
- L. **Journal Advertising.** No report.
- M. **Legislation.** No report..
- N. **Midsummer/Midwinter Seminars.** L. Gold & T. Rink are looking for speakers for the MidSummer meeting; the Homestead Resort will be an outstanding location. No report for Midwinter Seminar.
- O. **Political Action Committee.** No report from N. Colman (but if he were here he would have said: “keep the donations coming, no donations too small or too large; but try to concentrate on the ‘too large’ ones !)
- P. **QDRO/Taxation.** No report.
- Q. **Technology.** No report

III. Ad Hoc Committees

- A. **Parenting Coordination**-Richard Halloran. Continued work on legislation for Parenting Coordinator Statute.

IV. New Business

New Family Law Section Members. Liz Sadowski will be checking on how we can notify new members who sign up for the Section about the activities of the Section, the role of Council, and that we have many Committees which can benefit from additional members. B. Kelly: it is important that we welcome new members.

By Motion & 2nd , the June 5, 2010 meeting concluded at 10:50 a.m.

The Next Family Law Council meeting is scheduled as part of the State Bar Annual Meeting in Grand Rapids, Michigan on September 30th, 2010; breakfast at 9:00 a.m. and meeting to follow at 9:30 a.m. (Have a Great Summer !)

James J. Harrington, III
Recording Secretary

September 30, 2010