

NOVEMBER 15-16, 2018 | NOVI

17TH ANNUAL

Family Law institute

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Family Law Section of the State Bar of Michigan Michigan Judicial Institute Hear Straight from the Bench
Unprecedented Insight from
12 Michigan Judges

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Michigan's Must-Attend Family Law Event

Respected judges tell us they notice who's there. Join the nearly 600 practitioners who arrange their schedules around this premier event. Network with the judicial and court staff, financial experts, and peers who share your passion.

Get critical updates. Learn new strategies for admitting evidence, working with schools, calculating support under the new tax law, and more. Your two days out of the office will pay you back—and then some.

UNPRECEDENTED **INSIGHT FROM** 12 MICHIGAN JUDGES

Nowhere else can you get this much straight talk from the bench. Judges from circuit and appellate courts across the state address everything you want to know about handling expert testimony, requesting sanctions, and more.

Get the county-by-county perspective and understand individual judges' pet peeves. Improve your appellate arguments, discover little-known community resources, and get tips for authenticating social media evidence. Take away best practices and enter the courtroom with confidence.



Hon. Jane M. Beckering Michigan Court of Appeals



Hon. Mary Ellen T. Brennan 6th Circuit Court



Hon. Janice K. Cunningham 56th Circuit Court



Hon. Paul I. Denenfeld 17th Circuit Court



Hon. Kathleen A. Feeney
17th Circuit Court



Hon. Kirsten Frank Kelly Michigan Court of Appeals



Hon. Kathleen M. McCarthy
3rd Circuit Court



Hon. Linda S. Hallmark Oakland County Probate Court



Hon. Karen D. McDonald 6th Circuit Court



Hon. Amy Ronayne Krause
Michigan Court of Appeals



Hon. Matthew S. Switalski



Hon. Jon A. Van Allsburg 20th Circuit Court

Details

November 15–16, 2018

Novi, MichiganSuburban Collection
Showplace

Level: Basic/ Intermediate/Advanced

CLE: 10

Special Event
Thursday, November 15
Networking Reception
See page 7.

Discounted rooms available at Hyatt Place, Novi
See page 11.



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For Advanced Practitioners

You Will Be Able to:

- Apply new tax strategies for spousal/child support and property settlements
- Understand the school's role on issues like enforcing agreements and immunizations
- Ensure client data is secure and mitigate risks
- Effectively use receivers when parties are at an impasse
- Understand the current caselaw regarding separate property
- Identify and divide retirement assets, from life insurance to pensions

If you don't go to the Family Law Institute, you don't know what's going on in family law.

Hon. Richard B. Halloran, 3rd Circuit Court, Detroit

For Newer Lawyers

You Will Be Able to:

- Handle evidence with confidence by watching in-person demos
- Accurately use support calculators by practicing with an actual tax return
- Manage tricky parenting time cases from start to finish
- Gain tools for obtaining discovery in light of possible reform efforts
- Tackle complicated interstate and international travel issues
- Ace a referee hearing with advice straight from Friend of the Court

An efficient, one-stop shop refresher on current issues facing the family law practitioner, presented by the hands-on experts.

Mitchell J. Perrault, Law Office of Mitchell J. Perrault, Howell

Get the Latest Thinking on These Hot Topics

Intangible assets—a deep dive into everything from Bitcoin to air miles

Persuasive speech—social factors that influence judges, clients, and opposing counsel

Private investigations—the inside scoop from ex-law enforcement

UCC|EA—advice from the lawyer who handles more cases than anyone

Featured Speakers



Victoria M. Burton-Harris McCaskey Law PLLC, Detroit

Victoria has achieved great success in a short amount of time. As managing partner of the firm, she focuses her practice on family and criminal defense law. A frequent ICLE contributor, she most recently

joined us in our studios to film the "Women's Perspectives on Practice" On-Demand Seminar. She also serves on ICLE's New Lawyers Advisory Board. Victoria is known for her commitment to community, holding various positions with 5 HOPE, Covenant House, and HAVEN of Oakland County.



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

"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. Recently, she handed down the third and final sentence for Larry Nassar. See why Judge Cunningham is "one of the main reasons to attend" the institute.



Michelle F. Gallagher, CPA/ ABV/CFF Gallagher Valuation & Forensics PLC, Lansing

Michelle is a nationally recognized business valuation expert. In addition to owning and operating the accounting firm, she is a principal with

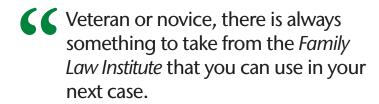
Gallagher, Flintoff and Klein PLC. Michelle is also a strategic partner of Adamy Valuation, where she leads the family law practice group. She notably testified on behalf of the AICPA at the U.S. Department of the Treasury hearing regarding proposed Section 2704 regulations, which garnered national coverage in 2016.



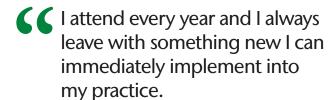
James J. Harrington III Harrington Law PLC, Novi

To say Jim is well-known throughout the Michigan legal community would be an understatement. With 40+ years in practice, he concentrates solely on complex family law cases. A true

groundbreaker, he was the first Michigan lawyer to receive family law certification from the National Board of Trial Attorneys. Jim is former chair of the Family Law Section, has held every officer position, and has testified on multiple occasions before the Supreme Court of Michigan and Michigan Legislature.



John R. Foley, John R. Foley PC, Dearborn



Steven D. Reinheimer, Bowyer Midtgard & Nacy PC, Southfield

Schedule

8:00am Continental Breakfast, Vendor Showcase, and Registration (Both Days)

THURSDAY, NOVEMBER 15, 2018

9:00am Welcome and Introduction, Section Update9:30am Domestic Relations Caselaw and Statutory Update with Analysis10:50am Networking Break

11:05am The Psychology of Persuasion: Techniques for Overcoming Bias

	- Core Concepts Track	Intermediate/Advanced Track	Bench and Bar Track		
11:55am	Handling the Parenting Time Case	Cryptocurrencies and Intangible Assets	School Law for Family Practice		
12:45pm	Networking Lunch				
2:00pm	Evidence Demos, Part 1: Handling Experts	Ensuring Data Privacy and Security in Your Practice	Best Practices for Requesting and Granting Sanctions		
2:55pm	Evidence Demos, Part 2: Handling Social Media Evidence	Using Receivers in Family Law Cases	The Top Experts and Community Resources Every Family Law Judge and Lawyer Must Know		
3:35pm	Networking Break				
3:50pm	The Referee Hearing: What You Need to Know	Private Investigations: The Inside Scoop	View from the Appellate Bench		
4:45pm	Reforming Your Discovery Practice	2018 Separate Property Update	Federal Child Support Program IV-D Regulations Update		

5:30pm Networking Reception

FRIDAY, NOVEMBER 16, 2018

8:00am BONUS SESSION: Intersection of Human Trafficking and Family Law9:00am Tips and Tricks for Child Support Calculations Under the New Tax Law

[Financial Track	ADR Track	Crossing Borders Track
9:55am	Tax Reform, Part 1: Overview and Support Issues*	The ADR Toolkit*	Intersection of Family Law and Immigration*
10:40am	Networking Break		
10:55am	Tax Reform, Part 2: Property Settlements*	Collaborative Practice From A–Z*	Handling Travel-Related Issues in Family Law Cases*
11:45am	Identifying, Negotiating, and Valuing Retirement Assets*	Domestic Violence and the ADR Process*	Applying the UCCJEA: You're Not in Kansas Anymore*

Plenary Sessions

9:00am/Thursday

Welcome and Introduction, Section Update

Robert C. Treat, Chair, Family Law Section of the State Bar of Michigan, QDRO Express LLC, Taylor

9:30am/Thursday

Domestic Relations Caselaw and Statutory Update with Analysis

Hon. Janice K. Cunningham returns with her expert analysis of recent court decisions and legislative enactments. Hon. Janice K. Cunningham, 56th Circuit Court, Charlotte

11:05am/Thursday

The Psychology of Persuasion: Techniques for Overcoming Bias

Social influence is one of the most pervasive and powerful mechanisms for behavior change whether you are speaking with a client, opposing counsel, or managing a team. Learn why and under what conditions an individual's thoughts and actions can be influenced by those around them. Examine implicit biases that impact the way people receive information and discover techniques for constructing dialogue to overcome them. Uncover how different groups of individuals hear information to ensure that your intended message is actually being heard. Erin L. Krupka, University of Michigan School of Information, Ann Arbor

12:45pm/Thursday

Networking Lunch

5:30pm/Thursday

Networking Reception

Relax and join faculty, exhibitors, sponsors, and fellow registrants for light hors d'oeuvres and cocktails.

8:00am/Friday

BONUS SESSION: Intersection of Human Trafficking and Family Law

Human trafficking cases are prevalent across the state of Michigan, impacting every community. Family law lawyers are likely to come across victims and survivors of trafficking in their daily practices. In this session, learn how to recognize the signs of human trafficking and whether someone is being trafficked for sexual or labor exploitation. Understand how to report suspected trafficking and identify statewide resources available to assist victims of trafficking.

Elizabeth Anne Campbell, Human Trafficking Clinic University of Michigan Law School, Ann Arbor

9:00am/Friday

Tips and Tricks for Child Support Calculations Under the New Tax Law

One false move entering data into any of the child support software programs can lead to erroneous results. Correct input is especially critical with the latest tax law changes related to income, including sub S income, deductions from various business types, and changes in child credits. Using examples and actual tax forms, this hands-on session will demonstrate the importance of accurate data input and the differences between software programs.

Jennie Boldish Bryan, RizzoBryan PC, Grand Rapids; Michelle F. Gallagher, CPA/ABV/CFF, Gallagher Valuation & Forensics PLC, Lansing

Bench and Bar Track

11:55am/Thursday

School Law for Family Practice

Learn how to properly advise your client on the do's and don'ts for working with schools and how to avoid unreasonable expectations in enforcing agreements. Get tips for obtaining information like school statistics for Lombardo hearings and student behavioral reports. Understand the school's role on issues like immunizations, IEPs, and mandatory reporting of child abuse and neglect. Identify key language to include in court orders and which school staff to contact depending on the circumstance.

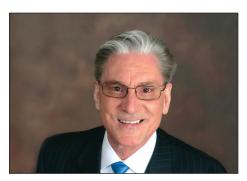
Elizabeth K. Bransdorfer, Mika Meyers PLC, Grand Rapids; Lisa L. Swem, Thrun Law Firm PC, East Lansing

2:00pm/Thursday

Best Practices for Requesting and **Granting Sanctions**

Want to know what judges expect from litigants seeking sanctions? Then this session is for you. Explore the various types of sanctions available and the differences between sanctions and attorney fees. Recognize when requesting sanctions is appropriate and understand the kinds of documents needed to support a sanction request.

Hon. Mary Ellen T. Brennan, 6th Circuit Court, Pontiac; Hon. Kathleen A. Feeney, 17th Circuit Court, Grand Rapids; Hon. Matthew S. Switalski, 16th Circuit Court, Mount Clemens



Moderator Thursday Plenary and Intermediate/ Advanced Track

Robert C. Treat Chair, Family Law Section of the State Bar of Michigan, QDRO Express LLC, *Taylor*



Moderator Friday Plenary and Financial Track

Karen S. Sendelbach Nichols Sacks Slank Sendelbach & Buiteweg PC, Ann Arbor

2:55pm/Thursday

The Top Experts and Community Resources Every Family Law Judge and Lawyer Must Know

Hear from the bench and bar about important resources in your county, including experts in mental health, substance abuse, business valuations, and more to help your family law clients. Gain new tools and contacts to assist your clients during difficult times. Learn how best to utilize these resources to your advantage.

Candyce M. Ewing-Abbatt, Fried Saperstein Abbatt PC, *Southfield*; Hon. Kathleen M. McCarthy, 3rd Circuit Court, *Detroit*; Shalini Nangia, Jaffe Raitt Heuer & Weiss PC, *Ann Arbor*; Ann M. Tobin-Levigne, Ann M. Tobin PC, *Grosse Pointe Woods*

3:50pm/Thursday

View from the Appellate Bench

Learn techniques for improving your advocacy skills directly from the appellate bench. From tips for preserving the record to best practices for drafting compelling briefs and making effective oral arguments—you won't want to miss it!

Hon. Jane M. Beckering, Michigan Court of Appeals, *Grand Rapids;* Hon. Kirsten Frank Kelly, Michigan Court of Appeals, *Detroit;* Hon. Amy Ronayne Krause, Michigan Court of Appeals, *Lansing*

4:45pm/Thursday

Federal Child Support Program IV-D Regulations Update

Substantial changes in the IV-D regulations are on the horizon, impacting the guidelines for setting child support orders and establishing and modifying support obligations. Get an overview of how those changes will affect your practice and identify tips for requesting services and working with the Friend of the Court.

Steven D. Capps, State Court Administrative Office, Lansing

Core Concepts Track

11:55am/Thursday

Handling the Parenting Time Case

Get step-by-step guidance for handling the parenting time case from start to finish. From tips on ensuring a good schedule for the kids to knowing when and how to utilize experts and records, gain skills to immediately implement into your practice.

Victoria M. Burton-Harris, McCaskey Law PLLC, *Detroit*; Ruth Goldner, Goldner Deeg PLLC, *Royal Oak*

2:00pm/Thursday

Evidence Demos, Part 1: Handling Experts

See live demonstrations of all things experts. From qualifying the psychological and financial expert and introducing expert opinions—to demos of how to object as well. Plus, understand how MRE 702 and 703 pertain to use of expert witnesses. Hon. Karen D. McDonald, 6th Circuit Court, *Pontiac*;

Keldon K. Scott, Mallory Lapka Scott & Selin PLLC, Lansing

2:55pm/Thursday

Evidence Demos, Part 2: Handling Social Media Evidence

Social media (Facebook, Twitter, Instagram, Snapchat, etc.) and related electronic communications (e-mail, text, etc.) have flooded into family law cases, raising a variety of issues. How do you properly obtain it and get it admitted into evidence? Learn what rules of evidence apply and how to identify and avoid criminal and tort pitfalls. Watch live demonstrations of how to authenticate evidence, lay a foundation, overcome objections, and ultimately get the judge to admit it into evidence.

Connie R. Thacker, Thacker Sleight, *Grand Rapids*; Hon. Jon A. Van Allsburg, 20th Circuit Court, *Grand Haven*



Moderator Core Concepts Track Ruth Goldner Goldner Deeg PLLC, Royal Oak



Bench and Bar Track Hon. Kathleen A. Feeney 17th Circuit Court, Grand Rapids

Moderator

3:50pm/Thursday

The Referee Hearing: What You Need to Know

Understand the role of the referee hearing in the top counties you practice in most, including the kinds of matters your referee hears. Do the rules of evidence apply? Can you question witnesses? Do judges always follow a referee recommendation? Get these and other important questions answered about referee process and procedure.

John Duane Kmetz, Kent County Friend of the Court, Grand Rapids; Lauren Wright Middleton, Wayne County Friend of the Court, Detroit; Traci L. Rink, Oakland County Friend of the Court, Pontiac

4:45pm/Thursday

Reforming Your Discovery Practice

Take a proactive approach to revising your family law litigation practice in light of major Discovery Court Rule revisions submitted to the Michigan Supreme Court. Uncover the secrets to minimalist (35) interrogatories and understand what is meant by "discreet subparts." Gain cutting-edge tools for obtaining important discovery through clever document subpoenas and preliminary financial disclosures.

Shon A. Cook, Shon Cook Law PC, Whitehall; James J. Harrington III, Harrington Law PLC, Novi

Intermediate/Advanced Track

11:55am/Thursday

Cryptocurrencies and Intangible Assets

Whether you are familiar with digital currency like Bitcoin or just want to understand more about how these and other intangible assets can impact the divorce settlement, this session is for you. Determine how to value items like air miles, credit card rewards, unvested stock options, deferred compensation, net operating losses, or even account receivables and learn how such assets can impact tax liability as well.

Randall J. Chioini, Chioini Group, Mount Clemens; Deborah A. Krone, Rehmann, Ann Arbor

2:00pm/Thursday

Ensuring Data Privacy and Security in Your Practice

Lawyers and law firms are facing increasing ethical and legal obligations to protect the privacy and security of client data. At the same time, new technologies that increase lawyer productivity can make that data vulnerable in ways that may or may not be evident to the practicing attorney. Mistakes can lead to disgruntled clients, ethics investigations, lawsuits, and adverse publicity. Learn about these obligations and strategies you can employ to help mitigate privacy and security risks to your practice.

Keith A. Cheresko, Privacy Associates International LLC, Milford; Robert L. Rothman, Privacy Associates International LLC, Farmington Hills

2:55pm/Thursday

Using Receivers in Family Law Cases

Handling a difficult divorce? Are your clients refusing to agree on terms for liquidation of marital property? Is there a business that was once profitable and now collapsing? Then this session may be for you. Get an overview of recent changes in Michigan's receivership statutes and see how a receiver can help resolve troubled or stalled divorce cases.

Steven Luton Williams, The Britt Law Group PC, Grand Rapids

3:50pm/Thursday

Private Investigations: The Inside Scoop

Clients often want to hire private investigators and, likewise, may find themselves the subject of an investigation, so knowing how to advise them is critical. Join a private investigator with 35+ years of experience in law enforcement and private sector investigations. Learn how to manage client expectations during the process and work together to obtain desired results. Understand the types of legal and illegal investigation tactics, and how important a well-executed investigation can be.

Terri L. Antisdale, Secrest Wardle PC, Troy; Jane Boudreau, Jane Doe Investigations, Commerce Charter Twp



Moderator ADR Track

Thomas L. Saxe Rhoades McKee, Grand Rapids



Moderator Crossing Borders Track

Barbara J. Kelly Washtenaw County Friend of the Court, Ann Arbor

4:45pm/Thursday

2018 Separate Property Update

Separate property is one of the most challenging and evolving areas of family law. In this session, dig deep into the caselaw, learn to identify the most contentious issues, and gain strategies for successfully litigating them.

Hon. Paul J. Denenfeld, 17th Circuit Court, *Grand Rapids*; Kyle Joseph Quinn, RizzoBryan PC, *Grand Rapids*

ADR Track

9:55am/Friday

The ADR Toolkit

There are numerous ways to incorporate alternative dispute resolution tools into your family law cases. But knowing which tool for which case can be complicated—until now. Explore the various methods for resolving cases through ADR and identify the kinds of cases that are the most appropriate for each. From the use of parenting coordinators to collaborative practice, arbitration, and mediation—you'll be surprised how easy it can be to avoid the traditional litigation path.

Carol F. Breitmeyer, Breitmeyer Cushman PLLC, *Detroit*; Thomas L. Saxe, Rhoades McKee, *Grand Rapids*

10:55am/Friday

Collaborative Practice From A–Z

Get an overview of the Uniform Collaborative Law Act and learn the fundamental principles of the collaborative process. Understand the roles of the process participants and identify the advantages the collaborative process can bring. Plus, discover how to build a collaborative practice including both ethical and practical considerations.

Susan W. Keener, Keener Law Offices PLC, *Grand Rapids*; Carlo J. Martina, Carlo J. Martina PC, *Plymouth*

11:45am/Friday

Domestic Violence and the ADR Process

Identify the many ways in which a history of domestic violence impacts the ADR processes and understand what ADR tools may or may not be appropriate in such cases. Gain skills in effectively screening for domestic violence, apply techniques to improve outcomes when domestic violence is identified, and avoid common pitfalls. Hear strategies for convincing the judge that ADR may not be appropriate.

Hon. Linda S. Hallmark, Oakland County Probate Court, *Pontiac*; Rebecca E. Shiemke, Michigan Poverty Law Program, *Ann Arbor*; Zena D. Zumeta, Mediation Training & Consultation Institute, *Ann Arbor*

Crossing Borders Track

9:55am/Friday

Intersection of Family Law and Immigration

With divorcing clients, what you don't know about immigration can result in adverse consequences for your client, their spouse, and even their children. Learn how to identify potential deportation triggers, how domestic violence allegations and PPO's further impact immigration status, and what this all means for your affidavits of support.

Lisa A. Tehlirian, Ellis Porter PLC, *Troy*

10:55am/Friday

Handling Travel-Related Issues in Family Law Cases

Travel, whether international or even in-state, can be complicated for divorcing families. Get guidance on common travel-related issues that are likely to impact traveling clients before they occur. Determine whether you need written consent or a court order permitting travel and identify common travel-related motions to file in advance. Get best practices for working with the State Department and recognize when the Hague Convention could impact travel as well. Peter M. Kulas-Dominguez, Warner Norcross & Judd LLP, *Grand Rapids*

11:45am/Friday

Applying the UCCJEA: You're Not in Kansas Anymore

Cases involving the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) don't need to be overwhelming. Hear from two experts about when the UCCJEA applies and what actions (register, enforce, or modify) you are seeking. Understand the limits of the act when it comes to emergency circumstances and save time by identifying the forms you'll need and what to do with each of them. Barbara J. Kelly, Washtenaw County Friend of the Court, Ann Arbor; Cynthia J. Sherburn, 3rd Circuit Court Detroit

Financial Track

9:55am/Friday

Tax Reform, Part 1: Overview and Support Issues

Get a better understanding of some of the most significant changes introduced by the Tax Cuts and Jobs Act of 2018 ("TCJA"). Determine how the TCJA affects individual clients (including tax calculation scenarios), how the TCJA may impact your law practice as a business entity, and what it may mean for child support and spousal support.

Benjamin I.S. Bershad, Stout Risius Ross, Detroit; Jason W. LeRoy, Doeren Mayhew, Troy; Gary R. Rogow, Rogow & Loney PC, Ann Arbor; Karen S. Sendelbach, Nichols Sacks Slank Sendelbach & Buiteweg PC, Ann Arbor

10:55am/Friday

Tax Reform, Part 2: Property Settlements

Hear from experts who share their thoughts and experiences on how the TCJA has and will continue to impact settling the property side of cases for the good, the bad, and the ugly. Gain insight into the myriad consequences, expected and unforeseen, that the TCJA has had on business valuations and property settlement.

Benjamin I.S. Bershad, Stout Risius Ross, Detroit; Jason W. LeRoy, Doeren Mayhew, Troy; B. Andrew Rifkin, Bank Rifkin, Birmingham; Gary R. Rogow, Rogow & Loney PC, Ann Arbor

11:45am/Friday

Identifying, Negotiating, and Valuing **Retirement Assets**

Gain strategies for helping clients identify and divide retirement assets. Learn what documents to obtain during discovery that will provide a complete financial picture and determine the benefits of using life insurance to protect your client's future cash flow. Understand how to properly divide cost basis in non-qualified accounts and when a pension buyout is appropriate. Plus, get tips for accurately drafting settlement agreements to reflect asset division. Lori A. Buiteweg, Nichols Sacks Slank Sendelbach & Buiteweg PC, Ann Arbor; Sharee Burkel, Nelson Kellmann & Associates, Ann Arbor; Kristen M. Roy, Nelson Kellman & Associates, Ann Arbor

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Accommodations

Hyatt Place 46080 Grand River Ave. Novi, MI 48374

A block of rooms has been reserved at a discounted rate at the Hyatt Place in Novi for 11/14–15/18. Reservations must be made by 10/14/18 by calling 800-633-7313. Reference ICLE Family Law Institute to receive your discounted rate.

All reservations must be accompanied by a first night room deposit, or quaranteed with a major credit card. The hotel will not hold any reservations unless secured by one of the above methods. Registrants are responsible for their own hotel expenses.

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Level: Basic/Intermediate/Advanced

CLE: 10



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В