

**STATE BAR OF MICHIGAN
2012-2013 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
	P59396 Lori I. Pourzan	3490 Belle Chase Way Ste. 50 Lansing, MI 48911-4257	517.394.2985	lpourzan@lsscm.org
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Member/Advisor/Other	Member/Advisor/Other
P73812 Emily A. Calabrese	P57727 Jennifer V. Lamp
P69517 Danielle J. Carter	P40362 Mary M. Lovik
P64426 Darling A. Garcia	P52485 Bruce E. Petrick
P75461 Abigail Jennex	P66350 Eilisia G. Schwarz (Rep. Assembly)
P36171 Nancy E. Gallagher	P37160 Rebecca E. Shiemke
P25664 Hon. Richard B. Halloran	P69165 Katherine K. Strickfaden
P59553 Delores D. Hall	P74562 Veronica T. Thronson
P41113 Hon. Amy Ronayne Krause	
P69110 Jeannine Provencher Laible	

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Committee Meeting Schedule:

Meeting Type	Date	Location
Committee Meeting	May 15, 2012	Teleconference
Committee Meeting	June 12, 2012	In-Person (SBM)
Training Subcommittee Meeting	July 16, 2012	Teleconference
Training Subcommittee Meeting	September 13, 2012	Teleconference
Training Subcommittee Meeting	October 15, 2012	Teleconference
Committee Meeting	November 11, 2012	Teleconference
Resource Subcommittee Meeting	November 29, 2012	Teleconference
Committee Meeting	December 13, 2012	Teleconference
Committee Meeting	January 10, 2013	Teleconference
Resource Subcommittee Meeting	January 16, 2013	Teleconference
Publications Subcommittee Meeting	January 30, 2013	Teleconference
Publications Subcommittee Meeting	February 4, 2013	Teleconference
Committee Meeting	February 14, 2013	Teleconference
Publications Subcommittee Meeting	February 26, 2013	Teleconference
Training Subcommittee Meeting	February 28, 2013	Teleconference
Public Policy Subcommittee Meeting	March 13, 2013	Teleconference
Committee Meeting	March 14, 2013	Teleconference
Publications Subcommittee Meeting	March 27, 2013	Teleconference
Public Policy Subcommittee Meeting	April 10, 2013	Teleconference
Committee Meeting	April 12, 2013	In-person
Training Subcommittee Meeting	April 25, 2013	Teleconference
Public Policy Subcommittee Meeting	May 2013	Teleconference
Publications Subcommittee Meeting	May 2013	Teleconference

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Committee Meeting	May 9, 2013	Teleconference
Committee Meeting	June 13, 2013	Teleconference
Training Subcommittee Meeting	October 25, 2013	Training

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**
 - *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 DV for consideration.*
- **Publications**
 - *Mission: Oversee the Family Law Journal assignments, topics, and reminders, as well as explore other publication opportunities.*
- **Resource**
 - *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 from May 1, 2012 to May 1, 2013 are as follows:

- May 2012 Issue – Family Court Orders

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- June/July 2012 Issue – Domestic Violence in Lesbian, Gay, and Transgender Relationships
- August/September 2012 – Screening For Domestic Violence
- October 2012 Issue– Solutions on Self Help
- December 2012 – Tips for Attorneys Working with Domestic Violence Advocates
- January 2013 Issue – Conciliation
- February 2013 Issue – Trauma – Informed Practice
- March 2013 Issue – Domestic Violence and Immigration
- April 2013 Issue – Part I: Informational Article on the Solutions Oriented Domestic Violence Prevention Court
- May 2013 Issue – Long-term and Foreseeable Implications in Domestic Violence Matters

Public Policy Matters:

Since the last annual report in May 2012, the DV Committee has taken a position to:

- **Support [Substitute SB 0743](#)**. The Committee previously voted to oppose this bill because they were concerned that certain provisions would deter or prevent domestic violence survivors from fleeing abuse. However, the substitute makes several revisions to minimize the chances that the act would be used against survivors.
- **Support for [S. 1925](#)** for reauthorization of VAWA, the federal law aimed at ending violence against women and remedying the laws and social practices that have fostered violence against women, and for the legal services provided through VAWA.
- **Oppose [HB 4120](#)** which requires the court to order joint custody unless a parent is proven unfit or unwilling to care for the child.
- **Support [SB 131](#)**, a bill which addressed instances of joint custody of a child whose parent is a registered sex offender or whose parent lives with a registered sex offender. This bill provides the court guidance in determining parental rights in cases where a parent has offended against a child (not necessarily their own child).
- **Support [MCR 3.210](#)** which provides that a defaulted party may participate in a case only to the extent permitted by the court, who could deny participation; otherwise the appearance of the defaulted party only entitled that party to notice of proceedings (see new version, paragraphs (B)(2)(d) and (e)) and the provision permitting the court to consider inadmissible evidence was removed (see new version, paragraphs (B)(5)(c) and (d)).
- **(To Be Voted On) Oppose [HB 4064](#) & [HB 4414](#)**. The proposed amendments would permit courts to “charge a reasonable fee ... for providing enhanced access” which is defined as “access to a court through electronic means for pleadings, practice, and procedure, including, but not limited to, access to its case records...” The subcommittee was concerned that there was no exception to the reasonable fee for low income parties.

Trainings Provided

- **Fathering After Violence Training on September 6, 2012**
The DV Committee offered a comprehensive training to the family law judges at the Supreme Court Judicial Conference on September 6, at the Hyatt Regency in Dearborn. An

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expert in the field, Juan Carlos Arean, facilitated 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 conducted a pro bono training for attorneys who are new to the area of domestic violence family law. The training October 26, 2012, coincided with October as Pro Bono Month. Subject matter included 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 agreed to handle a domestic violence family law case, referred from their local legal aid organization, on a pro bono basis. Participants were given the option to attend the live version of the training at Cooley's Auburn Hills Campus. The training was also broadcast simultaneously to Cooley's other Michigan campuses. The training was free of charge for the 53 participants, including 42 Michigan licensed attorneys and 11 law students and recent law graduates that plan to take the Michigan bar exam within the next year.

Future Goals and Activities:

- **Training – Pro Bono Family Law Training on October 25, 2013**

Similar to the 2012 Pro Bono Family Law Training, the committee will conduct a pro bono training for attorneys who are new to the area of domestic violence family law on October 25, 2013. 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.

- **Webinars**

The DV Committee is planning to provide a webinar in the coming months on Personal Protection Orders.

- **Criminal Justice Partners Training**

The DV Committee is investigating possible future training opportunities involving Domestic Violence issues. To provide the DV Committee with an understanding of current trainings being offered to personnel working in the criminal justice arena, and possible gaps in the current curriculum that the DV Committee could help fill, the DV Committee invited Lore A. Rogers, J.D. & Joyce Wright from the *Michigan Domestic and Sexual Violence Prevention and Treatment Board*. Lore and Joyce conducted a presentation on Domestic Violence and Sexual Assault Training for Law Enforcement Personnel.