NEW YEAR'S RESOLUTIONS

by Lorie N. Savin, Oakland County

It is a new year, and unlike past years my Facebook feed is not filled with New Year’s resolutions. After taking the time to reflect on the past year, I know I have some ideas about what I can improve upon and what new goals I have set for myself. Two of the goals I set are to continue my efforts to exhibit more patience wherever I might be and to leave my comfort zone and occasionally try new things. For those of you who have been a little late in making this list, let me offer some suggestions that might be useful to referees as we carry out the daily task of managing the messy real-life situations we encounter through our work while ensuring that we maintain an “independent and honorable judiciary” as described in Canon 1 of the Michigan Code of Judicial Conduct.

Resolution 1: Re-read the Code of Judicial Conduct

On May 1, 2013 the Michigan Supreme Court issued Administrative Order 2005-11 (effective date 8/1/13), which amended Canons 2, 4, 5 and 7 of the Code of Judicial Conduct. The changes primarily help clarify permissible extra-judicial activity, particularly activities related to work on behalf of organizations. One change specifically allows judicial officers to request payment of dues or membership fees in a judicial association, which is very helpful for groups like RAM that do not have an administrative staff. It also made clear that judges can speak at or receive an award in connection with an event for an organization, and the organization may use their name to advertise the event as long as the judge does not solicit funds. This activity had been questioned by many before because of the ambiguity in the canons.


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If you do not want to re-read the whole Code, then may I suggest you read the red-lined version of just the recent changes? The easiest way to access it is with this link: http://www.michbar.org/file/opinions/ethics/mcjorder2013.pdf.

Resolution 2: Check Out Ethics Opinion J-8, Approved by the State Bar of Michigan’s Board of Commissioners

As a result of the changes to the MCJC, the State Bar of Michigan’s Judicial Ethics Committee, with help from the State Bar staff, identified many opinions that needed to be reviewed in light of the recent changes to the canons. Over a two year period, the committee chose to replace, withdraw, or leave unchanged many old opinions. The committee even found some conflicting opinions and addressed that matter. Although these opinions are only advisory in nature, because the Judicial Tenure Commission is the singular body that can make definitive determinations about what is and is not allowed, these opinions are helpful.

The most significant opinion replaced was J-1, which was replaced with J-8. This new opinion provides general direction about what is believed to be permissible and proscribed civic and charitable activities for judicial officers. Many examples are identified and discussed in this opinion. As many of us are involved in working with local community and charitable organizations, this direction can be helpful in gaining a better understanding of the canons. It is also a great resource to locate the sections of the MCJC that apply to various activities now that the Code has been reorganized. J-8 can be found at: http://www.michbar.org/opinions/ethics/numbered_opinions/OpinionID=709.

Resolution 3: Bookmark the State Bar of Michigan’s Ethics Home Page

The State Bar of Michigan has wonderful resources for attorneys and judicial officers who have ethical questions or concerns. It has a helpline available for those in need of direction or information about prospective behavior. It also has easy to navigate tools on its website to access the MCJC and MRPC, along with advisory opinions interpreting specific rules and canons, as well as other helpful resources. The ethics home page even has sections highlighting recent developments and ethics opinions.

New opinions are expected to be published on the following topics: a judicial officer’s donation to a non-judicial candidate’s campaign; gifts to judges, judges’ families, and judicial staff from attorneys who appear before the judge; and with the election season approaching, conduct of partisan officeholders running for judicial office. Look for these opinions and the other helpful resources mentioned at: http://www.michbar.org/opinions/ethicsopinions.

Resolution 4: Attend This Year’s RAM Annual Training Conference

Do something for yourself that has the added benefit of helping you professionally by attending our Annual Training Conference. We’ll be holding the event at the H Hotel in Midland May 25th through May 27th. The kickoff presentation will help you learn how to manage your emotional well-being in our stressful work environment where we encounter adults and children at some of the most difficult periods of their lives. Unlike Riley in the Disney/Pixar movie “Inside Out” whose emotions are working things out inside her head, we

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see people’s emotions on full display right in our hearing rooms. In order to think clearly and respond with a composed demeanor, it is necessary to remember that we are not part of their drama.

We are fortunate to have two dynamic speakers, Rosa Thomas and Stephanie Lange from Macomb County Community Mental Health. They will present on managing our emotions. More information about the conference will be available shortly through our website and the listserv.

So often New Year’s resolutions focus on negatives we want to change, such as losing weight or kicking a habit. It seems like we set ourselves up to fail when we view it this way. Instead, I suggest that we go ahead and congratulate ourselves on all we have accomplished over the past year, and set new goals for growth and success. Hopefully, you will be able to use these four ideas to get you started. I can’t wait to hear about all of the things, big and small, our members will accomplish this year.

ABOUT THE AUTHOR

In addition to serving on RAM’s Board of Directors, Lorie is also its representative on the State Bar of Michigan’s Judicial Ethics Committee.
DOMESTIC RELATIONS CASE LAW UPDATE

Cases can be accessed by docket number at the Court’s website at http://courts.mi.gov/opinions_orders/opinions_orders/pages/default.aspx

By Ed Messing, St. Clair County

Stankevich v Milliron vacated and remanded Sup Ct #148097 9/11/15 reversed after remand _Mich App_ (2015) #310710 11/19/15. Plaintiff filed action to dissolve the parties’ Canadian same-sex marriage and to address custody and parenting time of defendant’s child, who was conceived through artificial insemination and born during their marriage. Plaintiff alleged that both parties agreed to the conception of the child and that both were involved in the artificial insemination process. She also alleged that both fully and equally participated in the child’s care, rearing, parental decisions, responsibilities and duties. The Court of Appeals originally found that plaintiff was not an “equitable parent” because the parties’ Canadian same-sex marriage was not recognized as a marriage in Michigan. The Michigan Supreme Court, by order, vacated the Court of Appeals’ decision and remanded the case back to the Court of Appeals for reconsideration in light of Obergefell v Hodges __ US__; 135 S Ct 2584 (2015). On remand, the Court of Appeals determined that if the trial court found the parties’ marriage was valid pursuant to Canadian law, the plaintiff’s allegations were sufficient to establish her standing to file an action to establish equitable parenthood which would result in orders for custody, parenting time and support, reversed the trial court’s dismissal of plaintiff’s action and remanded the matter back to the trial court for an evidentiary hearing.

The Court of Appeals published two decisions recently regarding grandparenting time. In Varran v Granne-man _Mich App_(2015) #321866 10/13/15, the plaintiff mother had custody of the minor child until the 8 month old child went to live with defendant father and his parents. When the child was 2 ½ years old, defendant’s parents asked defendant to leave the home. The child continued to live with the paternal grandparents and defendant had visitation every Saturday night. Plaintiff mother died in 2007, and in 2012 the child went to live with defendant, visiting with the paternal grandparents on alternating weekends. The paternal grandparents filed a motion to intervene and request grandparent time in the parents’ custody action after defendant reduced grandparent time to daytime only and restricted their contact with the child. The court determined the child would suffer substantial harm to his mental and emotional health if grandparenting time was not granted and awarded grandparenting time on alternating weekends. The Court of Appeals affirmed.

The second case addressing grandparenting time was Falconer v Stamps _Mich App_ (2015) #323392 12/22/15. Here, just before the paternal grandmother’s guardianship over her five year old granddaughter terminated, she filed a motion to intervene in the custody action the child’s mother had filed against the child’s father. This led to a three-way custody fight, though the father had not really been involved in caring for the child at all. Although the trial court determined that the grandmother did not prove by clear and convincing evidence it was in the child’s best interest to continue to be raised by her grandmother, thus granting sole legal and physical custody to the child’s mother, the court granted the paternal grandmother grandparenting time, even though she had not filed a motion and affidavit making such a request. The Court of Appeals reversed the decision affording grandparenting time finding that the trial court “conflated these two separate and distinct actions.” Although it was not necessary, the appellate court also found that had the matter of grandparenting

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time been properly before the court, it erred because the paternal grandmother failed to overcome the presumption that the mother’s decision to deny grandparenting time did not present a substantial risk of harm to the child’s physical, mental or emotional well-being based upon the trial record. It also concluded that considering the record at the trial court, the factors strongly weighed against granting grandparenting time.

The Court of Appeals, in an order dated 10/21/15, has vacated its 9/15/15 opinion in its entirety and dismissed the appeal as moot in McConchie v Voight #326651.

The plaintiff in Trantham et. al. v MiSDU, DHHS, and OCS _Mich App_ (2015) # 322289 11/10/15, filed a class action in the Court of Claims seeking to declare the $3.50 monthly service and processing fees charged by the Friend of the Court, assessed under MCL 600.2538(1), as an unconstitutional taking and to require that all such fees withheld by income withholding for child or spousal support, for one year prior to filing the action, be paid into a common fund. The Court of Claims granted defendant’s summary disposition on the basis of plaintiff’s failure to state a claim. The Court of Appeals affirmed the Court of Claims in part, finding that the portion of the fees designated to the Friend of the Court Fund intended to defray the cost of services that are not reimbursable under Title IV-D of the Social Security Act ($2.25 per month) and the fees designated to be paid to the State Court Fund ($1.00 per month) are valid user fees associated with plaintiff’s use of the Circuit Court and the Friend of the Court to collect support payments. However, the Court of Appeals reversed the Court of Claims in part, with respect to the twenty-five cents per month that is designated to be paid to the Attorney General’s Office as it is a revenue raising measure that bears no relationship to plaintiff’s use of the Circuit Court or the FOC, therefore constitutes a tax. This issue was remanded for the Court of Claims to determine whether this tax was constitutional under the Title-Object Clause or the Distinct-Statement Clause of the Michigan Constitution.

The Court dealt with a case of first impression in Teran v Rittley _Mich App_ (2015) #322016 11/17/15. Defendant fathered a child with plaintiff in 2006 while stationed in the military in Ecuador, then left shortly thereafter without leaving any contact information. Plaintiff’s initial paternity action in Virginia was dismissed for lack of jurisdiction in 2008, when defendant asserted that his official residence was in Otsego County, Michigan. Plaintiff filed this action in Otsego County in 2010. Defendant’s attorney filed his appearance, both parties appeared telephonically, and, following DNA testing, they stipulated in 2011 to an order of filiation. The court later denied defendant’s motion to dismiss due to lack of jurisdiction based on his claim that since 2007 he had resided outside of Michigan and never intended to reside in Michigan since then, and that plaintiff and the child had never resided in Michigan. During a two day trial defendant argued for a deviation from the MCSF and presented testimony from an economist who opined that a person in Ecuador would only need $567 to $634 monthly to achieve the equivalent of $1,021 purchasing power in Michigan after comparing the
cost of living in Ecuador, Washington D.C., and Michigan. The court followed the FOC recommendation and set support pursuant to the MCSF at $1,211 per month, retroactive to the start of the Virginia case, and awarded attorney fees. Defendant appealed.

The Court of Appeals affirmed. The Paternity Act provides subject-matter jurisdiction where the putative father resides or is found and defendant was “found” in Otsego County. Defendant submitted to personal jurisdiction by filing his appearance in the case, and waived personal jurisdiction by failing to raise the issue in his initial pleading. The order for defendant to pay attorney fees to plaintiff’s attorney in Michigan, as well as a Spanish-speaking Florida attorney who assisted plaintiff in obtaining support, were appropriate because plaintiff was not able to bear the cost of the action and defendant earned $127,000 annually. As a general rule, the court shall not deviate from the MCSF recommended support amount based on the general cost of living where the parties and the child reside. The retroactive award was deemed appropriate under the statute as defendant had delayed the imposition of a support obligation by obtaining a dismissal of the Virginia action.
Member Voir Dire: Carolyn Boegner  
by Susan Murphy, Jackson County

Our next spotlight shines on Carolyn Crandall Boegner, Genesee County Circuit Court Referee. Carolyn has been a referee since 1997, beginning her referee career with a juvenile docket. In 2002, her responsibilities expanded to include both juvenile and domestic relations matters.

Carolyn is grateful to have the opportunity to work as a referee, and realizes that not everyone has the opportunity to make a living doing something that is challenging and rewarding. Carolyn shared two moments from her career that stand out as special to her. One moment was when a gentleman was leaving her hearing room and said, “Thank you. You are the first referee that we have been in front of that has smiled at us.” The second moment involved a case where she had made a child support recommendation based on imputed income to the payer, and the Court of Appeals affirmed the decision.

Similar to other Member Voir Dire spotlights, Carolyn wishes there was a way to get to work without driving. Yes, it seems like time and space travel is a key invention or superpower that we all would like. But Carolyn really doesn’t like to drive ~ if money was no object, she would trade in her 2013 Ford Taurus for a limo with a driver.

If given the opportunity, Carolyn would enjoy having dinner with Abigail Adams and Mary Todd Lincoln. Both former first ladies would be proud of Carolyn’s charitable works. Carolyn belongs to the Flint Chapter of Quota International, a service organization whose present mission includes helping disadvantaged women and children.

Meeting powerful historical women of the past isn’t the only thing Carolyn has on her wish list. Carolyn would also enjoy trading places with Angela Merkel for a day. Now that is one powerful woman. According to Forbes, Ms. Merkel ranked as the most powerful woman on the planet for 10 years running, and this year, she is the 2nd most powerful person ranking just behind Russian President Vladimir Putin. As you might suspect, Carolyn is not someone to mess with ~ and be forewarned ~ she has a concealed carry permit!

It was also exciting to learn about Carolyn’s wishful third dinner companion. In addition to the two former first ladies, Carolyn would love to have dinner with her great-great grandfather, Robert Johnston. As part of her mother’s family lore, Mr. Johnston practiced law in Shiawassee and Genesee Counties in the second half of the 19th century. A few years ago Carolyn started doing research and located an article on him through ancestry.com. Her research revealed that Mr. Johnston was originally a traveling salesman and penmanship teacher. Later on, he completed his apprenticeship to qualify as a local lawyer. She also learned that in his later years he worked as a farmer and as a school district superintendent. Eventually, Carolyn reached out to the Genesee and Shiawassee County Clerks’ offices. She was pleasantly surprised when the Shiawassee County Clerk found Mr. Johnston’s signature as an attorney in the 1857 journal. A copy of that journal entry

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is now among Carolyn’s personal records.

Carolyn shared other aspects of her personal life. During law school, Carolyn decided to attend her 20th class reunion for Flint Northwestern High School. A former classmate Steve Boegner was also in attendance at that reunion. They met, dated, and were married in 1990. Their marriage blended their individual families with her two sons and his daughter. At that time, their children were in the 6th, 8th and 10th grades. Today, all three children continue to live in Michigan. Carolyn’s sons, Jeffrey and Christopher, are married. Jeffrey and his wife, Jennifer, have two daughters, and Christopher and his wife, Janelle, have one daughter. Carolyn enjoys spending time with her three granddaughters ~ Madison, Emily, and Juliet ~ who are absolutely perfect.

When Carolyn is not working or playing with her grandchildren, she enjoys swimming, yoga, sewing, and knitting. She has traveled and believes Paris was the most awe-inspiring place she has visited. But Chicago is, by far, her favorite place to spend money!

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**NOTICE OF ELECTIONS**

The Referees Association of Michigan will be holding its bi-annual election of its Officers and Members-at-Large on Friday, May 27, 2016, during its Annual Training Conference in Midland, Michigan. Nominations for candidates must be submitted in writing by mail, fax, or email to RAM’s Vice President, Sahera Housey, and RAM’s Secretary, Nancy Parshall, by May 1, 2016. Nominations from the floor are only permitted for a position where there is not at least one candidate. More information about the election process is located in our By-Laws, which are accessible on under the Members Only tab of our website. If you have questions about Executive Board membership, please contact its President, Amanda Kole.
LEGISLATIVE UPDATE
Contributed by Kate Weaver, Oakland County

Note: The legislature typically wraps up the year around mid-December. Because this was an odd numbered year, a year following a state election year, all bills carry over to 2016. Bills currently are “alive” until the legislature adjourns in December 2016.

ADOPTION

SB 0646: ADOPTION AMENDMENT

This bill would require the spouse of a married petitioner asking for adoption to join the petition. Also, the bill would permit two people who are unmarried to petition for adoption together.

STATUS: This bill has been referred to the Senate Committee on Families Children and Seniors.

NEGLECT/ JUVENILE

SB 0485: REGULAR AND FREQUENT PARENTING TIME FOR FOSTER CHILDREN

This bill would provide for regular and frequent parenting time (not less than once every 7 days) unless the court finds that parenting time, even if supervised, may be harmful to the child’s life, physical health or mental well-being.

STATUS: This bill has passed Senate and moved to House Committee on Judiciary.

SB 0629: TERMINATION OF PARENTAL RIGHTS EXPANSION

This bill would amend the juvenile code to allow a court to terminate a person’s parental rights to a child if that child had been conceived as a result of the person’s criminal sexual conduct (CSC).

STATUS: This bill has passed Senate and moved to House Committee on Judiciary.

SB 530: DEFINITION OF RELATIVE IN JUVENILE CODE

The bill would amend the juvenile code to provide that the term "relative" would include a stepparent, ex-stepparent, and parent who shares custody of a half-sibling for the purpose of placement; require notification to those individuals as required in the Foster Care and Adoption Services Act; and add a definition of “sibling.”

STATUS: This bill was signed into law on December 17, 2015 with immediate effect.

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HB 4976: AMEND THE FOSTER CARE AND ADOPTION SERVICES ACT FOR QUALITY ASSURANCES

This bill would amend the Foster Care and Adoption Services Act to provide assurances that the department develops a specific policy known as “the children’s assurance of quality foster care policy.” The policy would be made available to the public and the department would use current and former foster care children to develop said policy. The policy is intended to ensure that the children placed in foster care are provided with fair, equal and respectful treatment.

STATUS: This bill has passed House Committee on Families, Children and Seniors and is on its second reading.

DOMESTIC RELATIONS

HB 4472-4475/SB 517-520: UNIFORM INTERSTATE SUPPORT ACT

Our jobs were saved!! The UIFSA reenactment bills (HB 4472-4475 and SB 517-520) were signed into law December 23, 2015 with immediate effect (repealing and recreating UIFSA). Signing of the bills brought our state into compliance with federal statute (had we not done this by 1/1/16, Michigan was at risk of losing at minimum $175 million in child support funding for 2015-2016).

STATUS: Signed into law on December 23, 2015.

All of the above legislation can be accessed at: http://www.legislature.mi.gov/(S(gw41t0asyldke545yf-bmwhra))/mileg.aspx?page=home

Michigan State Capitol Building, Lansing - Photo by Ken Randall
NEGLECT CASES

(Supreme Court #149537, November 6, 2015)
The Supreme Court, by an Order, reversed the Court of Appeals decision, In re Wangler, 305 Mich App 438; 853 NW2d 402 (2014), which was previously reported in the Summer 2014 Referees Quarterly and re-stated below for reference.

The Supreme Court held that because it was unclear when the trial court issued its initial dispositional order, which is the first appealable order by right from the trial court, the mother’s due process rights were violated. At no time did the trial court find the mother’s plea was knowingly, understandingly and voluntarily made, nor did the trial court establish support for the finding that the statutory grounds for assuming jurisdiction were met. The plea, the adjudication and the termination were reversed and the case was remanded to the trial court. Justice Markman dissented.

The overturned Court of Appeals decision in In re Wangler, 305 Mich App 438; 853 NW2d 402 (2014) (Court of Appeals #318186, May 27, 2014), was summarized as follows:

The mother was ordered to participate in a new pilot mediation program after the preliminary hearing. The mediation resulted in an agreement that the mother would enter a plea to some of the allegations in the petition and the actual adjudication would be held in abeyance for a period of six months to allow her to participate in services. The trial court adopted the mediation agreement and entered an order consistent with the agreement. Review hearings happened every three months for the next 15 months. The mother failed to appear at any of the review hearings; however the trial court never formally accepted the mother’s plea and never took jurisdiction of the children until the last review hearing. The judge finally accepted the mother’s plea as stated in the mediation agreement and authorized the petitioner to file a supplemental petition seeking to terminate the mother’s parental rights. The Dispositional Review Hearing order was entered and attached to it was an order formally taking jurisdiction of the children and accepting the mother’s plea. A termination petition was filed and the termination order was entered 6 months later.

On appeal, the mother argues that the trial court lacked authority to accept her written plea which was incorporated into the mediation agreement, her plea was invalid and the exercise of jurisdiction over the children was invalid as she was not present at the hearing. She further argued that her jurisdictional challenge is not a collateral attack of the adjudication; because the trial court entered the adjudication and authorized the petitioner to file a termination petition in the same order, making this a termination at the initial disposition.

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The question on appeal, then, is whether the order accepting the mother’s plea and placing the children under the jurisdiction of the court was a “disposition” requiring the mother to appeal the adjudication at that time or was it a termination at the initial disposition.

The Court held that the mediation agreement authorized the review hearings to begin before the formal adjudication. The dispositional review hearing order constituted the formal order of adjudication because it was the first order wherein the court exercised its jurisdiction. That same order also constituted an order of disposition as the court placed the child under the supervision of the Department of Human Services. As a result, the mother was required to raise her jurisdictional challenges in an appeal of that order, not the termination order, so the Court would not consider the merits of her argument.

**Affirmed** in a 2-1 decision. Justice Gleicher dissented.

*In re Yarbrough, __ Mich App __: __ NW2d __ (2016), (Court of Appeals #326170, January 19, 2016)*

The Court *vacated* the trial court’s termination order and remanded the case to the trial court as the trial court violated the parents’ due process rights by not allowing the parents to receive funds to consult with a medical expert regarding an alternative cause for their child’s injury.

The mother and father have two children, a 5 month old son and a 3-1/2 year old daughter. The 5 month old was taken to the pediatrician when the mother noticed a red dot in the child’s eye and the eye appeared to deviate. The pediatrician ordered an MRI and the mother took the child immediately to the hospital for the procedure. The MRI was normal, and the mother was sent home with the child with instructions to monitor the child’s breathing. The next day, the father noticed a milky substance coming from the child’s nose and mouth and called 911. The operator instructed the father on CPR, then mother returned home and continued CPR, but after 8-9 minutes, the ambulance had not arrived so the parents drove the child to the hospital. A CT scan was then completed and there was nothing to suggest traumatic injury. The staff at the local hospital found no evidence to suspect child abuse on the part of the parents.

The child was then transferred to Children’s Hospital of Michigan where the physicians reviewed the MRI and the CT scan. They concluded that there were significant abnormalities and that the child was “severely injured…..from abusive trauma.” The petition to remove the child and to terminate the parents’ parental rights at the initial dispositional hearing was then filed.

The attorneys for the mother and the father both filed a motion for the appointment of an expert witness and requested funding for the same. The chief judge of the family division heard the motion, suggested that the attorneys talk to the treating physicians at both hospitals without pay and denied the request for funding. The chief judge further opined that the lawyers needed to learn how to review medical records on their own, assistance in reviewing the records was insufficient to support funding for an expert witness, and there was no demonstration that it would be fundamentally unfair if the court did not appoint an expert witness.

At the trial, the mother called the pediatric neurologist who provided care for the child at the local hospital, but the trial judge would not allow that physician to provide an expert opinion on the MRI as she was not qualified to do so because she was not a radiologist. The trial court entered an order terminating the parental rights and the parents appealed.

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On appeal, the parents argued that the trial court abused its discretion in denying their request for expert witness funding. The Court held that the trial court used an incorrect standard in determining if an expert witness was required and, as a result, violated the parents’ right to due process.

In analyzing this case, the Court considered whether the termination proceedings were fundamentally fair despite the parents’ inability to pay for an expert witness. In other words, it’s the “age old problem of providing equal justice for poor and rich, weak and powerful alike”.

The Court ultimately held that the chief judge applied the incorrect standard in determining the parents’ need for an expert witness. The trial court should have used the Eldridge three-prong balancing test: the private interest affected by the official action; the risk of erroneous deprivation of such interest through the procedures used and the probable value of additional or substitute procedural safeguards; and the government’s interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirements would entail. In essence, this analysis balances the costs of certain procedural safeguards against the risks of not adopting such procedures.

In its analysis, the Court found that a radiologist can decode black and white images on a scan, or analyze tests that have been performed to determine whether the results were normal or abnormal, or if additional medical studies would have provided critical diagnostic information. “Getting it right, medically and scientifically, protects the shared interests of the petitioner and respondents. Handicapping one side’s ability to present relevant evidence hampers rather than enhances the search for the truth”. This case involved highly technical matters which few laypeople understand and forced the opposing side to rely on cross-examination without expert consultation, especially with having two opposite readings of the same MRI and CT scan. Because of that “profoundly important contradiction”, the parents’ attorneys could not resolve or understand that contradiction without expert assistance. The entirety of the petitioner’s case was the medical and scientific evidence. The $2,500 requested, although not small, was not unreasonable in light of the circumstances.

In a concurring opinion, Justice Jansen emphasized that the holding in this case is entirely fact-specific and does not require trial courts to authorize all requests for expert witness funding. Because of the two conflicting theories in this case, the respondents’ attorneys could not understand or resolve the contradiction without expert assistance.

UPCOMING EVENTS

- RAM Board Meeting
  Thursday, April 21, 2016

- RAM Annual Training Conference
  May 25-27, 2016, The H Hotel, Midland, Michigan
President’s Corner

Amanda Kole, Macomb County

Happy New Year everyone, and welcome to the Winter Edition of our fabulous Quarterly. Well, here we are well into another year and winter is in full swing. I hope you all had a wonderful holiday season.

Since the Executive Board continues to make progress in relation to our Strategic Goals & Plans, and our members continue to improve and recommend ideas to their various committee(s) there is not any pertinent information to report to you at this time.

However, I am happy to announce that this year’s Annual Training Conference will be held at the beautiful H Hotel in Midland, Michigan from Wednesday, May 25th through Friday, May 27th, 2016. I will send out reminders by email over the course of the next few months, and I am hopeful we will have another excellent turnout. As you are aware, our conference committee always does a wonderful job of ensuring we have great accommodations, fantastic speakers and excellent opportunities for members to network.

Included in this year’s Annual Membership Meeting is the election of RAM’s Executive Board. Please keep a look out for information on the RAM listserv and on our website for more detailed materials relating to the election.

As this is an election year, I thought it would be a good time to review and disseminate information to you about how nominations and announcements for the slate of Executive Board candidates must be presented to guarantee compliance with our modified By-laws.

• Under Article V – Section 5.1, an announcement for nominations for the Executive Board will be provided to the members by April 1st and nominations will be accepted up until May 1st, 2016. Any interested member who seeks a position on the Executive Board, or who would like to nominate someone for a position on the Executive Board, must do so by submitting the name of the interested member or candidate by mail, fax, email or other electronic method to Vice-President, Sahera Housey, and also to Secretary, Nancy Parshall, by May 1st, 2016.

• Once the submitted nominations are received the names of said interested or nominated members will be posted on the RAM website at least ten (10) days prior to our Annual Membership Meeting, which is being held on Friday, May 27th, 2016. Therefore, the names of these members will be posted no later than May 17, 2016.

• Additionally, pursuant to Article V – Section 5.1(e), if there are any vacant positions that do not have at least one candidate, we will consider nominations from the floor at the Annual Membership Meeting.
Based upon this information, if you are an interested member or would like to nominate someone to be placed on the slate of candidates for the Executive Board please keep the above-referenced time frames in mind. I look forward to enriching our Executive Board by including new members who will enhance our diversity and expand our perspectives for the future.

I am not sure if members are aware of this, but we have a new technology consultant for our website and designer for the Referees Quarterly publication, Jim Rink. If you have not noticed this, it is because the transition went so smoothly. I would like to take this time to thank Jim for all his hard work getting up to speed to safeguard an easy transition for the organization. Jim undertook a great deal of responsibility rather quickly, has graciously agreed to be paid the same (ridiculously reasonable rate) as our previous tech/design guru and has maintained consistent communication with our Editor, Lorie Savin. Thanks to Jim our Quarterly has maintained the same professional quality in its appearance and website updates have been made in a timely manner. Thanks Jim and welcome to the RAM family!

For those of you who are attending the Pistons event on Saturday, March 26, 2016 against the Atlanta Hawks, I will be sending out an email at the end of February regarding payment in full for our tickets. Please keep an eye out for the email. What a great opportunity for us to have a fun night out and enjoy a great game!

As a reminder, all RAM members are welcome to attend any of the Board Meetings.

Lastly, please remember that if there are any issues or concerns you believe the Executive Board or I should address, please forward your concerns to me or any other board member directly, and we’ll be happy to bring them to the Board’s attention.

Sincerely,

Amanda
MISSION STATEMENT

Founded in 1984, the Referees Association of Michigan (RAM) is a special purpose bar organization recognized by the State Bar of Michigan that consists of attorneys who serve as juvenile and domestic relations referees throughout the State. RAM’s primary focus is to educate its members through an annual training conference, its publication, *Referees Quarterly*, and a listserv. RAM’s mission is also to contribute to the improvement of the legal system by appointing members to serve on numerous State Bar and State Court Administrative Office committees, and by offering comments to proposed legislation and court rules.

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