

State Bar of Michigan  
Domestic Violence Committee  
Saturday November 17, 2007  
Minutes

- I. **Call to Order** – Meeting was called to order at 10:14am.
- II. **Welcome and Introductions** – Meeting was co-chaired by Rebecca Schiemke and Mary Lovik.

The following people were in attendance either in person or via teleconference:

Cathy Church, Guerline Ladouceur-Laurore, Candace Crowley, Elias Escobedo, Christine Pfeiffer, and Janet Prater.

Christine Pfeiffer took minutes

- III. **Approval of Minutes** – Minutes from the October 20, 2007 meeting were approved.

It was noted that some people did not have/receive the October 20, 2007 Minutes or other materials that were e-mailed out to the group.

- IV. **Report of the Chair** – Nothing to report from the Co-Chairs.

- V. **Old Business** –

Update on judicial training research/project – It was decided that the Committee needs to determine what the goals and objectives for judicial training (including audience for the training, content of the training) will be, and then a brief proposal would be drafted.

A detailed discussion was engaged in regarding the project. Mary Lovik discussed her contacts with the National Council on Juvenile and Family Court Judges. NCJFCJ is willing to help us out with the training including sitting on our meetings to provide assistance and possibly providing faculty for the training.

Discussion was had regarding the audience for the training and the committee agreed that it should be the entire bench (starting with judges and then possibly moving down the “chain” to include magistrates, friend of the court personnel, local community, civil bar training). Mary also referred to an article written by Ellen Pence that is available on [www.praxisinternational.org](http://www.praxisinternational.org) about the latest research on domestic

violence including the forms of women's violence (Mary will forward a copy to Committee members).

The Committee decided that the training should be based on "cutting edge" research and go beyond the power and control wheel. Should discuss nature and dynamics including, the types of violence that women use (more balanced approach), the types of weapons batterers are now using – ie, they are shifting their tactics (visitation issues, not paying child support) and manipulating the judicial system, the need to have the various court systems involved, parental alienation syndrome, and also the involvement of survivors of domestic violence. Our approach would be that this training is something new and we want to update the bench on this important topic.

The Committee agreed that we should have training in both a plenary session to the annual meeting for current judges and in a session during new judges training. The Committee also discussed bringing in a judge from out of state for both of these trainings to avoid "political" issues with having a local judge as presenter. NCJFCJ would be helpful with this.

Rebecca will contact NCJFCJ to try to arrange to have someone from NCJFCJ participate in the Committee's next meeting. Mary and Rebecca will summarize the learning objectives for judicial training from the NCJFCJ and send out to the Committee to provide comments and revisions.

## VI. **New Business –**

House Bill 5324 introduced by Rep. Calley. The members of the Committee that were present unanimously agreed that we should oppose this bill. Candace noted that the Committee did not have a quorum so it was decided to discuss the bill, come up with a proposal, and then have an electronic vote.

This bill would amend domestic relation and stalking PPO laws by making restraints on conduct under PPOs mutual (ie – would apply to both the petitioner and the respondent).

Rebecca suggested that this bill is probably based on misconceptions about blaming the victim. The Committee identified the following problems with the bill:

- Impact on federal funds (under VAWA)
- Michigan PPO may no longer be enforceable in other states (based on VAWA)

- Blames the victim (presumes the victim is equally at fault and her behavior should be restrained also)
- Sends the wrong message (trivializes the abuse)
- Confuses children, confuses and further empowers abusers, and confuses and stigmatizes the victim
- Keeps domestic violence behind closed doors (victims less likely to seek PPOs)
- Confuses police, inappropriate response (do not know who to arrest)
- Endangers children
- May jeopardize immigration claims
- Violates due process
- Undermines homicide prevention
- Takes away PPOs as a viable remedy
- Takes away judicial discretion.

Michigan did away with mutual restraining orders for these reasons.

Rebecca will prepare a proposal for the Committee for electronic vote. Candace noted this is Keller permissible because the bill may result in Michigan PPOs not being enforceable in other jurisdictions and the loss of judicial discretion. Mary Lovik excused herself from voting.

VII. **Good of the Order**

VIII. **Meeting Schedule/Next Meeting** – The next meeting will be a telephone conference on January 26, 2008 at 12pm. Mary will try to have a representative from the NCJFCJ on the call. The Committee's proposal for judicial training will be drafted before the next meeting and provided to the NCJFCJ and will be discussed.

VIII. **Adjournment** – The meeting was adjourned at 11:24am.