

STATE BAR OF MICHIGAN
DOMESTIC VIOLENCE COMMITTEE
Tuesday, April 24, 2012 – 2 to 4 PM (Teleconference)

MINUTES

I. Call to Order and Attendance – Quorum met.

Members Present: Ashley Lowe (Co-chair), Sarah Prout (Co-chair), Michael Brown, Delores Hall, Hon. Amy Ronayne Krause, Jennifer Lamp, Bruce Petrick, Eilisia Schwarz, Rebecca Shiemke

SBM Liaisons Present: Robert Mathis, Janeice Morrow

II. Approval of March 20, 2012 Minutes

Minutes were unanimously approved.

III. Public Policy Position Procedure

Elizabeth Lyon, the Director of Governmental Relations at the State Bar of Michigan, was invited to attend the meeting and present the State Bar's policy and procedures on standing committees reviewing and taking positions on legislative matters and proposed amendments to court rules. Elizabeth explained "Keller permissibility" as it pertains to public policy protocols and how that determines what matters are submitted to the committees for consideration, reiterating that one of the three governing bodies of the State Bar remains the final authority as to whether a committee is granted permission to advocate a position.

Elizabeth discussed the current jurisdiction of the Domestic Violence Committee and noted that it does not include advocating on public policy. However, she will continue to refer certain bills to the Committee if she feels their review and input would be important for consideration. She commended the Domestic Violence Committee for their diligence and continuing efforts on the issues surrounding domestic violence.

IV. Domestic Violence Committee Jurisdiction

R. Mathis noted that Elizabeth Lyon covered the subject of jurisdiction of the Committee. He electronically circulated the workgroup report from Judicial Crossroads Task Force to provide guidance to the Committee for additional areas of focus.

V. Subcommittees: Meeting Updates and Reports

Training and System Education:

Members: Lori Pourzan (chair); Sarah Prout, Jennifer Lamp, Danielle Carter, Staff

The subcommittee has not met since the last Committee meeting. A deadline of July 15 has been set for the subcommittee members to submit changes to materials for Pro Bono Fairs. R. Mathis will circulate “Save-the-Date” reminder to get the word out.

Juan Carlos Areán is set to present on “Fathering after Domestic Violence” at the Sept 6, 2012 Judicial Conference at the Hyatt Regency in Dearborn, with a few minor details yet to be worked out. Members were asked to let R. Mathis know if there was interest in setting up a quick 30-minute meeting with Juan Carlos following his presentation.

SCAO Family Mediation Best Practices Project:

Members: Mary Lovik (chair); Bruce Petrick, Danielle Carter, Rebecca Shiemke, Judge Amy Ronayne Krause, Staff

The subcommittee is set to meet on April 30, 2012, and will provide an update at the next Committee meeting.

Personal Protection Orders:

Members: Ashley Lowe (chair); Jennifer Lamp; Rebecca Shiemke, Sarah Prout, Katherine Strickfaden (guest member), Staff

A. Lowe provided an overview of her visit to the Solutions Oriented Domestic Violence Court in Wayne County. She noted Katy Strickfadden’s familiarity with every case that comes through this court. The Court has separate waiting rooms for the parties, staffed by advocates and separate seating within the courtroom that provides additional safety for the parties. She commended Judge Elder for her thorough explanations provided to the parties as to their options and for the respectful way in which she addressed them. A. Lowe was uncomfortable with parties having to stand next to each other in front of the bench and discussed this with Katy Strickfadden for a possible solution.

Judge Halloran, who hears cases at Solutions Oriented Domestic Violence Court, was invited to attend the Committee meeting and provide his perspective on PPOs and discuss the concept of moving PPOs to district court with the circuit court retaining jurisdiction. He noted that this topic has been discussed for a long time, with the issue being jurisdiction. PPOs are equitable in nature and the district court does not have equity jurisdiction. A change to this jurisdiction would have to be accomplished by changing the court rule or statute – district judges are uncertain as to whether that is the way to proceed. The idea of splitting court jurisdiction between neighborhood PPOs and domestic violence PPOs would be confusing to the parties as to which court would have jurisdiction on their matter. Filing a PPO in the wrong court could have serious consequences for victims of domestic abuse, further jeopardizing their safety.

Legislative Subcommittee:

Members: Rebecca Shiemke (chair); Danielle Carter; Mary Lovik, Dana Warnez, Staff

~No meeting

No legislation is being considered at this time.

VI. *Family Law Journal* Articles

1. June/July 2012 Issue – Batterers Intervention, written by Lisa Laurence and Sasha Robinson, due to editors D. Carter and B. Petrick by April 24, 2012. Due to Journal Editor by May 8, 2012.

--Lisa Laurence did not participate in drafting the article. There were some concerns with the quality of the article as written. B. Petrick has requested some revisions and steps are being taken to improve the content. It will be returned by Friday or Monday for review.

2. August/September 2012 Issue – Domestic Violence in Lesbian, Gay, and Transgender Relationships, written by Sarah Prout, due to editors L. Pourzan and R. Shiemke by June 22, 2012. Due to Journal Editor by July 8, 2012.
3. October 2012 Issue – Solutions on Self Help, written by Angela Tripp and R. Shiemke, due to editors R. Mathis and _____ by 8/24/12. Due to the Journal Editor by September 8, 2012.

--Since the Committee meeting, it has been determined that the October 2012 Issue will be on the topic of “Solutions on Self Help”, to be authored by Angela Tripp and R. Shiemke and R. Mathis has volunteered to serve as one of the editors.

VII. DV Committee Membership Update – R. Mathis

R. Mathis reported that there were numerous members whose terms would be ending this year and he is working to put together a worksheet to circulate to the co-chairs. A determination needs to be made as to which current members would like to serve on the Committee for an additional three years. There is no need for those members to reapply. Interested committee members and any new applicants will be submitted and reviewed by President-Elect Bruce Courtade, for his selection to fill vacant spots.

VIII. Good of the Order

A. Lowe reported that the Committee had previously taken a position to oppose amendments to MCR 3.210 (ADM 2010-32), which was submitted to the Supreme Court on March 29, 2012. Since that time, A. Lowe received a call from Judge Young, asking the Committee to consider changing their opposing position. Judge Young assured removal of the objectionable language and asked if that would satisfy the Committee, allowing them to support the proposed amendments.

R. Shiemke, who drafted the report on behalf of the Legislative Subcommittee, expressed that this was a very complicated rule and removing the language did not necessarily satisfy all of the concerns with the proposed amendments. She suggested that after Judge Young proceeds with removing the language, the Legislative

Subcommittee revisit the issue and provide a review for the DV Committee. R. Mathis will further investigate the procedural steps involved with this and report back to the Committee.

Other State Bar committees received calls from Judge Young and will be addressing the issue at their next meetings. There is the possibility of a conference call to be set up with Judge Young, Elizabeth Lyon, and the co-chairs of the committees and sections involved, so that concerns can be discussed.

- IX. Next Meeting
--Tuesday, May 15, 2012 ~ 2-4 p.m. (In Person)

- X. Adjournment
The meeting was adjourned at 3:30 p.m.