

Minutes

June 22, 2011

Gaylord Palms Hotel

Adoption/Paternity/Dependency and Children's Issues Committee

(Family Law Section- Florida Bar)

Members in Attendance:

Sarah Sullivan

Abigail Beebe

Caryn Green

Angel Bello-Bellini

Avonelle Mackerell

Judith Migdal-Mack

Deborah Day

Amy Hickman

Lauren Alperstein

Brandon Arkin

Loreal Arscott

Susan Bodner

Ron Bornstein

Alan Braunstein

Jessica Bridges

Jerry Button

Nexcy DeLaRosa-Monroe

Amy Eichman

Jeffrey Feulner

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Aimee Gross

Diane Kirigin

Hon. JonJuan Johnson

Sarah Kay

Ingrid Keller

Leslie Loftus

Magistrate Joan Ellen Montagano

Sally McArthur

Kim Nutter

Sharon O'Day

H. Stephen Pennypacker

Gil Perez

Elisha Roy

Kimberly Rommel-Enright

Fredericka Sands

Tracy Stephens

Kanisha Taylor

Jennifer Waterway

Call to Order

Meeting was called to order at 9: 45AM

Attendance list passed around.

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Welcome and Special Welcome to new members

Sarah welcomed everyone and everyone introduced themselves.

Approval of June 23, 2010 Minutes

Caryn Green motioned to approve minutes, Avonelle Mackerell seconded, minutes were approved.

Reports from Sub-Committees

1. Paternity Issues:

Amy Hickman reported:

The 2010 proposed legislation on Paternity went from Committee to Executive Committee and it died there.

The recent case law seems to be addressing the Paternity issues and need for 742 action. In wrongful death cases, new law seems to be describing and defining who is the daddy? Legal dad, birth dad/ Who is on the birth certificate? The Family Law Section may be writing an Amicus brief.

There needs to be more work on the statute of who has standing. Bio dad? Legal dad? In what circumstances?

Amy H. is going to try again with this statute.

Jon Juan asked whether the bill itself has to come back to our committee?

Sub- committee will take all feed back and see if it should go up again w/ tweaks. Amy would like to look at it again. She will ask Tom Dugger to review changes.

New Volunteers to join sub-committee: Brandon Arkin, Jeff Feulner, Loreal Arscott, Sarah Kay, Aimee Gross , Nexcy DeLaRosa, and Kanisha Taylor

2. Sandcastle Program:

Sheena Benjamin-Wise and Cindy Harari were unable to attend the meeting. Sarah reported that surveys went out and not a lot of response came back.

She asked for volunteer to co-chair committee: Nexcy DeLaRosa and Loreal Arscott shall be the new Co-chairs.

3. Military Timesharing:

Sam Jubran, chair, was not able to attend. Sarah reported to the group, that during the legislative session, a Bill came up that inferred that deployed soldiers were an "exception" and it created a substantial change in circumstances. She advised that the Sub-committee needs to see what the climate is and if there should be new legislation proposed.

Angel Bello-Bellini spoke that the "feel good" motives of the bill made bad legislation. There are new problems: it's badly drafted and there are serious consequences for the non-military parent. The new law may be in fact unconstitutional, and there are Notice issues, as well.

Volunteers to work on this are Angel Bello-Bellini, Jeff Feulner, Sarah Kay and Loreal Arscott .

4. Ad Hoc GAL/Hearsay:

Kim Nutter reported they are stuck, trying to create statute changes to allow hearsay of the GAL. There is still a problem, Kim went to legislative committee and got slammed, tried to use the statute from Social Investigation Statute, and no one liked it. They are at ground zero now again.

Judges and attorneys are trying to get creative; Hon. Renee Goldenberg has her own language in her orders.

Matt Capshaw tried to suggest changes.

Volunteers to work on this issue are Jerry Buttons, Angel Bello-Bellini, Aimee Gross, Jennifer Waterway, Kanisha Taylor and Leslie Loftus.

5. Ad Hoc GAL Training Committee:

Kim Nutter reported on the training program, official manual is completed and it is for people who want to be a GAL in family cases. It touches on all members and all expertise levels. There is now a 2 disc video and it encompasses all aspects of the training. There are all kinds of vignettes and Diane Kirigin is in it. It was playing at the Bar meeting and everyone was invited to go see it.

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The Sub-committee wants to continue working on how to package it and figure out how to have continuity as the statutes change. Kim will go to the Executive Council on ideas and asking for this Ad Hoc committee to continue for one more year.

6. Innovative Court Programs Committee:

Volunteers for this committee are Lee Schreiber, Kelli Murray, Sally McArthur, Ingrid Keller and Tracy Stephens.

A. Dependent Children Aging out of Foster Care, needs a Chair. Ingrid Keller will be asked to Chair.

Old Business

Reminder of Attendance/ correcting roster/ next meeting and new requirements for voting etc.

Abby asked everyone to please volunteer and stay on the sub-committees. She also stated that it is very important to come to meetings and attend live and telephone conferences. It is important for continuity and voting that members stay involved.

If you have any new ideas please e-mail chairs and let the committee know. All new ideas are welcome.

New Business

Loreal Arscott said there are Child Support issues and problems in Miami Dependency Court. Family attorneys are not handling it properly in the dependency court. Parents aren't completing the Financial Affidavits and the court is just arbitrarily putting an amount in the order. There is no timesharing credit and there are problems with paternity and missing parents.

Jon stated Judges and Magistrates have jurisdiction over Child Support and father must be established as the legal father, then there should be an imputed amount. There is a way to deviate from the guidelines.

A suggestion was made that perhaps a sub-committee should be formed to investigate problems and possible solutions. We would need a Chair. Abby said there is a glitch and the Support Committee should look into this issue.

Amy H. said this sub-committee needs to send these issues to the Support Committee to deal with these issues, including low income family issues. The issues need to be specific and sent to the Support Committee. Loreal Arscott volunteered to Co-chair on this subcommittee. Steven Pennypacker volunteered Andrea Tulloch to also be Sub-committee Co-chair. Jon volunteered

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to be a member of the committee. They will need to ask Angel for the name of the attorney in Orange County that is working on this issue. There is a need for more volunteers.

Introduction of new leadership appointments 2011-2011

New appointments were announced:

Abigail Beebe and Caryn Green: Co-Chairs

Judith Migdal-Mack: Vice Chair

Yueh-Mei Kim Nutter does not want to be Secretary, Kim Rommel-Enright volunteered and Avonelle Mackerell will be Co-Secretary.

Deborah Day and Amy Hickman shall continue as Special Advisors to the Committee.

Good of the order

Diane presented gifts to the chairs and Carin Porras, as a thank you for the work they did for this committee.

Next Meeting will be September 21- Florida Bar Mid-Year meeting at the Hilton Walt Disney World Resort.

Meeting adjourned:

Submitted by Judith Migdal-Mack and Avonelle Mackerell