

Domestic Violence Committee Meeting Minutes
Oct. 31, 2009

Present: Mary Lovik, Rebecca Shiemke, Lorna Beard, Michael Brown, Cathy Church, Scott Coleman, Elizabeth Eggert, Hon. Katherine Hansen, Ashley Lowe, Heidi Naasko, Lori Pourzan, Janet Prater, Sarah Prout, Victoria Radke, Nancy Gallagher, Sarah Mason, Amanda Chubb, Lori Buiteweg

Excused: Hon. Darnell Jackson, Hon. Amy Krause, Gail Krieger, Christine Pfeiffer, Mary Rubio, Jeannine Laible, Leslie Hagen

The meeting was called to order by Rebecca Shiemke. Committee members introduced themselves and new members were welcomed. Amanda Chubb reminded members about the attendance requirements in the Committee's bylaws.

The minutes from the September meeting were approved.

Old Business:

1. Family Law Journal:

- Rebecca gave a status report on article commitments to date, and explained the process for submitting articles to new members.
- Elizabeth Eggert volunteered to write an article on mutual protection orders for publication in May. Scott Coleman, Victoria Radke and Sarah Mason volunteered to edit.

2. Legislative updates: Past committee positions on bills and court rules were reviewed by Rebecca.

- Victoria Radke reported that the Representative Assembly voted to oppose the changes to MCR 6.302, which were also opposed by the committee.
- The Board of Commissioners reviewed the committee's position on HB 5036. They deferred a position on this bill.
- The Executive Committee agreed with the committee's position opposing changes to MCR 3.210 and 3.211.

New Business:

1. Proposal for a special issue on domestic violence in the Michigan Bar Journal:

- Rebecca reviewed recommendations offered by a subcommittee that met in October. She noted that our target publication date is in late 2010, and that we would need 5-6 articles, within a total limit for the Journal of approximately 10,000 words.
- Members offered suggestions for articles:
 - Heidi Naasko suggested immigration as a topic, e.g., how immigration status affects survivors' interactions with the justice system. Victoria Radke agreed that this is an important topic.
 - Janet Prater noted a need to focus on criminal law, particularly lethality factors and situations where battered women kill. Cathy Church agreed that this is important, noting that many juveniles are incarcerated for killing abusers.
 - Mary Lovik noted that a connection should be made between the nature and dynamics of domestic violence and attorneys' response to survivors in practice.
 - Members liked the idea of a tear-out section. Mary suggested including both survivor and attorney resources, including online resources. Victoria suggested that

the tear out address survivors' economic issues because these keep survivors trapped in abusive relationships.

- Cathy suggested that a justice system professional affected by DV tell her story.
- Sarah Mason volunteered to write on civil evidentiary issues.
- Lori volunteered to write on economic justice issues.

- Logistics:

- Cathy suggested that we publish our issue in October, DV awareness month. Amanda noted that October 2010 is not available so this would have to happen in 2011.
- Amanda noted that we should allot a year to coordinate. The committee will assign us a month; however, we can request/recommend a month if we wish.

- Our Proposal: What should it stress?

- Janet suggested we point out that lawyers need to be competent in this commonly occurring, but complex issue. Rebecca noted that the ABA DV commission has put out a binder on just this topic. Janet also pointed out that liability issues exist for lawyers, as lives are at stake in many cases.
- Mary suggested that domestic violence cuts across many areas. Lawyers need to spot a variety of issues related to divorce, child welfare, criminal justice, economic stability, housing, etc.
- Rebecca noted that lawyers want clients and clients' families to be safe.
- Heidi observed that lawyers tend to lack compassion. They need to understand why their clients are acting as they do. Janet noted that the Colorado bar journal had an article sometime ago written by Sarah Buel about why women stay in violent relationships that could be updated and published.
- Lori Pourzon noted that judges need to understand women's economic issues. Economic need can lead to children ending up with batterers. Judges also need to be compassionate.

- Proposal submission: To meet the deadline to submit the proposal to the committee considering by next January, Amanda said it will have to be completed by the end of 2009. Cathy will draft the proposal. Mary and Lori will assist. Then the final draft proposal will be circulated to the whole membership. The membership will approve a final product at the November meeting. Amanda will send a copy of a successful proposal to Cathy, Lori and Mary.

2. Training events:

- Rebecca described a past proposal for a domestic violence pro bono training in October (which was not organized due to lack of time), and the pro bono training the committee organized this past spring.
- Rebecca noted that Sarah Buel is coming to speak at the University of Michigan in Ann Arbor on March 16 -17, 2010 and asked if committee members wanted to explore the possibility of asking her to speak to attorneys during her visit. Members were asked what they might want her to speak about if she's interested to address a group of attorneys? Might the event be styled as a pro bono training?
 - Heidi proposed that she speak about why women stay in violent relationships. Nancy Gallagher thought this was a good suggestion; she also suggested that the audience not be limited to pro bono attorneys. Elizabeth added that the audiences shouldn't be limited to civil lawyers; judges and criminal lawyers

- should be included. Janet noted that criminal attorneys should be inclusive of defense attorneys.
- Mary proposed that she address what lawyers can do to be more compassionate advocates.
 - Victoria suggested that we might ask Ms. Buel to speak next year at the State Bar Annual meeting on 9/29/10-10/1/10 (during domestic violence awareness month). Members thought this was a good idea. If Ms. Buel was not available, perhaps someone like Casey Gwinn might be asked to speak.
 - Rebecca will follow up with Prof. Dan Saunders about a speaking engagement for Ms. Buel. Mary suggested that Cooley Law School's Ann Arbor campus might be a location from which the event could be video-conferenced to the other Cooley campuses in Lansing, Auburn Hills and Grand Rapids, like we did this spring for the pro bono training.
3. Janet noted that a webinar featuring Jackie Campbell will be presented soon – Rebecca will forward information about it to the committee members.
 4. Proposed changes to MCR 6.425 and 6.610: Judge Kay Hansen wanted to bring these to the committee's attention. Any member interested may comment.
 5. HB 5527-5529: The State Bar opposes these bills, which would impose a tax on legal services. Amanda noted that committee members can be helpful by providing case stories of ways the tax would affect the ability or likelihood of survivors to seek legal help, or by noting impacts on survivors the State Bar had not thought of. The Bar would like information about approximately how many survivors receive legal aid services, as well as possible impacts on non-profit legal services. Committee members can respond by email to Amanda.
 6. District Judge training proposal: Deadline to submit a proposal for training for district judges is January, 2010. Volunteers were solicited to work on crafting this. This will be put on the November agenda.
 7. Meeting schedule for current bar year:
 - Members expressed a desire for an in person meeting.
 - Amanda, Mary and Rebecca will work out a survey to see what meeting dates work best for the most committee members.
 - Next meeting Mon. Nov. 30 at 4 pm by conference call.

Meeting adjourned.