

MDIC Board Meeting Minutes – November 6, 2012

Present: Chad Gillam; Diana Powell; Tina Patierno; Terri Harrington; Kathy Nelson; Ellen Squires; Nancy Perry; David Littman; Armand Lebovits; Kristi Hoben; Katie Kilian.

UPDATED EMAILS: Courtney Leathers (cleathers@familyatty.com); Chad Gillam (cgillam@kennedychilds.com); Tina Patierno (cpatierno@familyatty.com); Terri Harrington (th@hbc-law.net); Kathy Nelson (Kathryn@harrisfamilylaw.com); Ellen Squires (Ellen@squiresfamilylaw.com); Kristine Turner (Kristine.turner@newbeginningscoparenting.com); Nancy Perry (nancyperrylcsw@q.com); David Littman (david@littmanfamilylaw.com); Armand Lebovits (armandlebovitslcs@gmail.com); Joe Peraino (joe@joeperaino.com); Katie Kilian (kiliank@klfs.net); Diana Powell (dpowell@gfamilylaw.com).

Minutes: Minutes approved from October 2012 Meeting.

Treasurer's Report: Previously emailed to members.

Programs: In February 2013 there will be a presentation by Sonja Brill regarding anger management. Possibly in March 2013 Rymers/Mustain Wood will do a presentation on How to Prepare a Client for Mediation. As an alternative, they may to a Breakfast Bonus instead. April, May and June 2013 are still open for presenters. It was suggested that Becky Kourlis who has a program/Foundation at DU be a speaker. She is a former Supreme Court Justice. The Foundation deals with Interdisciplinary-Family Transitions in Divorce. It was suggested that there be a program on affordability of legal services. NFNF (Judge Russell and Judge Arkin) may be a good resource.

Judges Luncheon: Will be held on December 11, 2012. No meeting the first Tuesday in December. There are three individuals confirmed at this point (Judge Arkin; Judge Weishaupl; Magistrate Clark). Possibly Judge Cross. The Judges/Magistrates are free to bring staff members as a guest compliments of MDIC. MDIC Board members will reach out to Judges/Magistrates via email and telephone to encourage them to attend.

MDIC Directory: Ellen Squires will be in charge of the directory printing to be available for distribution by December 11, 2012. It was discussed to make labels and have the books available at the sign in table for pick up by members. Once books are distributed to members and Judges/Magistrates, they will be available for sale.

Registration Deadline: The new deadline to register is Friday, November 9, 2012.

Happy Hour: Kristi Hoben and Kathy Nelson will work on Happy Hour in January 2013 (Thursday or Friday). Budget for appetizers is \$300-\$500.00.

COAFCC: Save the date for March 22, 2013. There will be a joint presentation at the Omni Hotel in Broomfield by Nicholas Bala (Attorney) and Barbara Jo Fiddler (PhD).

The presentation will be Children Who Resist Parenting Time. In the final planning phases. Will probably have to front \$2,000.00 plus travel for the speakers. Will probably break even on the event or earn a little.

There is also a presentation on November 30, 2012 with Phil Stahl regarding what goes into a good custody evaluation.

President's Award: Board Members to get names/nominations to Tina Patierno by Monday, November 12, 2012. There will be a vote by Board.

DECISIONS:

(1) New Bylaws (attached) are approved. The board voted and approved.

(2) Give \$500.00 to Family First. The board voted and approved.

ATTACHMENT:

**BY-LAWS
THE METROPOLITAN DENVER INTERDISCIPLINARY
COMMITTEE ON CHILD CUSTODY**

The Metropolitan Denver Interdisciplinary Committee on Child Custody (hereinafter "MDICCC" or "the Committee") is a non-profit organization founding in 1975 by mental health professionals and attorneys working in the area of child custody. Its purpose is to promote understanding and communication among the various professions involved in helping children and parents through the process of divorce.

The MDICCC is comprised of members of the legal and mental health professions who are committed to improving the family law system in Colorado and the mental health services used by that system. The purposes of the Committee include:

1. Promoting the welfare of Colorado children and families;
2. Aiding attorneys, judges and mental health professionals in the development of skills and resources to better serve divorcing families;
3. Furthering the field of family law and divorce related mental health services through appropriate legislation, rules and education;
4. Fostering a mutually cooperative relationship between courts, attorneys and mental health professionals as family law matters are handled;
5. Coordinating work with those interested in the improvement of the administration of justice for families in a court of law; and

6. Creating an arena and collegial atmosphere within which constructive dialogue between courts, attorneys and mental health professionals may take place so as to reduce the harmful effects of divorce on children and families.

The MDICC has been successful in enabling professionals of various disciplines to work together effectively. Coordinating professional standards and actively exploring alternative mechanisms to resolve child custody and related disputes are among its major priorities.

I. MEMBERSHIP

A. Any person who is a member in good standing of the legal profession or of any mental health discipline who evidences interest, experience, activity, and competence in any of the purposes of the MDICC may upon payment of appropriate dues be a professional member of the committee with full voting privileges.

B. Any person or group of persons, including para-professionals, students or others determined by the Board of Directors to be qualified for such membership may, upon payment of any dues assessed by the Board of Directors, be an associate member of the Committee. Associate members as may be prescribed by the Board except that they shall not have the right to hold office or to vote.

C. All persons listed on the membership rolls of the MDICCC on December 1, 1994, who are current on their dues for the 1994-1995 fiscal year shall automatically be a member in good standing.

D. The Board may terminate professional or associate membership if a member fails to live up to high professional conduct standards or breaks the requirements of the By-Laws or amendments thereto.

II. DUES

A. Dues shall be collected by the Treasurer of the Committee in accordance with the schedule of dues established by the Board. Dues schedules may be different for each class of membership, and different for various affiliated members. Dues are payable on or before September 1 of each calendar year. Dues paid in any fiscal year cover membership only for that fiscal year. Dues may be pro-rated by one-half if a member joins the organization six calendar months or less from the beginning of the next fiscal year.

III. BOARD OF DIRECTORS

A. The Board of Directors shall manage the affairs of the Committee except as specifically provided otherwise in these By-Laws. The Board may refer to the members of the Committee with its recommendation for proposed actions, such matters as the Board considers necessary or appropriate.

B. The Board shall consist of four mental health professionals and four legal professionals, of which two legal and two mental health professionals are elected by the membership every year for two-year terms. Notwithstanding the above, for the first election, the Board shall consist of a one-year term given to those persons receiving the lower number of votes in the first election following the passage of these By-Laws. The Board shall also consist of the five officers, President, President-Elect, Secretary, Treasurer, and Immediate Past-President, who shall alternate between attorney and mental health professional, and all Past-Presidents who may be exempted from the election requirements as stated in III(E) herein. The Board may increase or decrease the number of Directors or the make-up between legal and mental health professionals by amendment to these By-Laws, provided that no decrease shall have the effect of shortening the term of an incumbent director. All Board members must be members of the Committee.

C. The President will designate a Nominating Committee which will be chaired by the Immediate Past-President. If the Immediate Past-President is unavailable, the President will appoint a member to chair the Nominating Committee. The Nominating Committee established herein shall solicit nominations for the Board from the membership at least sixty (60) days prior to the mailing of the ballots for the annual election to be held in August of each year. Notwithstanding the above, the first election shall be held thirty (30) days after the passage of these By-Laws and solicitation of nominations shall occur at least fifteen (15) days after the passage of these By-Laws. The Nominating Committee, when possible, shall nominate at least three legal and three mental health professionals for each of the two person slots. For the first election, they shall nominate at least five legal and five mental health professionals for the eight person ballot. Nominees shall be selected by the Nominating Committee no later than thirty (30) days prior to the election and the Nominating Committee shall notify all persons who applied as to whether or not they have been nominated. Any member may seek to be nominated by submitting to the Nominating Committee a written nomination petition signed by at least five members of the Committee no later than thirty (30) days before the election. When, in the case of the number of nominees being equal to the number of open positions, i.e. two and only two attorneys and two and only two mental health professionals are nominated for each of the two person slots, no election need occur. The nominees shall, under such circumstances, automatically attain the respective positions on the Board of Directors.

D. There shall be no limit to the number of times a member may serve on the Board of Directors.

E. Past-Chairs may be exempt from the election requirements to the Board of Directors by vote of the majority of the Board of Directors. Past-Chairs who miss four consecutive meetings in a fiscal year will no longer be members of the Board unless they are reinstated by a vote of the Board. Past-Chairs may serve for an unlimited term.

IV. MEETINGS

A. The Board shall meet at least quarterly upon notice by the President. The Board shall transact no business except at a requested or special meeting at which a quorum of the Board is present. A quorum shall consist of a majority of the Board prior to the first election and at least seven members after the first election. The Board may refer any matter to the entire membership for a vote by mail.

B. The business of the Board of Directors shall be approved by a majority vote by those present.

C. Special meetings of the Board of Directors may be convened at the request of the President or at the request of at least three members of the Board of Directors.

V. VACANCIES

A. The Board shall have the power except as herein otherwise provided to fill any vacancy on the Board or any office or position of the Committee, the Board, Executive Committee, or any other committee, regardless of whether such vacancy be an elective or appointive officer or position. Any such appointee to the vacancy shall serve the remainder of the unexpired term. Notwithstanding the above, a vacancy in the president shall be assumed by the President-Elect.

VI. OFFICERS AND EXECUTIVE COMMITTEE

A. The Officers of the Committee shall consist of the President, President-Elect, Secretary, Treasurer, and Immediate Past-President. The President-Elect shall become the President during the next term of office following his or her term as President-Elect. These Officers will act as the Executive Committee. The Executive Committee shall perform such duties and have such powers as may be delegated to it by the board as provided herein. It shall have the responsibility of conducting any urgent business of the membership or of the Board between meetings.

B. The Nominating Committee shall nominate two members of the Executive Committee for the position of Treasurer each year. The person elected Treasurer shall serve one year as Treasurer and thereafter be nominated and elected as Secretary and then nominated and elected as President-Elect and thereafter serve one year as President, provided however, that said Officer shall properly perform the duties of each office. Any person may appear on the ballot for any office, except the office of President, by submitting a petition in accordance with Paragraph III (C) of these By-Laws.

C. All Officers shall perform the duties usually performed by such officers and those hereinafter set forth.

D. The President shall preside at all meetings of the Committee and Board of Directors and shall be ex-officio member of all committees. The President shall have

the power to delegate supervisory duties over committees established for special purposes to the various other officers and members.

E. The President-Elect shall perform duties as designated by the President; the President-Elect shall serve as the President following the term or terms of the current President.

F. the Treasurer shall keep an accurate roll fo the members, supervise collection and disbursement of all funds and accounts of the Committee, and report to the Board the financial condition of the Committee whenever directed. The book and accounts of the Treasurer shall at all times be subject to the examination of the Board or of any committee appointed for that purpose.

G. The Secretary shall supervise the keeping of a record of the proceedings of all meetings of the Committee, the Board of Directors and Executive Committee, keep an accurate roll of all members, notify all officers of their election, and all members of their appointment on committees, issue notices of all meetings, conduct the correspondence of the Committee or direct the same, keep its seal, and supervise or cooperate in the publication and distribution of any publication in which the Committee participates or is otherwise concerned.

VII. TERM OF OFFICE

The term of all Directors shall be for two years except as otherwise stated herein. The term of all officers shall be for one year except as otherwise stated herein.

VIII. ELECTIONS

A. Elections shall be by mail ballot and shall be conducted as per the requirements of Article III, except in the case where the number of nominees is equal to the number of open positions as set forth in Article IIIC; under such conditions no election shall occur.

B. The President may from time to time appoint such other committees as are necessary to conduct the work of the Committee. The President shall appoint the Chairs and member of each committee.

IX. FISCAL YEAR

The fiscal year of the Committee shall begin September 1 and August 31 of each year.

X. AMENDMENTS

The By-Laws may be amended in either of two ways:

A. Amendments may be made at any meeting of the Committee by majority vote of all voting members present, provided that ten days written or printed notice of the proposed amendments shall have first been mailed to all members by the Secretary.

B. Amendments may be adopted at a meeting of the Board by affirmative vote of two-thirds of the Board members present. No amendment shall be considered by the Board for adoption by it except by unanimous consent of those present, unless a copy of the proposed amendment shall have been sent to each member of the Board at least four days before the scheduled meeting.

XI. MISCELLANEOUS

Except as otherwise provided herein, meetings shall be conducted according to the usual parliamentary rules as prescribed in Robert's Rules of Order.