

MINUTES

AD HOC COMMITTEE ON AUTOMATIC TEMP. ORDERS

JANUARY 20, 2010 * Telephonic Meeting

1. WELCOME AND CALL TO ORDER:

The meeting was called to order by Chair, G.M. Robert Jones, at 12:04 p.m. and welcomed members.

2. ATTENDANCE:

Robert Jones
Maria Gonzalez
JJ Dahl
Barbara Beilly
Robin Scher

Not in attendance:

David Manz
Evan Marks
Carin Porras
Tom Sasser
Elisha Roy
Douglas Greenbaum

DAVID's pending e-mail motion was as follows: MOTION that the Ad Hoc Committee recommend that the Family Law Section not propose the creation of any statutory law establishing any automatic temporary orders in light of the serious constitutional issues associated with such orders. DOUG seconded the motion.

MARIA took the vote and the Motion passed unanimously. The Committee had no objection to consider David's and Elisha's email votes in favor of the subject motion.

The Committee has posted a lot of research material on its webpage within the Section's website. ROB suggested that we make a request to the Section Chair that those posted materials be retained on the Section's website. Discussion followed and it was agreed that a lot of research material from across the country was gathered and this information may assist those who may elect to challenge the existing administrative orders.

ROB led a discussion regarding letting the appellate courts address the constitutionality of existing administrative orders which impose temporary automatic orders. The Committee unanimously agreed to allow the appellate courts to address this issue as opposed to the Section proposing legislation or rules regarding the issue.

As result of the Committee's vote, ROB will recommend to our Section Chair that this Committee be dissolved.

Meeting adjourned at 12:15 p.m.

Submitted by,

MARIA C. Gonzalez,

Secretary