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Michigan's Can't-Miss Family Law Event

Many things have changed this year, but one thing hasn't: family law lawyers need to stay connected. This on-demand event delivers the same great content you've come to expect from the live event. Get invaluable insight from 11 judges—including Justice Megan K. Cavanagh and Hon. Janice K. Cunningham. Plus, hear from colleagues, court staff, and financial experts.

Gain strategies for the challenges COVID-19 brought to remote practice, gray divorces, generating new business, and more. Be prepared for the January 2021 changes to the child support formula. Improve your drafting with expert advice on motions, orders, judgments, and more.

Invaluable Insight from 11 Michigan Judges

Nowhere else can you find this much candid advice straight from the bench. Justice Megan K. Cavanagh covers how procedures have changed in light of COVID-19—and what will stick going forward. Hon. Janice K. Cunningham is back with her ever-popular analysis of recent court decisions.

A judges panel helps you solve fee issues by answering FLS listserv questions. Understand the myths surrounding parental alienation, including a look at the *Martin* case issued by Hon. Jon A. Van Allsburg, upheld on appeal. Get answers to tough questions on PPOs, parenting time, and more.



Justice Megan K. Cavanagh
Michigan Supreme Court



Hon. Janice K. Cunningham
56th Circuit Court



Hon. Victoria A. Valentine
6th Circuit Court

42 Speakers, 28 Sessions Including 3 Livestreams

This year we're bringing Michigan's family law community to you! Watch all 28 sessions on demand starting December 18, 2020. Plus, get your questions answered in three special livestreamed sessions on November 12—including Judge Janice Cunningham's ever-popular update and a can't-miss session by Justice Megan Cavanagh.



Hon. Patrick J. Conlin, Jr.
22nd Circuit Court



Hon. Melissa A. Cox
3rd Circuit Court



Hon. Jacob James Cunningham
6th Circuit Court



Hon. Kathleen A. Feeney
17th Circuit Court



Hon. Kathleen M. McCarthy
3rd Circuit Court



Hon. Deborah L. McNabb
17th Circuit Court



Hon. Jon A. Van Allsburg
20th Circuit Court



Hon. Tina M. Yost Johnson
37th Circuit Court

“From a judge’s perspective, this is the can’t-miss event of the year for family law practitioners.”

Hon. Kathleen M. McCarthy
3rd Circuit Court, *Detroit*

3 Special Livestreams on November 12

Join your colleagues via Zoom. Get your questions answered in real time. If you can't make these livestreamed sessions, no worries. They'll also be recorded and available on demand starting December 18.

11/12/20 | 1:00pm | Domestic Relations Caselaw and Statutory Update with Analysis—see page 6.

11/12/20 | 2:40pm | A Look Backward and Forward: Michigan Courts and COVID-19—see page 6.

11/12/20 | 4:15pm | Family Law Town Hall—see page 6.

FEATURED SPEAKERS



Hon. Janice K. Cunningham
56th Circuit Court

“Incredibly informative.” “Brilliant.” “A highlight each year.” It goes without saying that Judge Cunningham is one of ICLE’s most popular speakers. Her insightful, practical update session is always a hit. Her experience speaks for itself: she was the first woman to take the circuit court bench in Eaton County after 25 years in private practice.



Justice Megan K. Cavanagh
Michigan Supreme Court

Justice Megan K. Cavanagh began her tenure on January 1, 2019. A lifelong Michigander from a family steeped in the law, she actually started out as an environmental engineer. Justice Cavanagh has worked with many organizations focused on improving Michigan’s legal system and ensuring fair and equal access to the courts.

We've Got You Covered

COVID-19 Guidance

Hear straight from Justice Megan K. Cavanagh on what to expect from Michigan courts going forward. Experts explain how to keep your phones ringing and get your fees paid, even during challenging economic times. Take away best practices for gray divorce proceedings, from uncertain valuations to collapsed 401(k) assets. Gain strategies for handling bankruptcy, collections, and more.

Drafting Advice

There's a whole drafting track to explore. Get priceless tips on drafting motions and orders from longtime Michigan practitioner Diana Raimi. Create more effective documents with a focus on persuasion. Avoid costly mistakes when drafting judgments and take home samples you can use.

Child Support Changes and Discovery Best Practices

Be prepared for major changes coming to the child support formula in January. Experts take you step by step through the key differences so you can calculate with confidence. Plus, hear how your peers have been handling discovery reform. Walk away with a road map for an effective discovery plan.



Top Takeaways

GAIN insights from Justice Cavanagh on how COVID-19 has changed court practice.

APPLY the child support formula updates coming January 1, 2021.

SECURE more clients and get your fees paid in a challenging economy.

SAVE time with expert tips for drafting motions, orders, judgments, and more.

TAKE AWAY best practices to handle post-reform discovery.

TACKLE gray divorce challenges exacerbated by COVID-19.

NAVIGATE the complexity of valuing businesses in this volatile economic environment.

AVOID remote practice mistakes, from client communication to billing practices.

Tracks

SESSION DURATIONS: Each on-demand session runs 30-60 minutes on average.

Plenary

Welcome and Section Update

Sahera G. Housey, Oakland County Friend of the Court, *Pontiac*

Domestic Relations Caselaw and Statutory Update with Analysis

(to be livestreamed on November 12, 2020, at 1:00pm)

The Hon. Janice K. Cunningham returns with her expert analysis of recent court decisions and legislative enactments.

Hon. Janice K. Cunningham, 56th Circuit Court, *Charlotte*

A Look Backward and Forward: Michigan Courts and COVID-19

(to be livestreamed on November 12, 2020, at 2:40pm)

The response of Michigan's judiciary to COVID-19 is transforming our justice system, rebuilding what we do from the ground up and opening virtual courtroom doors on an unprecedented scale. At the same time, these changes have brought new challenges, especially in difficult cases involving children and families. Usually averse to change, judges and lawyers are acting like entrepreneurs, and as a result, Michigan is leading the nation in building a 21st-century justice system that is effective, transparent, efficient, and fair.

Hon. Megan K. Cavanagh, Michigan Supreme Court, *Lansing*;
Jennifer Louise Sullivan, Washtenaw County Trial Court, *Ann Arbor*

Family Law Town Hall

(to be livestreamed on November 12, 2020, at 4:15pm)

Select faculty members lead an interactive discussion of new developments, statewide and local trends, and up-to-the-minute practice strategies in this freewheeling session. Get in on the discussion and get your questions answered.

Hon. Kathleen A. Feeney, 17th Circuit Court, *Grand Rapids*;
Sahera G. Housey, Oakland County Friend of the Court, *Pontiac*;
Shelley A. Kester, Wilson Kester PLLC, *Traverse City*;
John K. Kline, Kline Legal Group PLC, *Ann Arbor*

Core Concepts Track

A Tactical Approach to the Phases of a Family Law Case

Be in the driver's seat and confident in your case plan, from start to finish. Learn the changes to the court rules that affect how you approach and obtain the discovery you need. Grasp when you need an expert and for what purposes. Leave with proven strategies for managing client expectations, keeping your case focused, and being a good dance partner with your client.

Shelley A. Kester, Wilson Kester PLLC, *Traverse City*

Custody and Parenting Time Essentials

Grasp the fundamentals of establishing and modifying custody and parenting time. Explore a broad range of legal issues including burden of proof, admission of evidence (even those tricky psych evaluations and FOC reports), and the practical implications of litigating custody and parenting time. Sample language and forms will be provided.

Hon. Kathleen M. McCarthy, 3rd Circuit Court, *Detroit*;
Lauren Wright Middleton, Wayne County Friend of the Court, *Detroit*

Generating New Business No Matter Your Firm Size

Challenging economic times are upon us, but there are always new opportunities for business growth in any environment and for every practitioner. Advertising tips, practice pointers, and building professional relationships can all be essential ways to bolster your billables. No matter the size of your firm, you will learn proven methods to improving the bottom line.



Shon A. Cook
Shon Cook Law PC, *Whitehall*



Richard A. Roane
Warner Norcross + Judd, *Grand Rapids*

Adapt and Survive: Avoiding Top Mistakes of Practicing Remotely During a Pandemic

Comply with the ethics requirements for establishing and maintaining a remote practice, including the use of technology to coordinate and communicate with clients and others, plus the ethics implications of lawyering during an ongoing emergency. Avoid other common mistakes related to client communication, billing practices, office management, and duties of candor and civility.

Kenneth M. Mogill, Mogill Posner & Cohen, *Lake Orion*

Evidence 101: Be Confident and Prepared for Your Next Evidentiary Hearing

Handle the most frequently encountered evidentiary challenges in divorce and custody evidentiary hearings like a pro. A lead litigator presents business records, school statistical reports, and other evidence to a judge. Learn how to lay the proper foundation, qualify your expert, and identify the basis of your objections. Argue the relevance of your evidence with confidence and address your opposing attorney's most likely objections, plus receive Zoom tips for remote admissibility challenges.

Hon. Melissa A. Cox, 3rd Circuit Court, *Detroit*;
John K. Kline, Kline Legal Group PLC, *Ann Arbor*

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Moderators



Litigation Track

Randall J. Chioini

Chioini Group PLLC, *Mount Clemens*



Bench and Bar Track

Hon. Jacob James Cunningham

6th Circuit Court, *Pontiac*



Plenary Track

Sahera G. Housey

Oakland County Friend of the Court,
Pontiac



Finance Track

Ryan M. Kelly

Kelly & Kelly PC, *Northville*



Core Concepts Track

Shelley A. Kester

Wilson Kester PLLC, *Traverse City*



Drafting Track

Diana Raimi

Jaffe Raitt Heuer & Weiss PC, *Southfield*



Intermediate/Advanced Track

Karen S. Sendelbach

Nichols Sacks Slank Sendelbach Buiteweg
& Solomon PC, *Ann Arbor*

Tracks

Intermediate/Advanced Track

Unique Challenges in Long-Term Marriages and the Gray Divorce

The COVID-19 pandemic requires increased focus upon unique challenges arising out of long-term marriages, and our older clients are most at risk. Recognize the physical and psychological challenges and economic stresses not usually present in short- or medium-term marriages. Learn best practices for assisting these divorce clients with failing businesses, uncertain valuations, plunging investment returns, and the collapse of 401(k) retirement assets.



Michelle F. Gallagher CPA/ABV/CFF,
Adamy Valuation, *Lansing*

Anatomy of a Child Protection Case

Understand the fundamentals of a child protection case. Grasp key Children's Protective Services and foster care decision points as well as opportunities for advocacy at all stages of a child protection case. Be able to answer questions like, How does a CPS case start? What triggers court involvement? When do the rules of evidence apply? And how might a CPS case impact a divorce or custody proceeding?

Joshua B. Kay, University of Michigan Law School, *Ann Arbor*

Postjudgment Modifications

Finality of judgments is a bedrock legal principle. There are limited ways to avoid binding agreements and modify judgments. Learn what is required for fraud, duress, unconscionability, or mistake; what modifications require a change of circumstances; what burden of proof must be met; and how agreements can affect modification. Elizabeth K. Bransdorfer, Mika Meyers PLC, *Grand Rapids*; Michelle M. Letourneau-McAvoy, Wayne County Friend of the Court, *Detroit*

Wrapping Up the Representation

Your client representation doesn't end with the signing of the judgment or settlement agreement. In fact, some of the most important service you can provide happens as the representation winds down. From completing QDROs and deeds to making transfers and perfecting security interests, learn how you can protect both your client's interests as well as your own as you both move on to your next relationships. Karen S. Sendelbach, Nichols Sacks Slank Sendelbach Buiteweg & Solomon PC, *Ann Arbor*

Judicial Perspectives on Parental Alienation

Alienation claims have become common in custody cases, and there is a need for effective assessments that evaluate the possible sources of a child's rejection of a parent, including behaviors of each parent and the child's vulnerabilities, as well as claims of domestic violence and child abuse. Grasp the evidentiary challenges facing lawyers and judges and analyze the case of *Martin v Martin*. Finally, we will evaluate and recommend remedies that focus on the needs of the child.

Hon. Patrick J. Conlin, Jr., 22nd Circuit Court, *Ann Arbor*;
Rebecca E. Shiemke, Michigan Poverty Law Program, *Ypsilanti*;
Hon. Jon A. Van Allsburg, 20th Circuit Court, *Grand Haven*



Top Four Reasons to Register

- 1 We bring 42 Michigan family law experts to you, including 11 judges.
- 2 Get individual on-demand access to video recordings, written materials, and PowerPoints starting December 18, 2020.
- 3 Review the content at your convenience, with three-year access.
- 4 Get your questions answered during three special livestreamed sessions on November 12, 2020.

Bench and Bar Track

Making the Case for a Fee Award and Securing Your Payment

“The first thing we do, let’s PAY all the lawyers.” Fees are always a hot topic. Gain a judge’s perspective on fee awards and a practitioner’s strategies for fee agreements and collecting fees at the conclusion of the case. What does a judge need to see to be satisfied that an award is justified? How should liens be addressed in your fee agreement? Using actual questions from the listserv, the panelists will provide solutions to perpetual fee issues.

Hon. Kathleen A. Feeney, 17th Circuit Court, *Grand Rapids*;
Mathew Kobliska, Debrincat Padgett Kobliska & Zick, *Farmington Hills*

When Personal Protection and Parenting Time Orders Intersect

Challenges arise when orders of protection between parents make parenting time orders difficult or seemingly impossible to follow. The judges will tackle all the tough questions. When must a court address custody and parenting time in an order of protection? What if the orders are in different counties/states? Which order takes precedence if they conflict? What can a lawyer do to safely preserve the child/parent bond when a PPO is in effect? What if you suspect “divorce by PPO”?

Hon. Jacob James Cunningham, 6th Circuit Court, *Pontiac*;
Hon. Victoria A. Valentine, 6th Circuit Court, *Pontiac*

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A New Way to Conduct Discovery: What’s Your Plan?

Mandatory financial information forms, limited interrogatories, and specific discovery completion dates have changed how we approach discovery. Strategies for obtaining discovery must be formulated early in the case. Are interrogatories necessary? Should depositions be scheduled and when? Are requests to admit or subpoenas appropriate? Grasp the new discovery rules and the method, timing, sequence, and goal of discovery requests, plus gain a road map to devising an effective discovery plan.

Irika N. Mellin, Mellin Robinson PC, *Troy*

Resolving Separate Property

Separate property arguments often drift into an area of ambiguity and sentiment, which may prolong the settlement process, lead to unrealistic client expectations, and cause the professionals involved to generate unnecessary fees. Using real-life scenarios, we’ll focus on addressing separate property arguments in a more quantifiable manner, including issues concerning business valuation, passive and active appreciation of marital assets, and uninherited, or inchoate, separate assets.

Jason Bodmer, Baker Tilly, *Ann Arbor*; B. Andrew Rifkin, Bank Rifkin, *Birmingham*

Rethinking Business Valuation in 2020

In a world turned upside down, is 2020 the end of business valuation as we know it? Based on conversations with dozens of family lawyers, our experts break down two of your most frequently asked questions: With all the volatility in the virus era, what approach should be used to value businesses? When does a professional practice have value and when is it considered “worthless?” Gain the insights you need to help your clients navigate these tricky issues.

Brian Bakker, Stout, *Grand Rapids*; Benjamin I.S. Bershad, Stout, *Royal Oak*

“All of the topics are hand-selected to be cutting edge. There are brand-new, fresh ideas.”

James J. Harrington III, Harrington Law PLC, *Novi*

Tracks

Support & Personal Finance Track

Get Ahead of the Curve: Everything to Know About the Updated 2021 Child Support Formula

Significant changes are coming to the child support formula in January 2021. Be prepared and learn all the key differences from the 2017 formula manual. Covering assets and income to deviations to software tools, follow the step-by-step approach for calculating support under the new formula from two of Michigan's leading experts on the topic.



Paul M. Gehm
State Court Administrative Office
Friend of the Court Bureau, *Lansing*



Kent L. Weichmann
Ann Arbor

Living Up to Your Potential: Imputation of Income

How do you handle a case where a party is unemployed or underemployed? Learn how to apply the potential income factors under the Michigan Child Support Formula and gain strategies for implementing potential and imputation income when it really matters in child and spousal support cases. Hear from a vocational expert on how and when to employ his services, plus tips for requesting the expert, preparing for the expert, and admitting their testimony and report at a trial or arbitration.

Guy Hostetler, Hostetler Fontaine & Associates, *Southfield*;
Ryan M. Kelly, Kelly & Kelly PC, *Northville*

Family Law and Finances During a Recession

How do you balance protecting your client's rights while advising how to manage their debts? How will a separating couple's finances be impacted by the new global pandemic era and a likely recession? Learn important financial pitfalls to avoid and proactive financial steps to take in representing and advising your clients.

Michelle Hutton Bass, Wolfson Bolton PLLC, *Troy*

“The resources and tools provided in this seminar and materials are unmatched by any other program out there.”

Channelle Kizy-White, Kizy Law, *Southfield*

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FAMILY LAW SECTION



Litigation Track

Supercharge Your Litigation Technology

The technology renaissance is here. Most courtrooms are packed with high-tech equipment, yet most practitioners rely on burdensome, traditional exhibits and presentations. Using examples from real trials, explore better methods of organizing and displaying exhibits, the use of litigation consultants, plus infographics and other novel methods that will become the norm for the next generation of litigation. Don't wait—start creating trial presentations that dazzle the trier of fact today!

Randall J. Chioini, Chioini Group PLLC, *Mount Clemens*;
Jason W. LeRoy, Doeren Mayhew, *Troy*

The Interplay of Third-Party Custody, Guardianships, and Abuse and Neglect

The interplay between children's law and domestic relations law can be complex. Questions of standing, due process, placement, permanence, relative rights, and priority often arise. What should you know in a custody or parenting time case with DHHS or third-party caregivers involved? How is this different from the garden variety case? Explore the intricate legal dance between parental rights, third parties, and the best interests of the child in custody, guardianship, and child protective cases.

Hon. Tina M. Yost Johnson, 37th Circuit Court, *Battle Creek*;
Hon. Deborah L. McNabb, 17th Circuit Court, *Grand Rapids*

Handling Domestic Violence & Spousal Abuse Issues In Mediation and Arbitration

Explore the applicable statute and court rule for mediation and arbitration. Gain best practices for domestic violence screening. Select and arrange a safe ADR space and conduct an effective session. Know when and how to terminate an ADR session. Reach the ultimate goal of a valid, enforceable settlement.

Steven A. Reed, Reed Law Group PC, *Ann Arbor*

Drafting Track

Drafting Motions and Orders

An experienced practitioner shares tips and best practices based on 40 years of winning—and losing—in court. Learn how to draft motions that are effective and persuasive, draft orders that are clear and enforceable, and avoid common drafting errors and pitfalls.



Diana Raimi
Jaffe Raitt Heuer & Weiss PC, *Southfield*

Master the Drafting of Persuasive Mediation, Arbitration, and Trial Briefs

Stop wasting your time on ineffective documents and start focusing on persuasion. Learn Rule 1 of advocacy, three proven strategies for messaging, and the four building blocks of powerful arguments. Discover new insights into simple structures for organizing your written argument, 10 quality standards that reduce obstacles to and promote acceptance of your arguments, and different approaches to use with your facilitators and with judges and evaluators.

David C. Sarnacki, The Sarnacki Law Firm PLC, *Grand Rapids*

Drafting Judgments

Consider the why and when as well as everything you'll need when drafting your next judgment. Gain effective drafting strategies to ensure enforceability and avoid costly mistakes. Follow along and take home a sample judgment in your materials.

James P. Ryan, Attorney and Counselor at Law, *Plymouth*

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D. Special Livestreamed Sessions | 11/12/20

- ☐ Domestic Relations Caselaw and Statutory Update with Analysis (1:00pm)
- ☐ A Look Backward and Forward: Michigan Courts and COVID-19 (2:40pm)
- ☐ Family Law Town Hall (4:15pm)

These sessions will also be recorded and available later on demand.

B. Institute Registration | Pick One

Family Law Institute On-Demand Event

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