

## State Bar of Michigan | 2016-2017 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 sub entity 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 sub entity.*

### Domestic Violence

- Jurisdiction:
- Make recommendations to increase attorney awareness of domestic violence.
  - Make recommendations and encourage training of attorneys and judges on legal remedies and community resources for victims of domestic violence.
  - Develop and distribute legal resources involving domestic violence and victims' access to the legal process.
  - Assist in the coordination of domestic violence programs and activities in Michigan.

#### Co-Chair

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#### Member

##### Term Ending: 2017

- P72015 Melissa Maria Pearce, Milford  
P52485 Bruce E. Petrick, Saginaw  
P77499 Rebecca L. Veidlinger, Ann Arbor

##### Term Ending: 2018

- P78203 Elizabeth Kamm Abdnour, East Lansing  
P73812 Emily Ann Calabrese, Warren  
P64426 Darling A. Garcia, Lansing  
P25664 Hon. Richard B. Halloran, Detroit  
P55759 Marla A. Linderman, White Lake  
P77044 Reshma Madhukar Sambare, Lansing  
P32700 Kay A. Schwarzberg, Mount Clemens  
P37160 Rebecca E. Shiemke, Ann Arbor  
P69165 Katherine Karen Strickfaden, Detroit  
P74562 Veronica T. Thronson, East Lansing

##### Term Ending: 2019

- P55269 Robert William Mendham, Jr., Petoskey  
P58869 Sarah R. Prout, Okemos

#### Advisor

- P79126 Kimberly Buddin, Detroit  
P55440 Jennifer J. Henderson, Southfield  
P40362 Mary M. Lovik, Lansing

P58021 Ashley E. Lowe, Pontiac  
P45745 Kathleen M. Maine, Sault Sainte Marie  
P43437 Audrey R. Monaghan, Plymouth  
P77359 Lori Schmeltzer, Traverse City

**State Bar Liaison**

P66868 Robert G. Mathis, Jr., Lansing

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**Committee Meeting Schedule:**

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

*\*Please keep meeting descriptions brief.*

Meeting Type	Date	Location
Meeting Type Regular Business Meeting	May 17, 2016	
Description		
Meeting Type Regular Business Meeting	July 19, 2016	
Description		
Meeting Type Regular Business Meeting	September 20, 2016	
Description		
Meeting Type DV Committee Co-Chair Meeting	September 28, 2016	
Description Discuss priorities for the DV Committee for the upcoming bar year.		
Meeting Type Regular Business Meeting	November 15, 2016	
Description		
Meeting Type Regular Business Meeting	January 17, 2017	
Description		

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**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.

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## Committee Activities:

The Domestic Violence Committee is an 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

Mission: Continue exploring and scheduling training opportunities; possibly develop training and education opportunities regarding understanding trauma of the victim and how that needs to be considered throughout the legal process.

- Public Policy

Mission: Address public policy items that are sent to the full DV Committee for consideration.

- Publications

Mission: Oversee the Family Law Journal assignments, topics, and reminders, as well as explore other publication opportunities.

- Resource (This subcommittee meets only as needed)

Mission: Explore how to broaden the mission; to review how the criminal side of domestic violence intersects with the goals of the committee and attempt to have more involvement with those players (i.e., law enforcement, prosecutors, etc.).

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.

### 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 by the DV Committee, with the general article topic, for Family Law Journal editions from May 1, 2016 to March 31, 2017, are as follows:

-May 2016 Issue: LJAP and Services to Attorney-Survivors of Domestic Violence and Sexual Assault

-June/July 2016 Issue: Parental Alienation and Domestic Violence

-August/September 2016 Issue: Domestic Violence in the LGBT Community

-October 2016 Issue: Trauma Informed Practice

-November 2016 Issue: Title IX and Stalking on Campus

-December 2016 Issue: Proving Non-Physical Domestic Violence

-January 2017 Issue: Custody Evaluation Research Biases

-February 2017 Issue: Title IX for Family Law Attorneys

-March 2017 Issue: Domestic Violence in the Elder Community

**Future Goals and Activities:**

- **Pro Bono Family Law Training – October 2017**

The committee is finalizing plans to conduct a pro bono training for attorneys who are new to the area of domestic violence and family law in October 2017. Proposed subject matter of the training will include, but not be limited to, how to conduct the initial client interview with DV survivors, substantive legal issues, initial pleadings and service, pre-trial and trial practice, and trauma informed 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.

- **Webinars**

The DV Committee is reviewing training options to be provided by webinar to Michigan attorneys handling domestic violence family law cases. Webinar topics may include Trauma Informed Practice, Personal Protection Orders, Property Division Procedures (QDROs, retirement accounts, spousal support, etc), and others.

- **Prepare Written Information Regarding Domestic Violence Issues**

The DV Committee has discussed creating and distributing written materials regarding various domestic violence issues

**Other Information:**

- DV Committee, Publications Subcommittee Teleconference, January 30, 2017
- DV Committee, Publications Subcommittee Teleconference, March 21, 2017
- DV Committee, Regular Business Meeting, March 21, 2017

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 Public Policy Positions – Below are positions taken by the Domestic Violence Committee, but not necessarily positions taken by the State Bar of Michigan Board of Commissioners.

1.) MCR 3.705, In accordance with MCR 2.407, the court may allow the use of videoconferencing technology by any participant as defined in MCR 2.407(A) (1).

DV Committee Position: The DV Committee supported the proposed amendments to MCR 3.705.

2.) MCR 3.708, As long as the respondent is either present in the courtroom or has waived the right to be present, on motion of either party, the court may use telephonic, voice, or videoconferencing technology to take testimony from an expert witness or, upon a showing of good cause, any person at another location.

DV Committee Position: The DV Committee supported the proposed amendments to MCR 3.708.

3.) MCR 3.708(H)(2), The respondent has the right to be present at the hearing, to present evidence, and to examine and cross-examine witnesses

DV Committee Position: The DV Committee opposed the proposed amendments to MCR 3.708(H) (2), and suggested alternative language requiring courts to balance factors set forth in MCR 2.407.

4.) MCR 3.203 and MCR 3.208, The proposed amendment of MCR 3.203 would allow the friend of the court to use automated databases such as the United States Postal Services' National Change of Address database to identify outdated addresses and update them to correct addresses.

DV Committee Position: The DV Committee did not take a position.

5.) MCR 3.216, Parties who are subject to a personal protection order or other protective order, or who are involved in a child abuse and neglect proceeding, may not be referred to mediation without a hearing to determine whether mediation is appropriate.

DV Committee Position: The DV Committee supported the proposed amendments to MCR 3.216, with the addition of several necessary amendments that were outlined when the public policy position was submitted to the State Bar.

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Approved by	Approved	Name
Chair		
Co-chair		
Staff Liaison		
Other		

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