

June 2010

From Linda Pall, J.D., Ph.D., Section Chair

Introduction.

During the 2009-2010 year, the Family Law Section conducted a strategic planning session in June, 2010, which will form the basis of future Section programs. Please see the attached report of its results! The 2008 Strategic Planning Session and 2009 'check-up' the Section conducted proved a great road map through this year's activities.

Continuing Projects and Programs

The Section continued its "face to face" Council meetings four times a year, in Boise at the Bar Center, in addition to its monthly one-hour telephonic Section Council business meetings. Lunch has been provided by the Section at the in-person sessions as well as occasional half hour CLEs, and the meetings have provided an additional dimension, especially for Boise-based members, to participate. The Council continues to authorize transportation reimbursement for those outside Boise to attend, hoping to encourage participation of Section members from around the state and to equalize the burden for service on those Council members not residing in Boise. It's been well received.

CLEs!

Continuing legal education has developed further with Audrey Numbers as the capable chair of this Section Committee. The Committee formally expanded with regional representation from all areas of the state: Charles Bauer, Boise; Debra Carnahan, Boise; Lyle Eliassen, American Falls; James MacDonald, Jr., Sandpoint; Erika Klein, Boise; Kirstin Dutcher, Ketchum; Keisha Oxendine, Wallace; and John Cutler, Idaho Falls. Typically, the Section sponsors one CLE

in the fall given at three locations, Boise, Eastern and Northern Idaho, and several others throughout the year.

The Section sponsored a two-day training in November, 2009, to prepare family law attorneys to become credentialed in techniques of collaborative law. The collaborative law training built upon the mediation training that the Section sponsored in May 2009, pressing the practice for skills and dedication to peaceful settlements for Idaho family law practitioners.

The Section has arranged in cooperation with the Family Law Section of the American Bar Association a special seminar on improving one's practice, given by Lee Rosen, ABA lecturer and distinguished North Carolina attorney, who has recently been awarded a prestigious prize for his leadership and excellence in law practice management. This will be given at the ISB Annual Meeting on July 15, immediately before the Section's Annual business meeting and later reception.

Donations to Law-Related Causes...

Donations and charitable support for family law-related concerns during 2009 amounted to \$9,200.00, including the Partners Against Domestic Violence (\$2,000), the IVLP outreach program, Sound Start (\$2,000), support for law students and others in public service roles to attend Family Law Section CLEs (approximately \$1,000 foregone fees) and a grant to Idaho Legal Aid to provide assistance for translation services for domestic violence divorce cases (\$2,500). The Section has adopted a policy for Section donations, announcing availability in September, reviewing proposals in October and distributing funds in November, rather than on an ad hoc basis throughout the year, so that the requests can be considered fairly and equitably by the Council and/or the Section.

National Community Property Participation...

The Section continues to participate formally in the Family Law Council of Community Property States, a national group that meets

once a year for a symposium, rotating through the states, to address community property issues. The 2010 meeting was in Seattle and Tore Beal Gwartney and Linda Pall gave Idaho's presentation. (2011 is in New Orleans and 2012 will be hosted by the Family Law Section of the Idaho State Bar in Coeur d'Alene.) The Section receives copies of the materials and distributes them to the members as well as the University of Idaho Law Library.

Family Law Section Award of Distinction...

For many years we have given an Annual Award of Distinction to a member of the bar, the judiciary or the public who has done outstanding service in the realm of family law. The Section continues this practice in 2010 with the award going to James Bevis. The reception in his honor is July 15 from 7 to 8:30 P.M. at the Sandpiper Restaurant in Idaho Falls.

Section Publications...

The Family Law Section has a long history of producing popular publications. Tom Dial has done yeoman's work coordinating an authoritative, frequently cited Idaho Family Law Handbook, including a new edition in the fall of 2009, with expansions planned for fall, 2010.

The Family Law Section has published a Family Law Form Book and updated its edition last fall with a new publication, distributed in conjunction with the three-location fall family law CLE and is also for sale separately. This is another popular offering for Bar members generally.

Public Policy Considerations...

Additionally, this year, the Section participated as a representative to the Supreme Court Judicial Recruitment Committee and sent the Chair to regular monthly Section leadership meetings for the Bar.

The Section's Legislative and Rules Committee continues to provide information to the Legislature and the Courts concerning Family Law related measures. John Schroeder and David Hyde continue to chair the Committee. The Committee dealt with a number of matters in cooperation with the Administrative Office of the Courts and provided valuable information to assist the Courts and the Legislature during the past session. The group participated in an on-going discussion about the issue of grandparents rights.

Projects and programs for the Section from Strategic Planning!

The results of the 2008 Strategic Planning Session prompted a jump start for new projects and programs and a burst of energy for Section members that has continued to attract more members and enthusiasm for the section. Another major strategic planning effort was conducted June 11, 2010, with the assistance of Resolutions, Inc., and Sherry Gorrell and Cindi Bergen, facilitators. Projects for the future have a strong community service component. See the summary attached. The report will be submitted separately.

The Family Law Section ListServe, coordinated by Liz Brandt, Associate Dean of the Law School, has been a rousing success, linking members of the Section with questions and comments about current issues, important matters for their own cases, and regional questions that prompt dialogue and discussion. It is one of the most often used resources the section offers and is growing in importance to members. It is an easy, flexible tool, that functions as a mentoring device where experienced family lawyers can quickly and easily offer their skill to new family lawyers.

The Future of the Section...

The Section continues to produce funds for projects and programs, including new initiatives, serving the interests of children and families across the state. During this year, the Section expressed concern that the Bar Commissioners were intending to limit budget practices, including carry-overs, for the sections and the Section

would be adversely affected by any policy that provided additional limitations beyond responsible budgetary procedures, since the potential for new programs, as well as the enthusiasm for Section members to develop and participate in such programs, could be negatively affected. After some discussion and consideration, the explanations and clarifications of the Board of Commissioners appeared to answer the most serious concerns of Section members.

The Section looks forward to another year of innovative, progressive projects within the family of the Idaho State Bar!

ISB Family Law Section Officer and Council 2009-2010

Linda Pall, Chair
Debra Alsaker-Burke, Vice Chair
Lois Fletcher, Secretary/Treasurer

Council (term expires summer, 2010)

Tom Dial
Kent Fletcher
John Schroeder
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Council (term expires summer 2011)

Debra Alsaker-Burke, Boise
Audrey Numbers, Boise
Lisa Rodriguez, Twin Falls
Joanne Kibodeaux, Boise

Liz Brandt, University of Idaho College of Law, Moscow
Immediate Past Chair: Tore Beal Gwartney
ISB Staff representative through May, 2010: Terri Muse