

Family Law

Theme Introduction

By Hon. Richard B. Halloran



I have had the privilege of serving in the Family Division of Wayne County Circuit Court since 1998. Although I have had multiple opportunities to move to the Civil Division, I have chosen to stay because I believe serving in the Family Division is one of the best ways I can use my legal skills to help my fellow citizens.

I know that many lawyers and judges find family law a difficult area of practice because of the emotional states of the parties involved. I believe these emotions are best explained as “energy in motion” and are simply what occurs when human beings are caught up in the vicissitudes of life. This approach allows me to disentangle the facts of the case from the emotional energy and helps me guide the parties to a clear resolution.

As I have often told my law school interns, people spend a year or more preparing for their weddings but rarely take the time to recognize the legal entanglements involved in exercising a license to marry. Most people do not look at the rights and responsibilities society imposes on them when they enter into marriage. It is only when the marriage falls apart that they begin to look at the legal realities of the marital estate and, if they were blessed with children, the additional complications of custody and support.

Into this legal morass step family law practitioners, judges, and referees who specialize in these highly charged cases. Aside from the emotional stability needed to work with the parties involved, practitioners and adjudicators must have working knowledge of many areas of the law to help the parties understand and resolve all their legal issues. I am continually amazed at the depth of legal issues and complexity of facts that a married couple or a couple with children can create.

I have served on the State Bar of Michigan Family Law Section Council for the past nine years and have been honored to be chairperson in 2016–2017. I admire the dedication of the attorneys and practitioners in the section and the efforts by council members to protect and serve the families of Michigan. On numerous occasions, the council has helped resolve family law issues that affect all of us. The section has advocated for new laws such as the Collaborative Law Act and the

Parenting Coordinator Act. Its many committees explore various family law issues and most recently helped create the State Bar’s LGBTQA Section.

All of this is an introduction to this issue of the *Michigan Bar Journal*, which seeks to explore many of the current, powerful issues facing Michigan families while also looking back to what the section hoped to create when we asked the legislature to create the Family Division of the Circuit Court. Scott Bassett’s history of the creation of the division is included in this issue; no one can deny the success of that legislation.

In creating the Family Division, the legislature and the Family Law Section wanted to retain a cadre of dedicated judges and provide a court better structured to serve Michigan families faced with difficult, emotional issues. The section has begun honoring these dedicated judges for milestones of service in the Family Division and created the Marilyn J. Kelly Outstanding Service Award, named after the former state Supreme Court justice who was dedicated to serving in this vital area of the law. We proudly presented the award to retired Judge Joan Young in 2015 and Judge Kathleen Feeney in 2016.

When people ask me why I am still in the Family Division, I tell them it is because nowhere else can I be both involved in the practice of law and make a positive difference in people’s lives every day. I sincerely hope you enjoy this *Journal* issue and learn why we all love practicing in this richly rewarding area of the law. ■



Hon. Richard B. Halloran has served on the bench since 1990, first in the 36th District Court and, since 1998, in the Third Circuit Court. He helped develop the first Domestic Violence Docket in the 36th District Court in 1994, the Circuit Court Personal Protection Order Docket in 1998, and the Solution-Oriented Domestic Violence Prevention Court in 2010. He currently chairs the SBM Family Law Section and is chair-elect of the LGBTQA Section.