

FAMILY LAW SECTION COUNCIL MEETING
BY TELEPHONIC CONFERENCE

MINUTES OF February 17, 2010 Meeting

1. Welcome and Introductions by Chairman Linda Pall
2. November 2009 and January, 2010 Meeting Minutes were approved following a correction; there will only be one free reception at the FLCCPS meeting in Seattle on April 8-10.
3. Treasurer's Report revealed that as of this date, there is \$21,280.00 in our treasury.

4. Chair's Report:

Report from Section Leadership Council Meeting, attended by Debra Alsaker-Burke. The sections were encouraged to develop a policy regarding donations. Teri Muse will maintain a schedule of CLEs.

Linda added that the Family Law Section already has a donations policy. We review requests in September and any donations we give must be related to the law, in particular, family law.

A. OLD BUSINESS

1. Committee reports:

Legislative/Rules Committee: John Schroeder reported that a Bill has been sent to committee that would state there will be no divorce modifications while a service member is deployed. This is already covered by the Civil Servants Relief Act. It may overrule a decision by the Idaho Supreme Court.

There is a "care-giver" bill, but there has been no request from the Supreme Court or Legislature for feedback, so we will not be involved.

Kent Fletcher addressed HB 499, the adoption bill which would change the current adoption law by requiring unwed fathers to be noticed. The Bill is being heard today, so comments should be sent quickly. Teri Muse offered technical support. Tore Gwartney will forward a copy of the Bill to John Schroeder and David Hyde.

Debra Alsaker Burke suggested that the Family Law Section needs to respond to this Bill as a separate entity. The Section should communicate with the Bill's drafter, Sen. John Goedde

David Hyde said that individual lawyers can respond to proposed legislation, but cannot comment as a section without a complex procedure. Tom Dial said that an informal group of section attorneys can respond to legislation.

Debra Alsaker-Burke noted that a Bill which addressed de facto parenting, sponsored by Voices for Children, has been withdrawn.

CLE Committee: Audrey Numbers reported that a CLE on April 30, 2010 will present a Judge panel addressing child custody, to include Judges DeMeyer, Buchanan, Box and Comstock. Additionally, Pete Sisson will present a section on aspects to be considered in elderly divorcing couples. Audrey is seeking a speaker on the topic of military divorce, since Friedly & Ward and Larry Ashcroft are not available. It was suggested that John Miller or Jim Bevis be approached.

Audrey and Linda will meet on February 18th to discuss a CLE for the July Annual Meeting. 1 ½ or 3 hour slots are available.

There is no current information regarding the October CLE.

Rene Morse is going to speak at the March 17 meeting. Teri Muse is deciding on whether CLE units will be given.

BY LAWs Committee: Debra Alsaker-Burke will present the proposed changes at a later date. Linda requested that areas to be discussed be identified.

FLCCPS: (Family Law Council of Community Property States) As mentioned above, the conference will be held on April 8-10. The site will be the Edgewater in Seattle. A free reception will take place on Thursday. All else needs to be paid for.

SUMMER INTERNSHIP CLEARINGHOUSE: Linda will announce the clearing house. Interested interns will be identified, but our Section will not engage in reviewing or matching.

B.

SUMMER ANNUAL MEETING

Will take place in Idaho Falls. A committee is appointed to review nominations for the Award of Distinction: Joanne Kibodeaux, Debra Alsaker-Burke, Kent Fletcher and Linda Pall. March 15th is the deadline for nominations.

Linda suggested additional awards for a circle of senior family law practitioners. The purpose will be to show Idaho communities that they have competent family lawyers in their midst. Tom Dial offered his assistance.

John Schroeder objected on the grounds that the Bar will charge for staff time. Linda said that this would be a volunteer effort.

STUDY COMMITTEE PROPOSAL:

Debra Alsaker-Burke stated that the grandparent custody issue needs to be addressed in a systematic manner. She suggested that a committee be formed to hear from grandparents and their issues. Linda suggested that a proposal be put together and presented at the March Meeting. Debra will circulate a proposal to Section members for those lawyers interested in the committee.

NOMINATION COMMITTEE APPOINTMENT:

Tabled until the March meeting.

The meeting adjourned at 1:00 p.m.

Respectfully submitted

Lois K. Fletcher

