

Family Law Section

December 10, 2011

DRAFT UNTIL APPROVED BY SECTION VOTE AT NEXT BUSINESS MEETING

The meeting was called to order by Section Chair Steve Snyder.

In addition to the members attending in person, there were members attending by telephone from Albert Lea, Esko, and Winona.

-

Secretary's Report: Margaret Erickson

The secretary noted that she (the secretary) had failed to include some new business in the copy of the November minutes distributed, read additional language and asked that it be included. The November minutes were approved as amended.

-

Assembly Representative: Pamela Waggoner

Section proposal went before the Legislative committee of the MSBA, has not been adopted as an MSBA position at this time.

The Section is free to go ahead with its opposition to legislation requiring a presumption of joint physical custody.

-

Report of the Chair: Steve Snyder

There has been a request from Michelle Thompson of the Tubman shelter. That organization has a need for volunteer attorneys, and Ms. Thompson has asked that this *pro bono* opportunity be announced to the membership of the Family Law Section.

There was some discussion of this at the meeting of the Family Law Section Council. The section has about one thousand members, many of whom are in greater Minnesota. Any section member may join the family law listserve, and anyone on the listserve may post there for free. Currently 457 people are on the listserve. To send a notice to all section members there is a cost of four cents per recipient.

The section supports and encourages *pro bono* service, but wishes to promote *pro bono* opportunities throughout the state, as well as the various volunteer programs around the metro area.

One suggestion is that there be a *pro bono* month, during which the section will publicize a list to include a variety of organizations who need volunteer attorneys who do family law.

-

Treasurer's Report: Ryan Anderson

There were no major expenditures during October; 35 new memberships were received in that month. A summary report has been distributed; underlying documentation is available on request.

-

Amicus Committee: Michael Dittberner

A petition for review has been served in *Seaborn v Merrill*. This is the parenting time case discussed at last month's section meeting. The section voted to approve the committee's recommendation to seek *amicus* status. If the Minnesota Supreme Court accepts review and grants *amicus* status to the Family Law Section, the committee will research and write the brief.

The Amicus Committee welcomes section members who wish to volunteer to assist in its activities.

-

Domestic Abuse Committee:

Meets at 12:15, immediately following the CLE. The committee continues to refine the screening tool to identify the presence of domestic violence affecting clients and potential clients.

The practice of issuing DANCOs (domestic abuse no-contact orders) in criminal cases may be unconstitutional, according to a judge in Steele county.

-

Publications: Tifanne Wolter

The electronic edition of the *Family Law Forum* has gone out. About forty members have requested a paper copy; also, paper copies should be sent to law libraries. Publishing the *Forum* in the same format as it has in the past would not be cost-effective for the reduced number of copies. The committee is checking into the options.

The next issue will be about alternative caregivers.

Larry McGee has accepted appointment as co-chair of the committee.

-

Report from AAML Liaison: Karen Kugler

Karen represented the section at the recent meeting of the Minnesota chapter of the American Academy of Matrimonial Lawyers. Ryan Anderson will continue to attend every other month.

-

Strategic Planning: Karen Kugler

The committee meets by telephone at 4 pm on the Tuesday following the section meeting.

The committee is discussing a target amount that the section should try to keep in reserve. Currently, the reserve would cover the ordinary section expenses for about one year. When the expenses for the *Forum* are known, the committee will be able to propose a budget.

The committee also seeks to provide mentorship opportunities and has been in contact with the MSBA's "Committee 36" for new lawyers.

A question-and-answer session entitled, "There's No Such Thing as a Stupid Question" will convene at 9 am each month before the section meeting. The first of these programs was held this morning. Experienced lawyers who are willing to be on a panel, please contact Karen to volunteer. Attorneys at any level of practice are encouraged to come and ask questions or listen.

-

Legislation:

Bruce Kennedy is not at today's meeting. Melinda Hugdahl mentioned some issues for the upcoming legislative year.

Language has been proposed to clarify the statute authorizing DANCOs.

Legislation requiring a joint-custody presumption will be discussed again this year. The section opposes a statutory presumption of joint physical custody.

Loretta Frederick said that the AFCC (Association of Family and Conciliation Courts) has formed a committee to write a position paper about presumptions of joint custody.

Ryan Anderson reminded members that the committee meets by "Google group." Contact Ryan if you wish to be added to this group.

The business meeting was adjourned.

-