

December 12, 2009

Family Law Section December meeting

The meeting was called to order by Section Chair Pamela Waggoner.

Those in attendance introduced themselves; several members joined by telephone.

Report of the chair:

- The Executive Committee met by telephone on December 4, and recommends that the Family Law Section begin to charge \$5 for the CLE to nonmembers of the section. MSBA staff has indicated that they would not have a problem doing this. Most of the attendees at the meeting are Section members. There was discussion of this policy.

- A motion was made, seconded and passed that the current policy remain unchanged, that we do not charge anyone for the CLE, but continue to promote it as a benefit of membership.

- The MSBA Assembly's Legislative Committee has contacted the Section about an expiring legislative position that was previously endorsed by our Section. When the MSBA adopts a legislative position, it remains in place for six years unless it becomes moot before that time. At the end of six years, the position expires if it has not been renewed.

The following was adopted by the Assembly in April of 2004, and will expire this coming April unless the Assembly renews it. *Resolved: that the Minnesota State Bar Association opposes any effort to amend the Minnesota Constitution to forbid the creation of legally-recognized relationships between persons of the same sex.*

- Motion was made, seconded and passed, with two abstentions, to renew our support for this position.

- Re: Fastcase reporting of District Court opinions, implementation will require "seed money" of \$3000 from each section involved, plus \$1 per member per year (our Section has about 900 members). The issue was discussed, the Chair will check into whether the Section will have an "opt-out" right if the database turns out to be unhelpful or in some other way unsatisfactory.

- As part of the Section's goal of allowing greater participation by all members, the Section will be encouraging "satellite meetings" around the state, beginning in January. Any member can host other attorneys in his/her office and join the Section meeting by speakerphone. The Section Liaison (Ashley Hacker) will facilitate the coordination of the Satellites with the meeting. CLE credits will be given to participants at the Satellites.

- Members can now register in advance on the MSBA website to attend the Section meeting and CLE. Walk-ins are still welcome, but it is helpful to staff if people sign up before the meeting.

- The Family Law Institute will be held March 23-24 Keynote: David McPhee, will present on how to recognize and deal with personality disordered individuals.

- The 2010 MSBA "convention" format, "Nine Days in June" will include programming in all the greater Minnesota judicial districts, and a final event in the metro area. Members of the Family Law Section will offer several of the CLE presentations for this event.

Treasurer's report: Ryan Anderson

- The report was submitted and approved

Amicus Committee: Mary Lauhead and Michael Dittberner

- Noted two recent decisions of the Minnesota Supreme Court: Lee v. Lee, filed December 3rd and Langston v. William McShane Corporation filed December 10th, both reversals of Court of Appeals opinions.

- The Committee has been alerted to a case in which a District Court decided, on a motion for summary judgment, that the existence of a guardianship meant that the mother under guardianship was unable to raise her child. There may be an appeal, in which case the Section will be asked to participate as Amicus.

Domestic Abuse Committee: Mary Lou Klas

- The committee met in the morning before the Section meeting. Ordinarily the meetings follow the Section meeting and CLE. The lethality assessment bench guide has been laminated and distributed to judges and magistrates.

Strategic Planning: Tami Peterson

- The Strategic Planning "retreat" will be held after today's CLE. Lunch will be available for all participants.

Publications: Linda Wold

- Linda was not able to attend, but Pamela announced that the new issue of the *Family Law Forum* has gone to press.

Legislative Committee: Glen Norton

- Steve Snyder & Linda Wray accompanied Glen to the November 30 meeting of the MSBA Assembly's Legislative Committee, and testified at the meeting. Glen also reported to that Committee the Section's legislative priorities as identified at the November 14 Section meeting. The Assembly adopted the MSBA legislative positions at its meeting on December 11. The Assembly endorsed the Section's position on ARTS, but, in light of opposition by several other Sections to the Collaborative Law bill, voted that MSBA "recommends the Legislature defer action on the Uniform Collaborative Law Act to allow adequate time for further study by the MSBA and its interested Sections and affiliates."

- The business meeting was adjourned.