

State Bar of Michigan
Domestic Violence Committee
Saturday February 23, 2008
Minutes

- I. **Call to Order** – Meeting was called to order at 12:10 pm.
- II. **Welcome and Introductions** – Meeting was chaired by Mary Lovik

The following people were in attendance:

Janet Prader, Guerline Ladouceur-Laurore, Candace Crowley, Elias Escobedo, Mary Rubio, Leslie Hagen, Charlotte Allen, and Christine Pfeiffer.

Christine Pfeiffer took minutes

- III. **Approval of Minutes** – Vote was not taken to approve Minutes from the January 26, 2008 meeting due to lack of a quorum. Correction to Minutes was made: substitute action steps on the Agenda for today’s meeting for the “TO DO” list in the January 26th Minutes.
- IV. **Report of the Chair** – Rebecca Schiemke is on vacation. Mary Lovik provided Rebecca’s report regarding legislative issues. House Bill 5598 (pet placement in divorce) - all members of the Committee opposed the Bill in an electronic vote and Rebecca filed our opposition with the State Bar Board of Commissioners. The Family Law Section is opposing the Bill. The Animal Law Section supports the bill with recommendations. Contact will be made with the Animal Law Section to try to reconcile positions. House Bill 5324 (mutual PPOs) – Board of Commissioners approved the Committee’s position on this Bill.
- V. **Old Business** –

- a. Update on judicial training:

Action Steps:

- 1. Survey to judges - Survey has been distributed to Committee members. State Bar of Michigan staff has turned the paper survey into an electronic survey. Janet Welch to present Survey to Carl Gromek at SCAO.
- 2. Gather data on upcoming conferences for possible presentations – Per Judge Jackson, the Circuit Court Judges Association’s annual conference will be from August 17-19

at the Grand Hotel, Mackinaw Island. Elias Escobedo provided contact information for the Oakland County circuit and district courts bench-bar conferences.

Charlotte Allen suggested that the training could potentially be included in the next appellate bench-bar conference (to be held in 2010, planning to begin in early 2009).

Committee discussed whether the training would be appropriate for ICLE Family Law training. Rebecca to contact Shel Stark at ICLE.

Candace Crowley stated that the American Indian Law Committee is interested in venues that would allow tribal court judges to interact more with circuit court judges.

It was determined that the Committee needs to continue to work on finding good venues. This will be partly be partly driven by the subject matter which we will know more about after we get feedback from the Survey.

3. Informally Survey other stakeholders – Mary Lovik has been unable to reach the contact person at MCADSV yet. Discussion was had regarding whether training should include looking at batterers' behavior/actions. Survivors' response to trauma makes more sense to judges when they understand this. Also, maybe a question(s) should be added to the Survey to address this.

Legal aid attorneys suggested also including supervised parenting time issues with the training.

VI. **New Business** –

- a. Incorporating tribal and federal court judges in the training –

Discussion was had whether tribal judges should be included in the training. Elias Escobedo brought up concerns about how the training would be perceived by Native American community vis-à-vis the unique cultural dynamics in that community. Elias suggested working with the Indian Law Section to help us address this issue. He also stated that he is a member of the Governor's Task Force on Children's Justice and the Task Force includes representatives from the American Indian community. The Task Force receives government funding that it uses for grants to selected projects.

Candace Crowley indicated that the American Indian Judges Association is open to becoming more active in training and activities with circuit court judges. Leslie Hagen has contacted Wenona Singal (new President of the Association) and she expressed an interest in the Association's members being included in the training. Candace will contact Wenona to assist in distributing the Survey to tribal judges for their feedback. Once we have feedback from the tribal judges, the Survey could be modified as necessary to address their unique issues.

SCAO's 4th Annual Child Welfare Issues Conference will be held on April 9-10 at the Kellogg Center in East Lansing and the topic is "Every Step of the Way: Safety for Children Living with Domestic Violence" with a "failure to protect" tract. It was discussed that a member of our Committee should attend the conference.

b. Subject matter of the judicial training –

Candace questioned whether the Committee is still clear on the subject matter of the training – domestic violence issues of interest to all judges or geared to family law. Discussion was had that the Survey results may give us some direction. Additional issues discussed – statutes impacting domestic violence issues that many judges are not aware of; issues around conflicting court orders, and ways to coordinate orders better between district and circuit courts; and overlap across benches in some family law issues.

c. ACTION STEPS (TO-DO):

1. Candace Crowley will continue efforts to get Survey distributed to state court judges.
2. Candace Crowley and Leslie Hagen will contact Wenona Singal regarding distributing the Survey to tribal judges.
3. Rebecca Shiemke will inquire as to the Committee having a representative at the ICLE Family Law training.
4. Mary Lovik (or another Committee member) will try to attend the April 9-10 SCAO conference.
5. Mary Lovik will follow-up with Committee members not on the telephone conference regarding venue. At this point, we will focus on bench-bar venues.
6. Charlotte Allen will email support statutes to Committee members.

VII. **Good of the Order**

VIII. **Meeting Schedule/Next Meeting** – The next meeting will be a telephone conference on Tuesday April 1, 2008 at 4:30 pm. Topics for next meeting: (a) long term planning? and (b) House Bill 5761 (would require higher burden of proof for divorce when minor children are involved).

VIII. **Adjournment** – The meeting was adjourned at 1:25 pm.