

**STATE BAR OF MICHIGAN
FAMILY LAW SECTION
MEETING AGENDA**

DATE: **October 6, 2007**

PLACE: **Wyndam Gardens Hotel, Novi**

TIME: **9:30 am**

Administrative Matters

A. Call to order:

The meeting was called to order by the chairperson, Karen Sendelbach. The first order of business was to approve the minutes from the previous meeting. A motion was made to approve the minutes and the motion received support. There was no discussion and the prior minutes were unanimously approved.

B. Treasurer's Report:

The Treasurer reported that the Section's year-end fund balance for 2005 was \$68,000, the year-end for 2006 was \$100,472.67, and we are beginning with a balance in 2007 of \$131,675.22. He suggested that expenses should be submitted, if possible, by Friday, October 12, and that the Family Law Forum and the Family Law Institute should be broken out in the Section budget so as to provide a better idea as to how much money the Council is making on each event. The Treasurer indicated that the Section membership is dropping as we are losing and not adding as many members. However, the financial condition of the Section is solid based upon the ads from the Journal and the trimming of the Journal costs. Other operations have also increased our dollars for the Section. A motion was offered to adopt the Treasurer's report and the motion received support. There was no discussion and the Treasurer's report was unanimously approved.

C. Committee Reports:

Amicus Brief:

The only subject discussed by the Amicus Committee was regarding *Estes v Titus*. Attorney Lisa Speaker, who worked during the summer with the Committee, including Judith Curtis, presented the position of the Committee. The Committee did not offer a motion. However, a motion was made by one of the Council members, and the motion was that the Amicus Committee take the position that the UFTA does not apply to divisions of property in divorce judgments. The

motion received support and there was much discussion among the Council members, attending Section members, and the guests regarding the case, UFTA and the motion. Subsequent to discussion, a vote was taken on the motion resulting in the passage of the motion, with 11 council members in favor of the motion and 4 opposed.

Another member of the Council brought another motion requesting that the Committee, in its brief, provide a list of some of the issues/problems which the Council identified if the UFTA is deemed applicable to property divisions in divorce judgments. The motion to provide a list of the issues/problems passed with unanimous support.

Adoption Committee: no report

ADR:

The Committee reported that they are trying to think of ways to increase the emphasis on mediation. During the next several months, the Committee will be taking steps to move toward an emphasis of mediation.

Alternative Family Committee:

The Committee reported that they are closely following a case from Berrien County, where 2 female partners obtained a second parent adoption in Chicago and later moved to Michigan. The couple is in the process of dissolving their relationship, and one of the parents filed a petition to determine custody, parenting time and support. The other parent filed a motion to dismiss and the trial court granted the motion to dismiss. Lambda Legal Defense and the ACLU have accepted the appeal and the Committee will continue to closely monitor the case at the Court of Appeals.

Annual Meeting: no report

Domestic Violence: no report

CLE: no report

Court Rules: no report

Family Forum:

The Committee is in the process of planning the next Forum.

Family Journal: no report

Family Support:

The chairperson of the Committee reported that they are hopeful that the Supreme Court will accept a request to consider modifications to the current Child Support Formula so as to address the cliff associated with the Shared Economic Formula. The Committee was concerned that if changes are made to the Formula that we will be stuck with the cliff for the next 4 years. The committee chair indicated that he is considering having the chief judge from every circuit write a supporting letter to the Supreme Court. There was discussion among the members that the Council may not be in support of such action. The chairperson of the Committee indicated that he would take the member comments back to the Committee and that the letter writing would not occur without the support of the Council.

Journal Advertising: no report

Legislation:

The chairperson of the Committee reported that the Legislature is busy with state budget issues and therefore, the Committee is not seeing a lot of legislation regarding family law issues. He also indicated that there have been a number of parental rights bills and since the bills should be addressed by the Children's Law Section, that the Legislation Committee has not been addressing the bills. He did, however, indicate that since the Children's Family Law Section does not actively respond to the legislation, that the Committee would further consider whether or not the Family Law Council should address the Child Protective Services bills.

Membership: no report

Mid-Winter/Mid-Summer Seminars:

The chairperson of the Committee reported that the St. Lucia trip is sold out and it sold out essentially on the listserv. All plane tickets have been sold and plane tickets are now available at a cost of \$1,300. The summer seminar has been reserved at the Homestead and the deposit was paid to reserve the location. The Committee is considering collaboration with another Section for the summer seminar. Specifically, the Committee considered collaboration with the Litigation Section. Apparently, the Litigation Section spends a significant amount of dollars on speakers and if we were able to collaborate with the Litigation Section, we would be able to provide additional bodies while the Litigation Section would cover the cost of the speaker. It was also reported that initially the Litigation Section was not interested in collaboration. However, once they learned that the

Family Law Section reserved the Homestead during the same time that the Litigation Section wanted to host its seminar at the Homestead, they now may be interested in collaboration.

PAC: no report

QDRO: no report

Technology: no report

D. New Business:

The new website is up and running and everyone was encouraged to explore the new site.

E. Next Meeting:

Saturday, November 3, 2007

Weber's, Ann Arbor

9:00 am Breakfast

9:30 Meeting

Attendance: Council meeting—10/06/07

Council Members:

Connie R. Thacker
Donna Mobilia
Erika Salerno
Jim Harrington
Kent Weichmann
Rebecca Shiemke
Lorne B. Gold
John T. Hammond
Ross Stancati
Judith O'Donnell
Ann Angeroff
Amy Yu
Barbara Kelly
Karen Sendelbach
Carlo Martina

Section Members

Veronique Liem
Liisa Speaker
Steven Reinhilms
Michael Thomas

Guests

Paula Dubabian