

STATE BAR OF MICHIGAN
FAMILY LAW SECTION
ANNUAL REPORT

It has been my privilege and honor to serve as Chair of the Family Law Section of the State Bar of Michigan during the 2004-2005 fiscal year. The Family Law Section boasts a membership of over 2,600 family lawyers from all corners of the state. It is run by the Family Law Council, a group of 21 dedicated, hard-working family lawyers from Macomb County on the east to Kent County on the west; Washtenaw County on the south to Midland County on the north. It has been a pleasure working with this fine group of lawyers this past year.

The business of the Family Law Council is conducted through 20 standing committees and such *ad hoc* committees as may be needed. The Council also maintains active liaisons with eleven other sections and professional associations. Those relationships enable us to stay on top of legislation and legal developments impacting all areas of family law.

While all of the Council committees were active this year, the Legislation Committee was, by far, the busiest. The Legislation Committee continued its work of monitoring all family law related legislation in the Michigan House and Senate. By the end of the 2004 session, we were tracking and taking positions on well over a hundred bills. The legislation included the redefinition of de novo hearings for domestic relations referees, the marriage preservation package, new terminology for custody, and bills needed to help implement Attorney General Michael Cox's child support collection initiative.

Working with both the Legislation Committee and the Adoption Committee, the Council reviewed and took an active role in crafting meaningful reform of the Michigan Adoption Code. The committee also worked with both houses of the legislature as well as a conference committee in reinstating a statute for grandparent visitation designed to pass constitutional muster.

While the present legislative session has gotten off to a comparatively quiet beginning due, primarily, to ongoing budget concerns in the legislature, we expect a session as busy, if not busier, than last. As of this report, revisions to the Paternity Act have been introduced and we expect a re-introduction of last session's marriage preservation package which was vetoed last year by Governor Granholm. We might also see proposed legislation permitting the adoption of children by unmarried couples.

Wishing to be pro-active, the Council has actively worked with the legislature toward a further amendment to the new grandparent visitation statute, amendments to the Domestic Relations Arbitration Act designed to facilitate decisions on child custody matters by arbitrators and, working with the Taxation

Committee chaired by Joe Cunningham, legislation which will broaden the scope of qualified domestic relations orders (QDROs) in pension divisions.

The current Legislation Committee chair is Kent Weichmann. He succeeded long-time chair Lisa Sullivan who had to step down as Legislation Committee Chair after her appointment by the Governor as a Probate Judge in Clinton County. We continue to be indebted to the work of Bill Kandler, our lobbyist, who has labored tirelessly to keep us advised of legislative proceedings and to keep the legislature advised of our concerns.

A major project this past year was a complete overhaul of the award-winning Family Law Journal. Working with our editor Norm Robbins, the Journal Committee, chaired by Neil Colman, revised the Journal inside and out, providing an entirely new look to this fine publication as well as enhanced content. Thanks to Norm, Neil and other dedicated volunteers, the Family Law Journal continues to rank as one of the finest publications of a State Bar section anywhere.

The Amicus Curiae Committee, chaired by Karen Sendelbach, continued to excel as one of our finest committees. The Family Law Section has been asked on numerous occasions to provide amicus curiae input to the Michigan Court of Appeals and Supreme Court on cases affecting Michigan families and the laws that govern them. We are honored to share our expertise with the higher courts and will continue to play an active role in that area.

Continuing legal education has been, and continues to be, a major focus of the Section and the Council. Under the leadership of Judith O'Donnell, we have put on successful winter and summer seminars at venues conducive not only to learning, but to networking and recharging our batteries as advocates. We continue to co-sponsor with ICLE the very popular Family Law Institute each November. That partnership has produced the foremost "must attend" family law seminar each year. Former Section Chair Keldon Scott, with the assistance of Council member Todd Selin, again ran the Mid-Michigan "Must Know Divorce Strategies" seminar in Lansing. We enter next year with additional partnerships with ICLE designed to offer our members the very best in family law-oriented legal education.

The Family Support Committee continued its efforts this past year at developing a commission to provide periodic review and revision of the Michigan Child Support Guidelines and Formula. Chair Carlo Martina's considerable efforts behind the scenes have been invaluable to this process and we hope to see something actively in place this legislative session.

Chair Anne Argiroff worked tirelessly on keeping the Council up to speed on the numerous changes to the Michigan Court Rules this past year. The Court Rules Committee reviewed each proposed change, analyzed each proposal and provided written commentary to the Council on a monthly basis. The committee

input was a critical element in the recommendations made by the Council this past year.

The sixth annual Family Court Forum was held in Ann Arbor on June 10, 2005. This popular program is put on annually by the Family Court Forum Committee chaired by Barbara Kelly. It is supported completely by donations and is provided at no cost to the invited participants. This year's participants included several family court judges, friend of the court personnel, mediators, arbitrators and therapists. It continues to be one of the most popular educational programs offered by the Section and Chairperson Kelly deserves a lot of the credit for its success.

These are only a few of the highlights of this past year. My thanks and recognition of certain individuals is by no means intended to overlook or ignore the contributions of others. Each and every Council member contributed to the overall effort this past year and each person's input was a valuable part of our success. I will miss serving the Bar and the profession in my capacity as a Council member and Chair but leave the position secure in the knowledge that the Section and the Council are in good hands next year and well into the future.

Respectfully Submitted,

John F. Mills
Chair, Family Law Section
State Bar of Michigan