

FAMILY LAW SECTION COUNCIL MEETING
MINUTES OF January 10, 2014 Meeting:

The Following persons attended in person at the Law Foundation Building: Lois Fletcher, Sara Mello, Leslie Brown, R. Bromley, Maggie Smith, Joanne Kibodeaux, Mary Hobson, Lisa Schultz, Audrey Numbers, Jennifer Schindele, Sue Brook, Deana Lane, Michael Mehall, Debra Alsaker-Burke, Mahmood Sheikh. Lisa Rogriguez arrived a few minutes late. The following persons attended via telephone: Melanie Baillie, Linda Pall, Jennifer Hammerle, Kurt Schwab, S. Smith, Tore Beal-Gwartney, and Thomas Smith.

1. Welcome and Introductions: by Chairman Joanne Kibodeaux

2. Treasurer's Report: was given by Mahmood Sheikh as Lisa Rodriguez had not yet arrived. Mahmood stated that as of November our net income for 2013 was a minus \$3,425. He indicated that may have changed by the time everything was recorded at the end of December. He said the December report will be available in 5-10 business days and will be distributed to all governing board members. Joanne distributed a proposed budget for 2014 which needs to be voted on by the board. However, she indicated it will need to be updated based on the actual year end numbers for 2013. She thought that this could be done later today and e-mailed to all board members so they can vote via e-mail by next Tuesday.

3. Committee reports:

CLE Committee: Melanie Baillie reported. Mahmood stated that currently he is holding the dates for our October CLE's as follows: Oct. 3rd - Coeur d'Alene, Oct. 10th - Idaho Falls, and Oct. 17th - Boise. This is subject to any changes made by the committee. He pointed out that it makes sense to keep Coeur d'Alene on the 3rd as they have another Family Law related CLE planned for later that month up north.

Melanie reported that the topics have not yet been selected. She and Jennifer Schindele requested that ideas be e-mailed to one of them and they are actively seeking ideas for topics.

Tom Dial stated that he has people working on updates to the Elder Law section of the Handbook as well as someone working on a new section addressing division of military pensions in divorce. He suggested those authors may be good speakers.

Jennifer Schindele is working with the Animal Law Section on a CLE. The date is not yet firm but they are looking at April 10th. This way we could piggy-back on the Family Law Retreat on April 11th. They have two national speakers coming and they need to confirm the date with them. She says the national speakers will focus on what is happening nationally with Animal Law and Linda Pall will also speak focusing on what is

happening here. Linda suggested we also try to find someone to address the issue of children involved with animal cruelty. Debra Alsaker-Burke agreed to inquire as to whether there is someone who could address that topic.

Joanne Kibodeaux said she is working with the Professional and Ethics Section and the Young Lawyers Section on a CLE addressing civility.

Linda Pall suggested we consider working with the Diversity Section on a CLE for the annual meeting this summer at Fort Hall. She suggested the topic of disability and death in our professional practice and pre-planning for these things. Mahmood pointed out that this topic was addressed at the 2012 annual meeting in a rather broad manner. He suggested that if we focused on more specifics that the Annual Meeting CLE Committee would likely be interested. Jennifer Schindele and Melanie Baillie agreed to check into it.

Lois suggested we look into co-sponsoring a CLE for the annual meeting with the Indian Law Section since the meeting will be held at Fort Hall.

Mahmood pointed out that the dates for the annual meeting this year will be July 16-18.

Legislative/Rules Committee: Mike Kraynick was not present so Deana Lane reported that she understands the legislature will be taking up a bill on giving the judge's discretion to award attorney fees in connection with some parenting coordinator issues and that there will also be a bill bringing some new laws regarding guardianship and conservatorships that are being recommended by the court.

Handbook/Formbook Committee: Tom Dial reported. He said the Handbook is coming along. He is waiting for responses from authors of prior articles as to whether they are going to update their articles this year or not. He thinks that our Handbook now touches all of the high points and the articles are all written by good authors. If an author retires or no longer wishes to update he will have to find new authors for those articles who may either update or redo the articles. He is currently looking for someone to update the Elder Law section due to changes in Medicare or Medicaid. He reported that the Probate Section is working on updating the Guardianship/Conservatorship Form Book but it will likely be a couple of years before it is ready. Tom reported that Steve Stokes who has been editor of the Family Law Form Book is moving to Boise to work for the National Guard, however, he has indicated that he may still serve as a member of the Family Law Section and that his current partner, Thomas Smith who is chair of the Family Law Bar in Pocatello may be willing to co-chair the Form Book with him or take over if Steve determines that he can not do so. The Form Book has not been updated since it was first done several years ago. Tom suggested that we consider doing an on-line survey to determine whether the people who have bought the Form Book use it and what they like or don't like or what they would like to see added to it.

New Business:

4. Joanne reported that the Bar is asking each section to have some representatives at the annual meeting this year as it will be at Fort Hall for the first time. She suggested that we schedule our July meeting to be in conjunction with the annual meeting so that more of us can attend.

5. Linda Pall suggested that since this is the 25th anniversary of our Award of Distinction that we invite all of the past recipients still living to attend and be honored. Linda offered to be in charge of the party. Joanne pointed out that we now have a system for filling that position and the seat will be open in April. There will be a slate of candidates and members will also be allowed to nominate as well.

6. Mary Hobson gave a short presentation about a new group called Access to Justice Idaho. This group is made up of three groups that have been around for a long time. The three groups are, Idaho Volunteer Lawyers Program, Idaho Legal Aid, and Disability Rights. They are banding together to raise funds to help with providing legal services to low income and disabled persons in Idaho. The organizations used to feel that they were competing for funds and so they decided to work together. They are going to kick off the organization in March and wanted to give us the opportunity to be recognized as one that has given in the past to these organizations. As we are still unsure about our budget we inquired what would constitute a minimum "lead gift." Mary stated that the committee is still determining what a "lead gift" will be. So far they have two that will be and they are American Board of Trial Advocates and the Litigation Section of the Idaho Bar and those organizations are each giving \$5,000.

7. Michael Mehall Operations Manager for the Idaho Supreme Court was introduced by Joanne and he explained his new position. He is to provide services to the court to recommend "best practices" in different areas of the law in Idaho and also to implement Odessey which is the new case management system that the court is adopting statewide. It will replace ISTARs. Right now he is working on forms for criminal law and anticipates that he may eventually work on some for family law as well. He spoke about the program being able to auto generate forms. It was not clear exactly what forms he meant but likely judicial forms is what he seemed to be referring to. He pointed out that down the road there will also be a shift to electronic filing of court documents. He is estimating about three years before the new system is statewide. They are starting with Twin Falls and hope to have it up and running within a year. He says they will then move on to Ada County. There was a question as to how this would or would not potentially interface with the new Idaho Family Law Rules being piloted in the Fourth District. Deana Lane stated that there will be an Administrative Conference on February 5, 2014, where the new rules will be discussed and a decision will be made as to whether to continue the pilot a little longer or

set a date for statewide implementation. Tom Dial pointed out that there was a CFCC Committee meeting yesterday via telephone and that some members were wanting a vote on whether to rescind or ratify the recommendations made last September. So Tom is unsure as to whether the rules will be adopted state wide.

The meeting was adjourned at 1:05 p.m.

Respectfully submitted,
Audrey Numbers substituting for Lisa Rodriguez