

**MARYLAND STATE BAR ASSOCIATION
FAMILY AND JUVENILE LAW SECTION COUNCIL
MINUTES
Wednesday, February 11, 2009**

The meeting was called to order at 6:45 p.m.

1. The Minutes of the January, 2009 meeting were approved
2. Committees and Reports
 - a. MICPEL – Erin Gable reported that there were currently 120 registrants for the Hot Tips program. Cindy Callahan reported that Judge Wilner is the luncheon speaker. He will discuss personal identifiers in court records.

Erin Gable also reported that the MICPEL program for unmarried couples will be held on May 14. She expects the brochure to be mailed out soon.
 - b. Newsletter – Walter Herbert reported that the next issue has been sent to MSBA headquarters. The survey asking attorneys to describe their experiences with dealing with self represented litigants is in the newsletter.
 - c. Annual Meeting – Mary Sanders reported that she will send the program description to the State Bar by Friday.

Annual Meeting: June 10 – 13, 2009

- d. Legislation - See below
 - e. Beverly A. Groner award – Justin Sasser finished the edits for the selection criteria and distributed them by email. The selection criteria will be posted on the website.
 - f. Juvenile law – Leah Seaton reported that she is gathering information about which counties currently have Court Appointed Special Advocates (CASAs) for children.
 - g. Ad Hoc Committee on Pro Se – See “Newsletter” above
3. Legislation – The Council voted to support the following bills:

HB 98/SB 601 – Domestic Violence – Temporary Protective Orders – Extension – This bill would extend the amount a time a judge is authorized to

extend a temporary protective order from 30 days to 6 months to effectuate service.

HB 213 – Domestic Violence – Attorney’s Fees – Pro Bono Attorneys –

This bill would allow a judge to order a respondent in a protective order hearing to pay the attorney’s fees incurred by the petitioner. This bill specifically allows for payment to an organization or attorney who is representing a petitioner on a pro bono basis.

The Council voted to support amending this bill to include the award of attorney’s fees also to include the respondent

HB 422 – Family Law - Child Custody and Visitation - Military Duty

This bill would require that, in a child custody or visitation proceeding involving a parent who is on specified active military duty, any order or modification of an existing child custody or visitation order issued by the court during the active military duty of the parent specifically reference specified information.

The Council voted to support it with concerns

HB 464 - Domestic Violence - Interim and Temporary Protective Orders - Custody of Minor Child

– This bill would authorize a judge to order a law enforcement officer to use all reasonable and necessary force to enforce a temporary custody provision of an interim or temporary protective order. Last year, the legislature gave the court the authority to order this in final protective orders. This would extend to authority to interim and temporary protective orders

HB912/SB 677 – Criminal Procedure - Warrantless Arrests – Violation of Protective Order

– This bill would clarify when a law enforcement officer can make a warrantless arrest for a violation of a protective order

HB 717/SB 740 - Family Law - Child Custody Determinations - This bill would codify existing custody law.

SB 565 Religious Freedom and Civil Marriage Protection Act – This bill would establish that a marriage between two individuals who are not otherwise prohibited from marrying is valid in the State, including same sex couples.

4. Old Business
 - a. Listserve – reminder list attached.
 - b. Survey See “Newsletter” above

- c. Proposed Rule 9-205.2 (Parenting Coordination) – Cindy Callahan reported that the proposed rule change was heard by the Rules Committee. The Rules Committee made two amendments. First, that pendente lite, the court can order a parent coordinator without agreement of the parties, but the PC would not have any decision making authority. Second, post trial, the court can only order a PC with the consent of the parties and the PC can make minor decisions.
 - d. Mediation 17-104 (Qualifications) – Cindy Callahan reported that the Rules Committee also reviewed the proposed mediation rule change. The Rules Committee decided that the parties can agree to a mediator who is not qualified and not on the list if the parties agree to the mediator.
5. New Business
- a. Montgomery County Divorce Roundtable is presenting “Parenting Together After Separation on Friday, May 8, 2009 at the Universities at Shady Grove, Rockville
 - b. ABA Publication – Cindy Callahan reported that the ABA Section of Litigation, Family Law Litigation Committee is preparing a publication and are soliciting writers. Article should be 500 – 2000 words and must be submitted by April 1, 2009. Contact Sara Cohen at scohen@blgcanada.com for more information.
 - c. Judicare Evaluation – Cindy Callahan reported that she is on the evaluation team to look at custody issues.
 - d. Leadership Academy – Chris van Roden reported that the Leadership Academy was requesting a \$1000 grant. The FLSC voted to approve it.
6. Adjournment – The meeting adjourned at 8:25 p.m.

Next Meeting **March 11, 2009**
At Middleton Tavern in Annapolis
www.middleton Tavern.com

ATTENDEES

Cindy Callahan, Chair
Mary Sanders, Vice Chair
Dorothy Lennig, Secretary
Walter Herbert, Treasurer
Paul Reinstein, past chair
Barbara Trader, past chair

Ron Bergman
Master David Bruce
Alisa Cummins
Dorothy Fait
Erin Gable
Kristine Howanski
Craig Little
Justin Sasser
Master Leah Seaton
Chris van Roden

Guests: Delegate Kathleen Dumais

LISTSERVE REMAINING WEEKS

Justin Sasser	week of 2/9
Leah Seaton	week of 2/16
Deb Webb	week of 2/23
Vince Wills	week of 3/1
Renee B. Ades	week of 3/8
Kevin Beard	week of 3/15
Ronald B. Bergman	week of 3/22
David Bruce	week of 3/29
Cindy Callahan	week of 4/5
Alisa Cummins	week of 4/12
Mary Anne Day	week of 4/19
Dorothy Fait	week of 4/26
Erin Gable	week of 5/3
Walter A. Herbert Jr.	week of 5/10
Kristine Howanski	week of 5/17
Dorothy J. Lennig	week of 5/24
Craig Little	week of 5/31
Marc Noren	week of 6/7
Chris Van Roden	week of 6/14
Mary Sanders	week of 6/21
Justin Sasser	week of 6/28
Leah Seaton	week of 7/5