

MINUTES

Council Meeting

Friday, October 22, 2004

Milwaukee, Wisconsin

Members Present

Peggy Podell, Chair
James Preston, Vice Chair
Tim Walker, Delegate
Lynne Gold Bikin, Delegate
Carlton Stansbury, Council (at-large)
Herb Belgrad, Council (at-large)
Mitch Karpf, Council (at-large)
Anita Ventrelli, Council (at-large)
Scott Friedman, Council (Region III)
Twila Larkin, Council (Region V)
Linda Ravdin, Publications Board
Willard DaSilva, Editor Family Advocate
Alisa Rosales, LSD Liaison

Howard Lipsey, Chair Elect
Gregg Herman, Secretary
Deborah Akers Parry, Financial Officer
Maryann Foley, Council (at-large)
Lewis Becker, Council (at large)
Harlan Tenenbaum, Council (at-large)
Llewelyn Pritchard, Council (at-large)
Mark Chinn, Council (Region II)
Ron Nelson, Council (Region IV)
Kathleen Robertson, Council (Region VI)
Linda Elrod, Editor of Quarterly
Evanne Dietz, YLD Liaison
Edward Newman, Parliamentarian

Ex-Officio Members Present

Gary Skoloff, Past Chair
Sharon Corbitt, Past Chair
Joel Tenenbaum, Past Chair

Marshall Wolf, Past Chair
Richard Podell, Past Chair

Members Not Present

Lisae Jordan, Council (Region I)
Jacqueline Valdespino, Council (at-large)
Phyllis Bossin, Immediate Past Chair
James Podell, CLE Committee Chair

Staff Present

Kate Hagan, Director

1. Call to Order. The meeting was called to order at 2:05 p.m.
2. Approval of Minutes The minutes from the Atlanta meeting were approved by acclamation.
3. Pro Bono Awards. Jean Crowe announced the pro bono awards: Julie Darneider, Dan Hanrahan, Barbara Gnat and Timothy Young. Peggy thanked all the award winners on behalf of the section and council.

Based on a request by Prof. Elrod, staff is requested to secure pictures of the award winners and give them recognition in the section newsletter.

4. Report from Chair. Peggy recognized the past chairs present and the law student representatives. Peggy also recognized the representatives of YLD who are present.

The next meeting will be at the Austin Hyatt. The Friday night event will be at the Driscoll Hotel. Programming will include adoption, immigration and other topics.

A list of liaison assignments for council members has been distributed. Each council member is to contact the chair of the committee to which they are assigned and be available to answer FAQs. There will be a report from each liaison in Austin.

5. Resolution for Leslie Lucas A draft resolution has been prepared. Prof. Elrod moves for approval, seconded by Tim Walker. Approved by unanimous vote.
6. Report from Chair-Elect Howard Lipsey reported the fall, 2005 meeting will be at the Westin Plaza San Diego. The prior day will be a military law program. Current JAG officers with FLS members who have at some point served as JAG officers will be honored.

The spring, 2006 meeting will be at the Washington, D.C. Renaissance. There will be a meeting the day before for military lawyers. Linda Ravdin will be the host committee chair. The program will be tied in with Law Day and Marshall Wolf and Joel Tenenbaum will coordinate with ABA lobbying on the Hill. Anita Ventrelli and Scott Friedman will co-chair the CLE committee.

Howard stressed the importance of the liaison efforts of Council members with their assigned committees. Howard also spoke of the importance of Herb Belgrad's committee on sponsorship. Teleseminars have already started planning. Finally, Howard stressed the importance of civility in everything, which occurs in the section.

7. Mentoring New Members. Council members are requested to volunteer to serve as a mentor for new section members. A signup sheet is being circulated.
8. House of Delegates Report Tim Walker reported that there were two resolutions, which FLS co-sponsored which came up at the annual meeting. The *Standards of Practice for Lawyers Representing Child Welfare Agencies* and a revised report on protecting the rights of live-born human clones were co-sponsored by the FLS and were approved. Also approved were the ABA Standards regarding alien children and Report 104 on standards and trademarks, both of which were supported by the FLS.
9. Financial Officer's Report Deborah Akers-Perry gave the financial report. Last year ended (preaudit) about \$75,000 in the black. As we had budgeted in the red, we really did much better than anticipated. Sales of books through Publications Board had a major positive effect.
10. ABA Commission on Immigration Llew Pritchard is the FLS liaison to the Commission on Immigration. Llew moved that the section support the efforts of the ABA Commission on Immigration to recruit volunteer attorneys to provide legal assistance to

unaccompanied alien children, who are often victims of persecution, trafficking, abuse, neglect and other violence, by promoting these efforts and asking Section members to provide legal assistance to these children on a pro bono basis. Seconded by Tim Walker. Motion passed unanimously.

Peggy suggests that information be posted on the listserv and the section website to recruit volunteers.

11. Publication Development Board Report. Linda Ravdin reported a preaudit net of \$141,000. \$48,000 of revenue came from email marketing. \$6,000 was earned from the state and local bar distribution initiative. \$8,600 came through the ABA book distribution program. Steve Kolodny and Lynne Gold-Bikin's book on Trial Practice is a great success. The collaborative law book is a good seller. We are trying to coordinate books with CLE programs and there are four books with tie-ins at the Milwaukee meeting with strong on-site sales.

Coming up are a military book by Mark Sullivan, a parenting time book, a relocation book by Prof. Elrod, an adoption book and more. Pub Board is looking for a new author on the Indian Child Welfare Handbook.

Jim Preston asked about annual supplementation of substantive books. Linda reported that the ABA is now including contracts a commitment for 2nd and 3rd editions of certain books. Annual supplementation is something Pub Board would like to do someday, but ABA Publishing is not equipped to do so at the present time.

12. Family Advocate Report. Bill DaSilva reported the goal of the Advocate was to provide working tools to FLS members. A client manual is provided once a year with the goal of being given to clients. Bill encourages everyone to order a supply of "Surviving Your Divorce and Beyond", which can be used as a marketing tool, as well as saving the lawyer time answering repetitive questions.

Issues are planned into 2008 and will include an issue on electronic evidence.

Mark Chinn asked about reprints. Bill responded that storage of excess copies is very expensive so he tries to be conservative about ordering reprints.

Linda Ravdin asked about making issues available on-line and downloadable in pdf format. Kate reported that the ABA has recently updated its website and we are looking into whether this would be feasible.

Bill further reported that the report looks like the Advocate is over budget, but they are really on target for anticipated revenue and expenses.

13. Family Law Quarterly Report. Prof. Elrod reported that they are on target for four issues per year. The most recent is on elder law. Liz Brandt was the issue editor. The fall issue

will be on international law. Future issues will be on domestic violence and comparative custody. Input is solicited for topics for future issues.

Howard Lipsey asked if there were any statistics on how often the Quarterly was cited. Prof. Elrod reported that the Quarterly was the 15th most frequently cited specialty journal in the country.

Twila Larkin asked about buying back issues. Prof. Elrod said that as with the Advocate, storage costs for back issues is quite high. She would like to get state bars to distribute copies at their CLE programs, but they aren't sure how to market them.

Prof. Becker stressed the importance of using the Advocate and Quarterly as marketing tools for new members and information should be included in brochures to new members.

Tim Walker suggested a round of applause for Linda, Bill and Linda for their services to the Section.

14. Teen Dating Violence Project Prof. Elrod reported that there will be a national conference in Washington D.C. on November 12-14, 2004 by the Commission on the Unmet Needs of Children. The goal will be have teens train other teens in preventing teen dating violence.
15. Diversity Committee. Anita Ventrelli reported on the diversity committee meeting. Goals for this year are funding for young lawyer scholarships and working with Herb Belgrad's committee. Also, developing qualifications for scholarships. Finally, developing a new member mentorship program. In response to a question from Harlan Tenenbaum, Anita said that this committee was not time limited and success will be measured by seeing members of minority groups coming to meetings and being involved in leadership.
16. Annual Meetings. Peggy reported on information from Phyllis Bossin regarding the status of the annual meeting. BOG has announced that it is increasing the registration fee to \$165. Members are very unhappy with the CLE passports. There is a proposal to no longer use the passport program, but to charge \$275 for a badge allowing access to all CLE programs. If members do not want CLE, then can just pay \$165 and get a badge that does not included CLE. Linda Elrod talked about the importance of "cross-pollination" by being able to go to other section's CLE programs. Lynne Gold-Bikin thinks that the proposal is too expensive for most practitioners and that additional sections will withdraw from the annual meeting. Tim Walker reported that the ABA listens to SOC, but section leadership needs to be present at the midwinter and annual meetings. Peggy will inform Phyllis that the consensus is that the CLE fee is too high. She asked that Council members think about the proposal and send Phyllis an email with opinions.
17. Chair's Gift. Additional contributions for a chairs gift resulted in a contribution to the Child Custody Pro Bono project in Phyllis' name.

18. IRR Proposal on Immigration. Dick Podell reported on two resolutions for which IRR is seeking co-sponsorship. The first deals with allowing sponsorship by a U.S. Citizen of a permanent resident who shares a “mutual, independent, committed relationship with a non-citizen of the same sex.” Tim Walker requested that the delegates have the option to support and co-sponsor the resolution if agreeable language can be developed. In answer to a question by Carlton Stansbury, Tim is concerned about the lack of definition of a committed relationship. Lynne Gold-Bikin moved for co sponsorship of the IRR resolution if acceptable language can be worked out. Harlan Tenenbaum seconded. Carlton said that this should be a principal of the section as there are children at stake. Bill DaSilva asked why the term “exclusive” was not used to define the relationship. Jim Preston suggested that we need to look at the language of the immigration act, as same-sex couples should not be treated the same as heterosexual couples.

Tim said that there should be latitude for the delegates and all they need is approval in principal. Howard suggested that the delegates report back after working out substitute language. Tim said that a report back to Council was always the intent and Council can make a final vote if they wish. Harlan moved to table. Prof. Elrod seconded and the motion to table passed by voice vote.

Tim then moved that the Council allow the delegates to work with the representatives of IRR and relay to IRR the concerns expressed by Council and if these concerns can be worked out, that a co sponsorship resolution can be voted on by Council by phone, email or otherwise if needed prior to the next meeting of Council. Howard seconded. Passed unanimously.

19. IRR Proposal on Health Care Records. Dick further reported on the IRR resolution on the patient’s access to health care records. Tim moved that the FLS take no position at this time, as it is not relevant to family law. Prof. Elrod seconded. Prof. Becker felt that this is, in fact, a family matter. Lynne made a friendly amendment that his motion is subject to our delegates working with IRR to develop language making the resolution more relevant to family law. Prof. Elrod accepted the friendly amendment, as did the seconder. The motion as amended passed by voice vote with one abstention.

20. Governance. Dick reported that the Governance Committee is still meeting to develop a final proposal, including that sections would have permanent representatives on the nominating committee.

21. Other Business. Dick also suggested that future meetings include events at law schools to try to involve law schools in the section. Council thanked Peggy for an excellent meeting. Peggy thanked everyone who have sent cards and called Jim. Peggy also thanked Mark Chinn for sponsoring the buses.

22. Adjournment. The meeting was adjourned at 4:25 p.m.

Respectfully Submitted,
Gregg Herman, Secretary