

CHILDREN'S LAW SECTION



STATE BAR OF MICHIGAN

June 3, 2004

CHAIR

REBEKAH MASON VISCONTI
1025 E. FOREST AVE. STE. 438
DETROIT, MI 48207-1024
(313) 833-3777
FAX: (313) 833-3797
viscontir@michigan.gov

CHAIR-ELECT

KATHRYN S. FALK FEHRMAN
235 S. GRAND AVE.
LANSING, MI 48909-7537
(517) 335-5213

SECRETARY

JUDITH T. NEW
P.O. BOX 2411
ANN ARBOR, MI 48106-2411
(734) 717-6432

TREASURER

GEULA Z. TRON
65 CADILLAC SQ. RM. 2200
DETROIT, MI 48226-2869
(313) 965-8852

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NANCY J. DIEHL
DETROIT

Secretary of the State Bar of Michigan
c/o Kimberly M. Cahill
306 Townsend Street
Lansing, MI 48933

Dear Ms. Cahill:

RE: Annual Report of the Children's Law Section for 2003-2004

The Children's Law Section of the State Bar of Michigan has been active in many areas during the last membership year. A summary of that activity is outlined below.

Meetings

The Council for the Section meets monthly. Interested parties and Section members were frequently in attendance. In November, the Michigan Children's Ombudsman, Lynn Martinez, was present to meet with the Section.

The Council discussed numerous issues and legislation involving juveniles, including: Permanent Legal Guardianships, Amendments to the Children's Ombudsman Act, Standing of Parents in Delinquency Cases, Prohibiting Sex Offenders from Adopting Children, Psychotropic Drug Use in Children, Subsidy for Relative Placements, Grandparents Visitation Rights, CASA Bill, and Lawyer-Guardian Ad Litem statutory duties under MCL 712A.17d.

The Council opted for a business rather than a program meeting at the State Bar Annual Conference.

Legislation

The Council voted to take positions on a significant number of Senate and House Bills. The Section formalized its position in writing concerning SB 148-CASA. The Section, through representatives of the Legislative Committee, expect to meet with members of the State Senate regarding amendments to the Children's Ombudsman Act. As indicated above, many other bills were discussed after current information was provided by the lobbyist to this Section.

Lawyer-Guardian Ad Litem

During this past year, many issues and concerns were raised by attorneys appointed as the Lawyer-Guardian Ad Litem in child neglect cases regarding their compliance with statutory duties under MCL 712A.17d. In response to these concerns, Chief Justice Maura D. Corrigan accepted the Section's invitation to meet and discuss the L-GAL issues on March 16, 2004. In preparation for this meeting, an L-GAL survey/questionnaire was sent out to Section members. The survey results were compiled and presented to Chief Justice Corrigan for her review of the pertinent issues prior to the meeting. The meeting was very productive resulting in the formation of a legislative work group and proposed legislation.

Publications

The Children's Law Section continues to be supportive of the Child Welfare Law Journal. The Section's membership contributes their ideas and expertise to assist in the production of quality articles in child welfare law.

Trainings

On May 21 and 22, 2004, the Children's Law Section held its Annual Training Conference and Child Advocate of the Year Awards Dinner. The training topics covered included: Indian Child Welfare Act, Internet Research, Juvenile Competency, Munchausen Syndrome, MRE 703 Expert Opinion Evidence, and a Case Law Update. In conjunction with the Michigan Judicial Institute, the State Court Administrative Office, Children's Charter, and funding by a grant from the Governor's Task Force on Children's Justice, the Children's Law Section coordinated Lawyer-Guardian Ad Litem training for approximately ninety (90) attorneys from across the state of Michigan. The Annual Training Conference was very informative and a great success.

General Information

Meetings of the Council are generally held on the first Wednesday following the first Saturday of the month at 5:00 p.m. Meeting locations alternate between Lansing and Detroit to maximize attendance of the statewide membership. Section members can always participate at the meetings by speakerphone at 1(800) 270-1153 (0923#). The Children's Law Section listserv email address is: Childrens@groups.michbar.org.

The email address for Rebekah Mason Visconti, Chair for 2003-2004 State Bar Membership Year, is viscontir@michigan.gov. Please join us for Section activities during the coming year.

Sincerely,



Rebekah Mason Visconti
Children's Law Section Chair