

Family Law Section

2007 – 2008 Annual Report

Karen S. Sendelbach, Chairperson

Mission Statement

The Family Law Section of the State Bar of Michigan provides education, information and analysis about issues of concern through meetings, seminars, this site, public service programs, and publication of a newsletter. Membership in the Section is open to all members of the State Bar of Michigan. Statements made on behalf of the Section do not necessarily reflect the views of the State Bar of Michigan.

Our mission statement is published on our website, www.MichFam.com.

Members

Chairperson:	Karen S. Sendelbach Nichols Sacks Slank Sendelbach & Buiteweg PC 121 W Washington St Ste 300 Ann Arbor, MI 48104-1300	Phone: (734) 994-3000 Fax: (734) 994-1557 e-mail: ksendel@nsssb.com
Chairperson-Elect:	Carlo J. Martina	Plymouth
Recording Secretary:	Connie R. Thacker	Grand Rapids
Corresponding Secretary:	Amy A. Yu	Farmington Hills
Treasurer:	Barbara J. Kelly	Ann Arbor
Term Expires 2008:	Neil M. Colman Hon. John T. Hammond Philip B. Navarre Rebecca E. Shiemke Mark A. Snover Ross F. Stancati Connie R. Thacker	Sterling Heights Saint Johns Jackson Ann Arbor Bingham Farms Kalamazoo Grand Rapids
Term Expires 2009:	Anne L. Argiroff Judith A. O'Donnell Traci L. Rink Todd S. Selin Karen Sendelbach Kent L. Weichmann Amy A. Yu	Farmington Hills Bingham Farms Pontiac Lansing Ann Arbor Ann Arbor Farmington Hills
Term Expires 2010:	Lorne B. Gold Jules Hanslovsky James J. Harrington, III Barbara J. Kelly Carlo J. Martina Donna E. Mobilia	Bloomfield Hills Okemos Novi Ann Arbor Plymouth Grand Rapids

	Erika Leuffen Salerno	Kalamazoo
Ex-Officio:	Hon. Lisa Sullivan	Saint Johns
Non-member of the State Bar:	Bill Kandler	Lansing
Commissioner Liaison:	James N. Erhart	Petoskey

2007 – 2008 Notable Accomplishments

During the past year, we have entirely modified our website, creating an extremely user-friendly website which contains hundreds of family law resources, including the complete texts of our entire collection of *Family Law Journals*, the new child support formula (effective October, 2008), links to helpful websites, links to our wiki and our listserve, information regarding our comprehensive educational programs and seminars, monthly agenda and meeting packers for the Council, and much more information. This website is located at www.MichFam.com.

Through electronic communication, this year we were able to personally invite every section member to every Council meeting statewide and to provide them with copies of our agenda, as well as our correspondence, minutes, treasurer’s reports, and other information vital to the Section. As a result, we received input from Section members who previously did not know how to become involved, and we had new attendees at our meetings. The Section benefits from learning about the experiences and viewpoints of all of our members and that input helped to guide our substantive decision making.

Our committee leaders experienced important accomplishments this year, as well.

- Kent Weichmann and Carlo Martino, our Support Committee Specialists, were thrilled to report that the Supreme Court adopted the new Child Support Formula urged by the Family Law Council which abolished the controversial child support “cliff.” We believe that this new formula will allow parents to better focus on their child’s needs to be with their other parent, rather than tie child support strictly to the amount of overnights each parent enjoys with the child. The SBM helped us draft a press release about this exciting event, and the new Formula is available on our website, www.MichFam.com.
- Our Amicus Committee, chaired by Anne Argiroff, filed a brief in the important *Estes v. Titus* case, commenting on whether property settlements contained within a divorce are subject to attack as a fraudulent conveyance. The Supreme Court’s decision obviously thoughtfully considered the recommendations of the Section. (Answer: it depends.) The entire brief is available on our website: www.MichFam.com.

- Our mid-summer and mid-winter seminars, chaired by Judith O'Donnell, Lorne Gold and Traci Rink, were sold out, and the Section enjoyed sun, fun, fellowship and advanced legal education in St. Lucia and at the Homestead Resort in Leelanau, Michigan.
- The Section's lobbyist, Bill Kandler, managed to keep us "at the table" for important legislative initiatives concerning family law, and the Section was able to proactively impact family law by helping to write and find a sponsor for legislation insisting that investment companies honor QDROs and EDROs which do not contain the social security numbers of its participants, but instead attach that information in private attachments.
- Our Section was able to respond to the cries to turn Michigan's child custody code into a parent focused code rather than the child-focused code we now have, and to intelligently discuss this matter in the media.
- The Michigan Family Law Institute, co-sponsored by ICLE and the Family Law Section, grew to be one of the largest annual legal training events in Michigan. It becomes more impressive each year, and is annually the one "can't miss" educational event for Family Law Practitioners.
- As we recognize that the traditional approach of civil litigation can be devastating to families, the Council has strengthen our partnership with the Alternate Dispute Resolution Section and we will be presenting a joint educational seminar designed to help practitioners resolve cases which appear to be at impasse at our Annual Meeting in September. As Collaborative Law has become more popular with divorcing families, the Family Law Section has created a committee which is working to modify the Michigan Rules of Professional Responsibility and/or Rules of Civil Procedure to be harmonious with that exciting new dispute resolution process.
- Our members have begun to host "mentor roundtables" throughout the state. These meetings are advertised to member attorneys on our website, www.MichFam.com.

- Finally, our executive committee accomplished these goals while keeping our Section on budget and increasing our membership goals.

Bylaws

We have approved by majority vote proposed bylaw modifications which will be on the agenda for ratification at our annual meeting in September. These bylaw modifications will allow contact via email rather than telegraph, and will better outline the responsibilities and expectations for Council members. The current bylaws are published on our website, www.MichFam.com. The proposed modifications are published on the June minute and meeting packet, also available on www.MichFam.com.

Meetings

We continued our tradition of having our monthly meetings the first Saturday of each month, alternating locations between Novi, Ann Arbor and Lansing. These meetings were very well attended.

Our annual meeting will occur in September, concurrent with the Bar annual meeting. We will feature Justice Marilyn Kelly as a speaker, and will also provide an educational seminar in conjunction with the Alternative Dispute Resolution Seminar.

Legislation

Our Section took the following policy positions on pending legislation:

House Bills

- [HB 5993](#) - Oppose
- [HB 6189](#) - Support
- [HB 5464](#) - Support
- [HB 5050](#) - Support with Recommended Amendments
- [2007-09 - Proposed Amendment of 2.306 of the Michigan Court Rules](#) - Support: [View Position](#)
- [2005-36 - Proposed Amendment of Rules 2.119, 7.204, and 7.205 of the Michigan Court Rules](#) - Support: [View Position](#)
- [2005-31 - Amendments of Rule 3.602 of the Michigan Court Rules](#) - Support: [View Position](#)
- [2006-06 Proposed Amendment of Rule 7.215 of the Michigan Court Rules](#) - Support : [View Position](#)
- [HB 4140](#) - Support and Recommend Amendments
- [HB 4147](#) - Oppose
- [HB 4174](#) - Support with Recommended Amendments
- [HB 4259](#) - Support with Recommended Amendments
- [HB 4521](#) - Support with Recommended Amendments
- [HB 4522](#) - Support with Recommended Amendments
- [HB 4523](#) - Support with Recommended Amendments
- [HB 4564](#) - Oppose
- [HB 4566](#) - Oppose
- [HB 4731](#) - Support
- [HB 4735](#) - Support With Recommended Amendments
- [HB 4736](#) - Oppose
- [HB 4741](#) - Support
- [HB 4818](#) - Oppose
- [HB 4925](#) - Support and Amend

- [HB 5245](#) - Support
- [HB 5324](#) - Oppose
- [HB 5513](#) - Support
- [HB 5586](#) - Oppose and Amend
- [HB 5587](#) - Oppose and Amend
- [HB 5588](#) - Oppose and Amend
- [HB 5598](#) - Support with Recommended Amendments
- [HJR NN](#) - Oppose

Senate Bills

- [SB 34](#) - Oppose
- [SB 141](#) - Oppose
- [SB 170](#) - Support
- [SB 476](#) - Support With Recommended Amendments
- [SB 477](#) - Support
- [SB 506](#) - Support
- [SB 522](#) - Support
- [SB 543](#) - Support With Recommended Amendments
- [SB 553](#) - Support
- [SB 645](#) - Oppose
- [SB 1002](#) - Oppose

All detailed positions and legislation is available on our website, www.MichFam.com.

We continued to retain the lobbying services of Bill Kandler, at Cusmano, Kandler & Reed, and renewed our contract with him. He effectively assisted us with advocating our policy positions, above.

We also advocated through use of an amicus brief, submitted by Council, on *Estes v. Titus*. The complete text of that brief is available on our website, www.MichFam.com.

Respectfully submitted,

Karen S. Sendelbach

Chair, Family Law Section, SBM