

**STATE BAR OF MICHIGAN
2011-2012 COMMITTEE ANNUAL REPORT**

Article VI §6, Bylaws of the State Bar of Michigan

No later than May 1 of each year, the chair of each committee and subentity of the Bar, with the assistance of the staff liaison, shall report to the Executive Director on a form provided by the State Bar on the activities and accomplishments of the committee or subentity.

Committee Name: Standing Committee on Domestic Violence

- Jurisdiction:**
- Make recommendations concerning increasing attorney awareness of the problem of domestic violence.
 - Advise on the encouragement of training of attorneys and judges on legal remedies and community resources concerning domestic violence.
 - Help develop and distribute legal resources concerning domestic violence and victims' access to the legal process.
 - Assist in the coordination of programs and activities concerning domestic violence in Michigan.

Chair(s) and Committee Members:

Officer	Name	Address	Telephone	Email
Co-Chairs	P58021 Ashley E. Lowe	2630 Featherstone Rd; Auburn Hills, MI 48326-2814	248.335.0125 x 7720	lowea@cooley.edu
	P58869 Sarah R. Prout	1840 Grant Pl; Box 610968; Port Huron, MI 48061-0968	810.990.9822	proutsarah@yahoo.com
Staff Liaison	Robert Mathis Janeice Morrow	306 Townsend St Lansing, MI 48933-2012	517.346.6412 517.346.6396	rmathis@mail.michbar.org jmorrow@mail.michbar.org
Commissioner Liaison	Dana M. Warnez	24735 Van Dyke Ave; Center Line, MI 48015-2314	586.757.0733	attydmw@wowway.com

Member/Advisor/Other	Member/Advisor/Other
P64169 Michael C. Brown	P57727 Jennifer Veronica Lamp
P69517 Danielle J. Carter	P40362 Mary M. Lovik
P44745 Cathy Church	P69405 Sarah B. Mason
P60973 Robert S. Coleman	P52485 Bruce E. Petrick
P36171 Nancy E. Gallagher	P59396 Lori L. Pourzan
P43245 Leslie A. Hagen	P66350 Eilisia G. Schwarz (Rep. Assembly)
P59553 Delores D. Hall	P37160 Rebecca E. Shiemke
P41113 Hon. Amy Ronayne Krause	
P69110 Jeannine Provencher Laible	

Committee Meeting Schedule:

Please attach any additional information needed regarding Committee meetings as an addendum.

Meeting Type	Date	Location
Description		
Co-Chair Transition Meeting	6/3/2011	Teleconference

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Committee Meeting	10/18/2011	Teleconference
Committee Meeting	11/15/2011	Teleconference
Committee Meeting	12/9/2011	State Bar of Michigan
Training and System Education Subcommittee Meeting	12/15/2011	Teleconference
SCAO Family Mediation Best Practices Project Subcommittee Meeting	12/19/2011	Teleconference
Legislative Subcommittee	1/9/2012	Teleconference
Training and System Education Subcommittee Meeting	1/12/2012	Teleconference
Committee Meeting	1/17/2012	Teleconference
Training and System Education Subcommittee Meeting	2/9/12	Teleconference
Personal Protection Orders Subcommittee	2/10/2012	Teleconference
Committee Meeting	2/21/2012	Teleconference
SCAO Family Mediation Best Practices Project Subcommittee Meeting	3/12/2012	Teleconference
Training and System Education Subcommittee Meeting	3/15/12	Teleconference
Committee Meeting	3/20/2012	Teleconference
Personal Protection Orders Subcommittee	4/9/2012	Teleconference
Committee Meeting	4/24/2012	Teleconference
SCAO Family Mediation Best Practices Project Subcommittee Meeting	4/30/2012	Teleconference
Training and System Education	5/7/2012	Teleconference

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Subcommittee Meeting		
Committee Meeting	5/15/2012	State Bar of Michigan

Resources provided by the State Bar of Michigan in support of committee work:

The State Bar of Michigan provides the Standing Committee on Domestic Violence with staff support and a modest budget to facilitate projects, trainings, and meetings.

Committee Activities:

The Domestic Violence Committee is a very active committee that seeks to explore areas in which change, education, training, and awareness can have a positive impact in reducing the incidents of domestic violence and increasing the safety of victims and their children as they proceed through the legal system.

The Domestic Violence Committee has created four subcommittees:

- Training and System Education
- SCAO Family Mediation Best Practices Project
- Personal Protection Orders
- Legislative

The subcommittees meet on a regular basis (depending on need) focusing on their specific targeted areas. A reporting time is set aside at each monthly meeting of the DV Committee for each subcommittee to provide a report to the full committee for discussion or vote.

Last year's co-chairs gave a presentation at the Friend of the Court Association Conference held at Boyne Highlands on July 28, 2011, on *Domestic Violence Screening for Friend of Court Offices*.

Michigan Family Law Journal Articles

In response to a column in 2008 by the editor of the Family Law Journal calling for more action on preventing domestic violence, the committee contacted Norman Robbins and offered to coordinate a monthly "domestic violence column" in the Family Law Journal. As a result, beginning with the June/July 2008 edition, the committee has published a monthly article related to domestic violence and authored by committee members or guest experts in the field. The articles submitted for publication from May 1, 2011 to May 1, 2012 are as follows:

- May 2011 Issue – Collateral Consequences: Survivors with Convictions
- June/July 2011 Issue – Book Review – Civic Research Institute: DV, Custody
- October 2011 Issue – DV in Rural Communities
- November 2011 – Parenting Time in Cases Involving Battering
- December 2011 – Sexual Assault and DV Relationships
- January 2012 Issue – Credit Issues & Survivors of Domestic Violence
- February 2012 Issue – Confidentiality and Mediation
- March 2012 Issue – Barriers to Prosecution of Domestic Violence Cases
- April 2012 Issue – Bullying
- May 2012 Issue – Family Court Orders

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Public Policy Matters:

Since the last annual report in May 2011, the DV Committee has taken a position to:

- Oppose with comments [SB 0743](#), which creates the Uniform Child Abduction Prevention Act. After a lengthy discussion, the committee concluded that the proper remedy would be to make the appropriate amendments to the Child Custody Act, not the creation of a new act.
- Support with amendment ADM 2006-04, which would amend MCR 3.204 and remove the requirement to file a new action as a supplemental complaint, which would allow trial courts to consolidate cases in a way that is more compatible with trial court case management systems.
- Support ADM 2010-22, which would amend Rule 7.3 of the Michigan Rules of Professional Conduct, so that it would limit situations in which an attorney soliciting new clients would inform a defendant or respondent that an action has been filed against him or her before the defendants or respondent is served with the papers.
- Oppose* with comments ADM 2010-32, which would amend MCR 3.210 to allow parties to reach agreement on issues related to property division, custody, parenting time, and support, and enter a consent judgment on those issues if the court approves it. The proposal would govern the entry of default and default judgment in domestic relations cases and would cover and clarify related procedural issues. (*The DV Committee is revisiting this matter based on assurances that the offending language that was initially contained in the amendment to MCR 3.210 has been removed.)
- Oppose with comments SB 0545, which would require the parties who have children to complete a divorce effects program before entry of judgment of divorce, amending 1846 RS 84 (MCL [552.1](#) - [552.45](#)) by adding sec. 5.
- Oppose Substitute SB 0547, which would require the parties to submit a mutually agreed upon parenting plan that provides for the child's care and that encourages non-adversarial dispute resolution rather than judicial intervention to resolve disputes. Amends title and secs. 1, 2, 4 & 11 of [1970 PA 91](#) (MCL [722.21](#) et seq.) & adds sec. 5a.

The DV Committee submitted a position in support of the American Bar Association's position supporting S. 1925, which reauthorizes the Violence against Women Act of 1994 (VAWA). The current reauthorization expired in 2011.

Additionally, the DV Committee submitted a memorandum to the State Court Administrative Office with extensive comments on the proposed amendments to the Standards of Conduct for Mediators.

Theme Issue of the Michigan Bar Journal

The Committee was awarded a theme issue of the Michigan Bar Journal that was published in September 2011 on Domestic Violence Awareness. Articles included:

- Legal advocacy techniques to promote safety and accountability in cases involving domestic violence
- Economic justice issues (tort relief, division of marital estate)

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- Emerging evidentiary issues in civil cases (divorce/custody and PPO) related to communications technology
- Several short features on domestic violence initiatives throughout the state
 - A description of a “Solution Oriented Domestic Violence Court” that has recently received grant funding and is being developed in the 3d Circuit Court in Detroit
 - A description of Family Advocacy Centers
 - Specialized dockets developed for domestic violence misdemeanor cases in the 55th District Court, Mason
 - Supervised visitation services offered by the Livingston County Safe Havens program
- Domestic violence remedies in other states - custody presumptions, friendly parent, lease releases, unemployment benefits
- A double-sided, tear out resource sheet containing domestic violence resources for attorneys and survivors of domestic violence

Future Goals and Activities:

Fathering After Violence Training on September 6, 2012

The DV Committee is offering a comprehensive training to the family law judges at the Supreme Court Judicial Conference on September 6, at the Hyatt Regency in Dearborn. An expert in the field, Juan Carlos Arean, is slated to facilitate the training. The training builds upon national initiatives that call for increased engagement of fathers with a history of abuse in their parenting relationships by motivating them to renounce their abuse, become better fathers, and be more supportive parenting partners.

Training - Pro Bono Family Law Training on October 26, 2012

The committee is planning a pro bono training for attorneys who are new to the area of domestic violence family law. The training is slated for October 26, 2012, coinciding with October as Pro Bono Month. Subject matter will include how to conduct the initial client interview with DV survivors, substantive legal issues, including custody, support, property division and drafting safe orders, initial pleadings and service, and pre-trial and trial practice. In exchange for the free training, attorneys will agree to handle a domestic violence family law case, referred from their local legal aid organization, on a pro bono basis. Participants can attend the live version of the training at Cooley's Auburn Hills Campus. The training will also be broadcast simultaneously to Cooley's other Michigan campuses.