

**Proposed Minutes
Friend of the Court Bureau
Advisory Committee Meeting
State Court Administrative Office, Lansing, MI
Thursday, January 29, 2009**

MEMBERS PRESENT: Peter Dever, Amy Yu, Lynn Bullard, Anita Bilek, Karyn Ferrick, Lisa Truscott, Shauna Dunnings, Kelly Walters

MEMBERS ABSENT: Doug Howard, Shawn Perry, Zenell Brown

STAFF PRESENT: Dan Bauer, Steve Capps

1. Call Meeting to Order

The meeting came to order at 1:03 p.m.

2. Administrative Matters

a. Approval of the August 22, 2008 Minutes

Approval of the August 22, minutes with clarification to last sentence on first page regarding how complaints are counted.

3. Public Comment –

- a. Mr. Schuteboer reports allegations of bias and discrimination in Allegan County. He states that caseworkers are inconsistent when sharing information from one parent to the other. He states that caseworkers have indicated that they have no written policy regarding how parenting time is to be calculated and in most cases, a decision is reached by office consensus.

The committee advised Mr. Schuteboer that there are at least two sources of information available to courts when processing parenting time issues. Mr. Day, Court Administrator in Allegan County indicated to Dan Bauer via telephone that his county uses the Michigan Parenting Time Guidelines as well as the Custody Guidelines. It was explained to Mr. Schuteboer that the advisory committee is unable to mandate that Allegan County utilize these policies and guidelines. The committee advised that Mr. Schuteboer file his grievance regarding lack of training and overall knowledge regarding custody and parenting time guidelines.

- b. Mr. Kerr was not on the agenda but the committee agreed to let him speak. Mr. Kerr remarked on the recent passing of child support bills in the senate. Mr. Kerr also requested the FOCB advisory committee advise the FOCB to conduct a thorough investigation regarding hiring procedures in every FOC office in the state for gender bias. He used the remainder of his allotted time to speak about the injustice to child support payor's who are paid bi-weekly or monthly. His specific complaint, based on his own case, was that there was a violation of MCL 552.605c(2) when the Ingham County sent a separate billing to collect fees after an arrearage existed on his case. He believed that any arrearage was temporary, and all charges were being fully paid via income withholding.

The Ingham County grievance response, showing a case audit that indicated otherwise, left him unconvinced.

The committee advised Mr. Kerr that the FOCB advisory committee did not have authority to act in his specific case. Insofar as Mr. Kerr was making a general allegation that the FOCB Advisory Committee could request an FOCB review of the practices of Ingham County as they related to potential violations of MCL 552.605c(2), members of the committee and ex officio members indicated that the FOCB had no authority to investigate potential staff violations. Mr. Bauer indicated that the FOCB does review grievance responses from FOC offices on an annual basis. The committee took no further action on Mr. Kerr's comments.

4. Correspondence

The only correspondence received was from Mr. Kerr and he spoke on that topic.

5. Old Business

a. Divorce Orientation video.

Mr. Bauer updated the committee regarding the video intended to orient litigants to the FOC at the start of their child support case. He gave an overview of the different topics and will begin writing scripts upon approval from the committee. The committee indicated that it was important to stress what the FOCs do and do not do. To stress that the FOC does not enforce the order it is up to the judge to enforce the order. It was suggested that at the end of the video the viewer is informed where to find resources like statutes, court rules, and/or forms that are useful throughout the FOC experience. Another suggestion was to incorporate into the video the importance of keeping the FOC informed at all times of changes to home or work information.

Mr. Bauer asked that comments regarding the content for the video be forwarded to him by the end of February. He will review comments and begin writing a script. Mr. Bauer suspects that it will be at least a year before the project is finalized.

6. New Business redraft of MCR 3.218

- a. Mr. Bauer reviewed the handout of changes to MCR 3.218. The committee gave suggestions for various changes throughout the document. Mr. Bauer will take the advisory committees input into consideration before presenting the drafted changes to the Supreme Court. One specific recommendation related to the definition of "professional employee," which was added to the court rule to specifically define the term left undefined in legislation that required "professional employees" of the FOC offices to be mandated reporters of child abuse and neglect. Ms. Ferrick indicated that the legislation was drafted without defining that term specifically at the request of various FOCs, who didn't want a statutory mandate that may not be applicable to all offices. The committee gave specific recommendations to change the drafted wording.

Upon further conversation regarding the mandatory reporter duties of as-yet-undefined "professional employees", Ms. Walters agreed to e-mail Mr. Bauer a copy of an

acknowledgment form that employees in her office sign, when they are employed in positions that are similarly mandatorily required to report suspected abuse.

7. Closing

- a. Members Closing comments – none
- b. Final public comment – Mr. Schuiteboer reiterates his frustration with the Allegan County FOC, and thanks the Advisory Committee for the work they are doing.
- c. Next meeting has not been determined.

Meeting adjourned at 3:04 p.m.