

**MARYLAND STATE BAR ASSOCIATION
FAMILY LAW SECTION COUNCIL**

**Tragara Restaurant, Bethesda, Maryland
October 19, 2005**

MINUTES OF MEETING

Members in Attendance:

Chair Barbara Trader, Chair-Elect Stacy Siegel, Treasurer Cindy Callahan, Immediate Past Chair Barry Dalnekoff, Ron Bergman, Dorothy Fait, Erin Gable, Leigh Goodmark, Helen Harrington, Walter Herbert, Honorable Ann Sundt, Dorothy Lennig, Paula Price, Mary Sanders, Jolie Weinberg, Vince Wills, and Teja Rau.

1. Minutes of the September 2005 Meeting: The minutes of the meeting of the September 2005 meeting were approved without adjustment.

2. Chair's Report: Chair Barbara Trader reported that the Administrative Office of the Court (AOC) is establishing agendas for several sub-committees. The question of parenting coordinators may be addressed by the AOC child issues sub-committee, and the access to public records issue is being discussed by the Access Rules Implementation Committee.

The Chair circulated a draft of the "Child Counsel Best Practices" document that has been developed and approved by the Conference of Circuit Court Judges. While it will be disseminated by the AOC at some later point, at present AOC is sensitive about how widely it is disseminated. Thus, it was agreed that we would do so for our own use only.

Lastly, the Chair reported that she had a promising conversation with Paul Carlin (MSBA Executive Director) regarding the Section Council budget. No firm numbers were established, but the final word should be forthcoming shortly.

3. The following Committee reports were given:

A. MICPEL Committee (Mary Sanders and Stacy Siegel): Family University is scheduled for either January 27, 2006 or February 10, 2006; the Basic Family Law course will be taught in April and May, in 2006, with a focus on taking a domestic case from initial interview to post-judgment execution (of judgments, not parties). More details will be forthcoming as the year progresses.

B. Newsletter: Our editor, Walter Herbert, reported that a Newsletter went out in the month of October, and that he is actively seeking submissions for the December/January edition of the Newsletter. It was decided that Section Council would conduct a statewide survey on two issues: (1) each county's process

for dealing with year-end holiday visitation emergencies (that information to be to Walter Herbert by the end of the first week in December); and (2) each county's position on a judge's authority to order parties to update economic information post-judgment when an award of support is made. The second item is related to potential legislation the Section Council would like to propose. This information should be available for the November 9 meeting.

C. Annual Meeting: An organizational meeting for the Bar Association Annual Meeting in Ocean City is to be held on December 7. Stacy Siegel reported that MSBA indicated they would like two Family Law programs, one “entertaining” and one educational. After discussion, the group concluded that we would combine the two types as we have in the past. Initial thoughts on the program included a “contestant panel” made up of Court of Special Appeals judges, perhaps two on each side, focusing on the awarding of alimony with questions such as “how will you rule” being asked of the judges. Several judges were suggested as potential contestants, and various section members agreed to approach them. More on this program as the year progresses.

D. Legislative

(1) The legislative policy of the Section Council was discussed. No final determinations have been made, but overall, the group agreed that Section Council should, if possible, not only support legislation proposed by others but also generate ideas and outlines for possible legislation we would like to see passed. Other legislative policy clarifications included that the Family Law Section Council may take a “no position” even if the MSBA takes a position for or against a bill.

(2) Several possible legislative initiatives were discussed, including:

a) requiring the entry of an automatic restraining order against alienation of assets and removal of children, effective as soon as suit is filed;

b) amending the Child Support Statute, allowing courts to order that parties exchange financial information post-judgment;

c) an amendment to § 9-104 of the Family Law Article, clarifying that all parents are entitled to medical, dental, and educational records of their children unless a court specifically orders otherwise.

(3) There was also discussion of bills previously proposed, including regarding transfer of property, Child Support Guidelines, and the perennial joint legal custody issue.

4. There was neither old business nor new business.

5. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Cynthia Callahan
Treasurer and Acting Secretary

