

MSBA Family Law Minutes
September 13, 2008

Introductions; see sign up sheet:

Motion to approve minutes with correction to Domestic Abuse committee on lunch provided for those that RSVP, made by Ellen Abbott. Moved by Cheryl Prince, seconded by Ellen Abbot, approved.

Explanation by Tami Peterson about lack of CLE this month, but included a description of the mentor/mentee meeting by Tami, which will include cocktails. Tami passes around a sign-up sheet. The mentor/mentee get-together will take place on October 10, 2008 at a time and place TBD.

Ryan D. Anderson presented the June 2008 Financial Activity Report, and described the financial status of the section.

Mike Dittberner described the Amicus committee activity and what it means to be on the committee.

Ellen Abbott described the Domestic Abuse committee and what it entails. No meeting today.

Cheryl Prince described the strategic planning committee. Requests participation.

Tami Peterson skipped over the publications committee because Linda is not here.

Glen Norton described the legislative committee and gives a run-down of the budget cuts that are affecting the Court system. Glen provided an explanation of how the MSBA vets legislative proposals before they get to the lobbyist, who then asserts our position in St. Paul to try to get things done. Deadline to get our position to the MSBA is December 6, 2009, the same date as the start of the legislative session. Committee has two goals: 1) seeking good change, and 2) stopping bad change; the committee will have two halves, offensive and defensive. Glen passed around a sign-up sheet for the offensive and defensive lines.

Glen gave a run-down of what we have cooking this year. Moves for a vote on re-ratifying our vote from last year on the ARTS bill. Ellen Abbott seconded. Gary Voegelé asked a question of Steve Snyder to clarify what happened to the bill last year. Steve Snyder described the process of what happened last year. Passed the House and Senate, vetoed by the Governor. Motion to re-ratify passed unanimously, with Melinda Hugdahl abstaining. Round of applause for Steve Snyder for his yeoman-like effort.

Glen described the presumption for joint physical custody. Melinda Hugdahl described the committee that is charged with studying the pros and cons of the presumption.

Proposal for electronic reporting or web-reporting for Court Orders. Waiting for something in writing.

Pet custody discussion, if anyone would like to discuss it, they are invited to stay after the meeting and discuss it with Barb Gislason.

Addressed the idea that spousal maintenance should not necessarily end at the death of the obligor. Also considering resuming our effort to change the calculation of child support before any swing of spousal maintenance, in an effort to get off the merry-go-round of child support calculation and spousal maintenance. Intend to look at the impact of the self-support reserve to make sure there is no disparate impact on one side of the family versus the other.

Intending to seek input on the impact of the new child support law on men with multiple children with multiple mothers.

Committee is looking to find ways to improve judicial efficiency, and is open for suggestions how to do so.

Mike Dittberner discussed the idea of modifying the HRO/OFP procedure to get exclusive occupancy of the home or the establishment of parenting time or custody issues. Discussion of Kahn v. Ansar led by Mike Dittberner and Mary Lauhead.

Melinda Hugdahl asked for volunteers on UCCJEA presentation by Legal Aid, Mary Lauhead suggested Tom Tuft or Gerry Williams.

Bruce Kennedy asked if there is some procedure for tacit approval or our pieces of legislature that we refer out to other committees, and then we never hear back from those other committees.

Mary Lauhead discussed Fox v. Yeager. Be careful about putting in a parenting consultant.

Ellen Abbott discussed some points from the HCBA meeting presented by the Honorable Tanja Manrique.

Cheryl Prince moved to adjourn, Ryan D. Anderson seconded. Adjourned.