

# The 31st Annual Family Law Institute



Presented by Minnesota CLE and the MSBA Family Law Section

## Three reasons to attend:

1. Choose from more than 50 new and timely breakout sessions
2. Hear from 100 of your favorite family law experts, plus special guest speakers
3. Receive valuable course materials, including the 2010 Case Law and Legislative Update

*Join more than 700  
of your colleagues  
at Minnesota's  
premiere  
family law event!*



## Featuring Special Guest Speakers:

**Dr. David McPhee, Ph.D.**

*Personality Disorders: How to Help the Most Difficult Litigants Without Losing Your Mind*

and

**Irwin Karp**

*Managing Email Overload and  
Overcoming Procrastination: How to Kick the Habit*

# The 2010 Family Law Institute



Join more than  
700 of your  
colleagues for  
two full days  
of learning,  
networking  
and fun ...  
and leave with  
a wealth of great  
resource  
materials!

## Family Law Section Food Drive

This year, the Family Law Section of the Minnesota State Bar Association will collect donations of food, personal care items and money for Second Harvest Heartland. Your donations will go directly to Minnesota families in need. For further information, and to donate, visit: [www.2harvest.org/goto/2010familylawinstitute](http://www.2harvest.org/goto/2010familylawinstitute)



## New Speakers

*The 2010 Family Law Institute has involved many new speakers this year, including guest speakers:*

### Dr. David McPhee

Dr. David McPhee is a diplomate of the American Board of Professional Psychology, board-certified in counseling psychology, and is licensed as a psychologist in Arizona. His Ph.D. is from the University of Minnesota, and he holds a doctorate in ministry from Luther-Northwestern. He has worked as a full-time clinician since 1989.

Before re-entering private practice in the mid-1990's, Dr. McPhee was clinical director of Arizona Psychiatric Affiliates and of Desert Vista Hospital in Mesa. His background includes ten years of general city hospital work, membership on state medical and nursing licensing boards, and extensive experience as a counselor for children, families, and adults. He has also been active in the training of psychologists and psychotherapists, and has lectured and written on gender issues, psychotherapy, and custody evaluations. He has served as president of the Arizona Psychological Association and of the Minnesota Board of Medical Examiners.



### Irwin Karp

Irwin Karp is a productivity consultant with Productive Time in Sacramento, California. He is also an attorney, and was previously the managing partner of a small environmental law firm representing business for over 17 years. Irwin is a graduate of the George Washington University Law School where he was a member of the Order of the Coif and the Law Review.

For the past eight years, Irwin has conducted training programs and has consulted with businesses, government, bar associations, law firms and service professions on organizing and time management to increase productivity. He provides in-house customized workshops, consulting and one-on-one coaching on time management, e-mail overload, paper flow, workflow, clutter control, project management, delegation and effective meetings. He also presents Continuing Legal Education programs on lawyer productivity topics for bar associations around the US and Canada.

*The faculty also includes attorneys, judges, referees, child support magistrates, psychologists, financial professionals, and many others with special expertise in family law.*



## New Breakouts

*Choose from dozens of new breakout sessions at the 2010 Family Law Institute. All-new breakout sessions include:*

- Interstate and International Custody and Parenting Time Issues
- How, What and When Parents Should Tell Children About Their Divorce
- 10 Commonly Missed Issues in Property Awards of Retirement Benefits and the QDROs that Follow
- Co-Parent Court: A New Hennepin County Initiative for Low-Income, Unmarried Parents
- Update on Early Neutral Evaluation Programs Around Minnesota
- Dealing with Foreclosure, Short Sales and Deeds in Lieu of Foreclosure in Minnesota
- Sealing Court Files and Protecting Sensitive Information
- Hot Ethics Issues: Fees, Retainers, Credit Cards and More
- Status Report on Health Care Reform and Its Potential Impact on Family Law
- Dealing with Difficult People – Clients, Opposing Counsel, Pro Se Litigants, Involved Professionals and Oppositional Children
- 2010 Nonmarital Case Law Update
- Managing Documents in Complex Family Law Litigation
- How to Effectively Represent Clients in Early Neutral Evaluations
- Debt Collection Tips for Family Lawyers
- The Portable Law Office: How to Be Productive, Profitable and Location-Independent
- Cohabitation Agreements and Other Planning Issues for Non-Traditional Families
- The Ethics of Limited Scope Representation
- Managing E-Mail Overload
- Grandparent Visitation in Minnesota
- Understanding and Making Use of Mental Health Testimony in Family Court
- Social Networking for Family Lawyers
- The New Majority: Unmarried Parents in Family Law
- Answers to 20 Common Questions About IV-D Child Support Cases and the Expedited Process
- Immigration, Marriage Brokers and Human Trafficking
- What Happens to the Children of Same-Sex Couples When They Break Up?
- Overcoming Procrastination – How to Kick the Habit
- And many, many more!

*Plus a special presentation of the play, Journey to Safety, by Pangea Theater and The Advocates for Human Rights*

## Three More Reasons to Attend this Year's Institute

### 1 Special Credits – Ethics, Elimination of Bias and ADR

At this year's Institute, you can earn all your ethics and elimination of bias credits. You can also earn ADR credits towards your ADR roster requirement.

### 2 The Biggest Family Law Book Sale of the Year!

The best time to buy the *Family Law Financial Deskbook*, *Minnesota Child Custody Deskbook* and other family law publications is at the 2010 Family Law Institute. All family law course books are 50% off and all family law deskbooks are 25% off. Plus, all attendees receive a coupon for an additional \$25 off the *Family Law Financial Deskbook*. Don't miss out on these great savings!

### 3 Easily Searchable Materials on CD-ROM

Your registration fee includes the Family Law Institute manual and Case Law and Legislative Update on a fully-searchable CD-ROM, plus handouts for the sessions you attend. Plus, any late handouts or PowerPoint slides will be accessible through a link on the CD-ROM to the Minnesota CLE website!

# Tuesday, March 23

8:00 – 8:45 a.m.  
CHECK-IN & CONTINENTAL BREAKFAST

8:45 – 9:00 a.m.  
WELCOME  
– *Institute Co-Chairs  
Pamela J. Waggoner & Steven H. Snyder*

9:00 – 11:00 a.m.  
**Personality Disorders: How to Help the Most Difficult Litigants Without Losing Your Mind**

Legal professionals and judicial officers deal with difficult, personality-disordered clients and litigants every day. The stress of Family Court proceedings often brings out the worst in these troubled people. Through demonstration, discussion, and practical application, this session will refine your skills in spotting the most common personality disorders quickly. You will learn basic techniques for handling personality-disordered people in the office and courtroom. You will improve your strategies for helping them navigate the Family Court process while minimizing your own stress. The session will emphasize Cluster B disorders – the Dramatic and Emotional – especially Borderline Personality Disorder.

– *David McPhee, Ph.D.*

11:00 – 11:30 a.m.  
BREAK

**11:30 – 12:30 p.m.**  
**BREAKOUT SESSION A**

1. **The Basics of Client Relations: Handling the Initial Client Call and Meeting**

– *Rodney H. Jensen*

2. **Interstate and International Custody and Parenting Time Issues**

**Repeated at session 53**

This seminar will provide both a concise overview of the legal considerations and a helpful outline of how to proceed when that interstate or international custody or parenting time dispute comes into your office. The goal will be to provide practical direction on how to address these increasingly common and often complex legal disputes.

– *Gary A. Debele*

3. **How, What and When Parents Should Tell Children About Their Divorce**

**Repeated at session 45**

Telling the kids you're getting a divorce is right up there with telling them about the birds and bees for most parents. Two experienced child therapists talk about how to answer your clients' questions on timing, setting, cast of characters, the words to use, and the words to avoid. Factors to be discussed include the child's age, domestic violence, and parents' physical separation.

– *Peggy Cottrell & Susan De Vries*

4. **Health Care Coverage and Family Law – Complicated Enough Without Any Federal Reform**

Does federal or state law apply to your case? What is the correct cost of coverage? How long is the coverage available? What about the kids? What's a "self insured" plan? What difference does it make as to what type of health plan it is? Attend this session for answers to these difficult coverage questions.

– *Thomas M. Hughes & Tina Armstrong*

5. **The Rules of Family Court Procedure: Are They Changing?**

In October 2009, judges, court administrators and lawyers from around the state gathered to discuss potential changes to the Rules of Family Court Procedure. Learn about the discussion and where it might go from here.

– *Susan C. Rhode & Debra E. Yerigan*

6. **Effective Use of Neutrals**

**1.0 ADR credit applied for**

Neutrals are being used on more cases now than ever before. Find out how to cost-effectively utilize experienced financial, parenting, and ADR neutrals to resolve family law issues.

– *Thomas W. Harjes & Steven Schmidt*

7. **A New Regime in Power: 2010 Tax Law Update for Family Lawyers**

Discover the latest developments in the tax law and how they will impact your divorce cases.

– *Stephen G. Dennis*

8. **Division of Business Goodwill in Light of Baker v. Baker**

**Repeated at session 58**

The division of business goodwill in marital dissolution can be complicated, and while subjective, is dependent on several discrete factors. The session leader was involved as a neutral business appraiser in the seminal Baker case. He will discuss the common factors to consider when dividing business goodwill in a marital dissolution setting.

– *Patrick K. Schmidt*

9. **When Bad Things Happen to Good Lawyers**

**1.0 ethics credit applied for**

From embezzlement of funds to office fires, hear how unexpected events can affect your law practice, and what your ethical responsibilities are when they occur.

– *Edward F. Kautzer & Linda A. Olup  
– Dana McKenzie, moderator*

12:30 – 1:30 p.m.  
LUNCHEON (provided by Minnesota CLE)

**1:30 – 2:30 p.m.**  
**BREAKOUT SESSION B**

10. **The Basics of Child Support**

– *Laurie A. Mack & Lymari J. Santana*

11. **Judges' Panel on Joint Physical Custody**

Four judges from around the state discuss the implications of creating a presumption of joint physical custody for divorcing families in Minnesota.

– *Judge Stephen C. Aldrich  
– Judge Sharon L. Hall  
– Judge Thomas M. Neuville  
– Judge Linda S. Titus  
– Marna L. Anderson, moderator*

12. **Dealing with Bullying Family Lawyers and Clients: Why Do They Act That Way and What Can I Do About It?**

Workplace trainer and consultant, Fran Sepler explores commonly asked questions about litigation bullies and their behavior, including: What are some common traits of litigation bullies? How common is bullying by adults? Can you set rules for interacting with bullies to limit or discourage their bullying behavior?

– *Fran Sepler*

13. **The Impact of Divorce on Medical Assistance and Estate Planning**

Is divorce legitimate or necessary when people want to protect marital assets from being dissipated for nursing home care and medical care? How and when are they structured? When should divorce lawyers refer clients to elder law specialists? How does a divorce affect an estate plan? When should divorce lawyers consult with an estate planning attorney? On what topics? How are living trusts, irrevocable trusts, health care directives and short form durable powers of attorney affected by divorce?

– *Stuart E. Schmitz*

14. **Keynote Follow-Up: Personality Disorders Workshop**

Through demonstrations and role plays, Dr. McPhee will engage the participants in a deeper exploration of the themes raised in his keynote presentation.

– *Dr. David McPhee*

15. **Hot Topics in Family Law ADR**

**1.0 ADR credit applied for**

Hot topics for 2010 include confidentiality in mediation, attorneys as consumers of ADR, what documents you should bring to mediation, domestic violence issues, and more.

– *Susan S. Chambers, Maureen Holman & Chris Leick  
– Ellen A. Abbott, moderator*

16. **Bankruptcy and Divorce: Winning Strategies for Dealing with Debt**

Can child support and alimony be discharged? How can I force the other side to pay the marital debt? Is there any way to protect the cabin/boat/car in a bankruptcy? How should tax debt be divided? Should my client file for bankruptcy before or after filing for divorce? How can I protect my fees if my client files for bankruptcy protection? Answers to these questions and yours.

– *Barbara J. May*

17. **What Happens to Spousal Maintenance When an Obligor Retires?**

The landmark *Nardini* decision established a precedent that favored permanent spousal maintenance. Now, just over 20 years later, the post-*Nardini* obligors are retiring, prompting a spate of spousal maintenance modification requests. Explore the legal standard for reduction and elimination of spousal maintenance on retirement, particularly in the wake of *Lee* and *Hemmingsen*.

– *Ben M. Henschel & Joani C. Moberg*

18. **Evidence for Family Lawyers**

**2-hour session**

An evidence tool-kit for the family law advocate that will explore general principles and particular problems of judicial discretion, relevancy, Rule 403 exclusions, waiver of error, foundation, opinion evidence, impeachment, best evidence and hearsay. The focus will be on recurring evidentiary issues and solutions in the family law context.

– *Judge Gordon W. Shumaker*

19. **Enough is Enough: The Ethics of Closing a File**

**1.0 ethics credits applied for**

At some point, every lawyer has a client they would like to divorce. But no one wants to leave their client in the lurch, let alone risk an ethics investigation. Learn how the ethics rules regarding withdrawal apply to clients who do not pay their fees, fail to follow orders (yours and the court's!), and are just too difficult to work with.

– *Eric T. Cooperstein*

2:30 – 2:45 p.m.  
BREAK

**2:45 – 3:45 p.m.**  
**BREAKOUT SESSION C**

**Evidence for Family Lawyers (cont.)**

20. **The Basics of Spousal Maintenance**

– *William Casey*

21. **Smokescreen or Fire: Assessing Allegations of Sexual Abuse During Parenting Disputes**  
*2-hour session*

Assessing allegations of child sexual abuse during parenting disputes offers one of the most difficult challenges facing professionals who work with families. This presentation will look at the different contexts in which allegations arise and the impact of context on evaluating the reliability of the allegation. Research on founded and unfounded allegations will be presented, offering an alternative view to the commonly held misconception about the frequency of false reports. We will review assessment protocols in these cases and specific techniques to assist in representing clients in these contentious cases. The presentation will focus on the appropriate roles of professionals involved in these cases and how to avoid "tribal warfare" among the interveners.

– Judge Kathleen R. Gearin & Mindy F. Mitnick

22. **Recognizing and Working with the Victim of Stalking**

*2-hour session*

Stalking is often misunderstood, minimized or missed entirely. Participants will learn about the crime of stalking; including stalking law, behaviors, prevalence and lethality. Training about the impact of stalking on victims and ways practitioners can incorporate threat assessment and safety planning into their work.

– Dierdre Keys

23. **Watch Out for the Potholes – 10 Commonly Missed Issues in Property Awards of Retirement Benefits and the QDROs that Follow**

– Mary Kate Kelley-Scheidler

24. **Co-Parent Court: A New Hennepin County Initiative for Low-Income, Unmarried Parents**

Family courts now see many more unmarried than married parents, yet specialized services for the distinct challenges faced by these parents are rare. Hennepin County Judge Bruce Peterson and community partners will discuss unmarried parenting and describe how Hennepin County's newest problems-solving court is attempting to meet this need. Participants at this workshop will obtain a better understanding of the characteristics of unmarried parents, the legal and social issues they present, and some of the strategies to support co-parenting, including the most current curriculum developed specifically for unmarried parents.

– Judge Bruce A. Peterson

25. **Update on Early Neutral Evaluation Programs Around Minnesota**

*1.0 ADR credit applied for*

Join four judicial officers for an update on new ENE programs around the state; including Ramsey

County, Anoka County, Washington County and St. Louis County.

– Judge Sharon L. Hall, Referee Mary Madden,  
Judge Sally L. Tarnowski & Judge Richard C. Ilkka  
– Jack E. Setterlund, moderator

26. **Dealing with Foreclosure, Short Sales and Deeds in Lieu of Foreclosure in Minnesota**

This will be highly interactive presentation on the basics of the foreclosure process and alternatives thereto (such as deeds in lieu of foreclosure and forbearance agreements) that lenders may utilize, and property owners need to understand when in default. Come learn what family law practitioners need to know about foreclosure, short sales, and selling/purchasing foreclosed real estate. This presentation will prepare you to spot the issues so you can discuss those issues with your clients.

– Thomas F. Alexander

27. **Family Law Confidential: Sealing Court Files and Protecting Sensitive Information**

The panel will discuss how to seal court files, and how to best protect a client's sensitive information using Minnesota General Rule of Practice 308.03. They will also discuss what is and is not protected in mediation and what steps attorneys and mediators can take to ensure the confidentiality of mediation records.

– Alan C. Eidsness, Judge Tanya K. Manrique & Steven B. Schmidt

28. **Hot Ethics Issues for Family Lawyers: Fees, Retainers, Credit Cards and More**

*1.0 ethics credits applied for*

Office of Lawyers Professional Responsibility attorney, Patrick Burns, explains the rules and best practices for charging fees and retainers, accepting credit cards, and other important accounting issues. Plus, he will answer your questions about these hot topics.

– Patrick R. Burns

3:45 – 4:00 a.m.

BREAK

**4:00 – 5:00 p.m.**

**BREAKOUT SESSION D**

**Assessing Allegations of Sexual Abuse (cont.)  
Working with the Victim of Stalking (cont.)**

29. **The Basics of Property Division**

– Bruce D. Kennedy

30. **Status Report on Health Care Reform and Its Potential Impact on Family Law**

The Director of the Health Law Institute at Hamline University's School of Law discusses the status of the health care reform legislation and how it might affect

family law issues; including insurance costs, health care continuation coverage, and more.

– Lucinda E. Jesson

31. **Dealing with Difficult People – Clients, Opposing Counsel, Pro Se Litigants, Involved Professionals and Oppositional Children**

How to retain your compassion, your composure, and your civility when representing revengeful, raging clients and working with cranky, caustic counsel as well as over-worked, underappreciated judges.

– Mary C. Lauhead, Dr. David McPhee & Susan D. Olson  
– Ann B. Barker, moderator

32. **Identifying and Resolving Tax Controversies with the IRS**

What do you do with an outstanding tax liability to the IRS or the Minnesota Department of Revenue (MDR) that is owed by one or both of the parties to the divorce? How does it play into the calculations of resolving a case? How do the claims and liens by the IRS and the MDR encumber the marital and non marital property? Knowing your client's options and his or her spouse's options for dealing with outstanding tax obligations is important to obtaining the best result for your client. This presentation will provide you with a broad view of the many ways to resolve these obligations and protect your client.

– Thomas M. Regan

33. **2010 Nonmarital Case Law Update**

How can you successfully present nonmarital claims and tracing following the *Baker* decision? This year's update will cover recent decisions addressing nonmarital claims including the *Baker* decision. Several examples will be provided demonstrating tracing methods you may wish to consider in your cases.

– Thomas W. Harjes & Ben M. Henschel

34. **Managing Documents in Complex Family Law Litigation**

Document and discovery management has become a significant challenge and one which can be extremely costly. Attend this practical presentation on document management in complex cases with extensive documents and discovery; such as cases with multiple and complex nonmarital claims, cases where there has been substantial dissipation of marital assets, and cases where the establishment of the marital standard of living requires assembling records from multiple accounts.

– Marilyn J. Michales

35. **How to Effectively Represent Clients in Early Neutral Evaluations**

*1.0 ADR credit applied for*

Learn how to effectively represent clients in the non-traditional context of Social and Financial Early Neutral Evaluations, from assessing the case, being prepared as an advocate, preparing the client, and then successfully participating in the process.

– Referee Kevin McGrath, Joani C. Moberg & Thomas W. Tuft

**5:00 – 5:30 p.m.**

**RECEPTION**

All 2010 Family Law Institute attendees are invited to stay for refreshments, snacks and conversation with faculty, colleagues and friends.



## Wednesday, March 24

8:30 – 9:00 a.m.

CONTINENTAL BREAKFAST

9:00 – 11:45 a.m.

(includes 15-minute break)

### Annual Case Law and Legislative Update

A comprehensive review of the most important cases and the latest legislation, issues and trends in family law.

– Michael D. Dittberner, Eugene L. Kubes, Dana McKenzie  
Glen A. Norton & Suzanne M. Remington

**ALTERNATE SESSION**

### Time Management Skills for Family Lawyers

*2.5 law office management credits applied for*

#### Managing E-Mail Overload

Are you overwhelmed with the volume of e-mail you receive daily? Is your BlackBerry or I-phone always with you, vibrating constantly? E-mail has become the primary method of external and internal communications for law firms. It can be a valuable tool or a productivity-sapping burden, depending on how well it is managed. This program helps you cope with the deluge of e-mail and develop systems for managing your in-box, storing e-mails effectively for future retrieval and coordinating time sensitive e-mails with your calendar. Explore the impacts of always being connected and multi-tasking on your productivity. The program will address tools available in Outlook to get control of your e-mail.

#### Overcoming Procrastination – How to Kick the Habit

Procrastination creates undue stress. Delaying work can be a form of self-sabotage, affect productivity and result in errors. This session will focus on helping lawyers to complete work with more control and less crisis management. Attendees will learn: how to recognize your individual style of procrastination and overcome it; how to break down legal work into component parts so it doesn't appear so overwhelming; and, how to focus on what you really need to accomplish.

– Irwin Karp

11:45 – 12:00 p.m.

## RECOGNITION CEREMONY FOR REFEREE EUGENE L. KUBES

Join us in honoring Referee Eugene L. Kubes for his 30 years of service to the bar. After this year, he will retire from presenting the annual Case Law and Legislative Update.

12:00 – 1:00 p.m.

LUNCHEON (provided by Minnesota CLE)

1:00 – 2:00 p.m.

### BREAKOUT SESSION E

#### 36. Basic Family Law Math: Financial Calculations in Divorce Cases

– Rick C. Berning & John H. Heidebrecht

#### 37. Child Support and Expedited Process Panel

**2-hour session**

**Turbidity Report: The “Mudification” of Child Support – Unique Language in Orders That May Create Enforcement Problems**

– Magistrate Brad A. Johnson

**Child Support Forgiveness and Arrears Management**

– Mark J. Ponsolle

**Parenting Time and Basic Support: When Does It Apply?**

– Magistrate Ronelle L. Anderson

**New Americans and Undocumented Immigrants: Real World Issues**

– Kathleen A. Kusz

– Magistrate Jan Craig Nelson, moderator

#### 38. Debt Collection Tips for Family Lawyers

- What do I do once I obtain a judgment for my client? Includes discussion of post-judgment collection remedies, post-judgment asset location resources and current hot topics in judgment recovery
- What do you do when a client doesn't pay you?
- When should I consider outsourcing a judgment or receivable?

– Heidi L. Staloch

#### 39. 7 Things Every Family Lawyer Should Know About Assisted Reproduction Technology Law

– Steven H. Snyder

#### 40. Domestic Violence: Family Law and Beyond

Your client may have been routinely raped, injured or terrorized by her/his intimate partner. Your client may be the perpetrator of such violence. How would you

know? What should you do about it? Is it malpractice if you cannot answer these questions? We know that domestic violence often occurs in family law cases and can affect many types of legal matters beyond family law. Lawyers and other practitioners can more effectively screen their cases for the presence of this critical factor; to assess the risk of future serious harm; to make appropriate referrals; and to more effectively represent their clients. This workshop will improve attorneys' ability to screen, identify risks to clients and handle cases involving domestic violence.

– Loretta M. Frederick & Rana S.A. Fuller

– Stephen R. Arnott, moderator

#### 41. The Portable Law Office: How to Be Productive, Profitable and Location-Independent

**1.0 law office management credit applied for**

– Samuel J. Glover

#### 42. Cohabitation Agreements and Other Planning Issues for Non-Traditional Families

Planning for unmarried couples is especially important as more couples don't marry because of choice or legal inability. This session will focus on planning for these couples, including providing legal protections with legal documents and important related tax planning.

– Shane Swanson

#### 43. The Ethics of Limited Scope Representation

**1.0 ethics credit applied for**

Discussion of the ethical considerations of using limited scope services to represent clients in family court cases.

– Laura K. Fretland & Referee Timothy T. Mulrooney

#### 44. Managing E-Mail Overload

**1.0 law office management credit applied for**

Are you overwhelmed with the volume of e-mail you receive daily? Is your BlackBerry or I-phone always with you, vibrating constantly? E-mail has become the primary method of external and internal communications for law firms. It can be a valuable tool or a productivity-sapping burden, depending on how well it is managed. This program will help you cope with the deluge of e-mail and develop systems for managing your in-box, storing e-mails effectively for future retrieval and coordinating time sensitive e-mails with your calendar. We will explore the impacts of always being connected and multitasking on your productivity. The program will address tools available in Outlook to get control of your e-mail.

– Irwin Karp

#### 45. How, What and When Parents Should Tell Children About Their Divorce

**Repeat of session 3**

– Peggy Cottrell & Susan De Vries

2:00 – 2:15 p.m.

BREAK

2:15 – 3:15 p.m.

### BREAKOUT SESSION F

#### Child Support Panel (cont.)

#### 46. The Basics of Document Drafting in Divorce Cases

– Herbert C. Kroon

#### 47. Getting Paid in Troubled Economic Times

Doing legal work pro bono is commendable, but it should be your choice, not your client's. Attend this session for practical advice and creative ideas for ensuring that you are paid for your work. Topics will include: retainer strategies, payment options, attorney liens, and collections.

– Jason C. Kohlmeyer

#### 48. Grandparent Visitation in Minnesota

This session will address the procedural steps and legal requirements involved in filing an action to establish grandparent visitation pursuant to Minnesota Statute § 257C.08. This session will also include some of the possible defenses a parent may raise in response to an action to establish grandparent visitation.

– Kristin A. Huston

#### 49. Understanding and Making Use of Mental Health Testimony in Family Court

This presentation will address understanding and effective use of mental health testimony in family law. Specific topics will include credentials, qualifications, and expertise of mental health experts, limits of mental health testimony, the significance of mental health diagnoses and the use of psychological testing in family court. We will discuss ways to make mental health data legally useful and effective questioning of mental health experts on direct and cross examination.

– Scott Fischer, PhD.

#### 50. Social Networking for Family Lawyers

**1.0 law office management credit applied for**

A review of the benefits and risks of lawyers joining social networking sites, such as Facebook, MySpace and LinkedIn. Plus, learn how to set up your own Facebook page and control the privacy settings.

– Emily K. Cooper & Tracy L. Reid

#### 51. The New Majority: Unmarried Parents in Family Law

Do you know what an ALF is? Attend this session to learn some tips, obtain some treasures (handy reference materials), and receive answers to your vexing questions from this expert panel.

– Walter Burk, Valisa L. McKinney &

Referee Timothy T. Mulrooney

– Melissa Froehle, moderator

#### 52. Elimination of Bias: Journey to Safety – Live Play and Discussion

**2-hour session**

**2.0 elimination of bias credits applied for**

The play places participants in the shoes of immigrant victims of domestic violence as they try to negotiate legal, medical and government resources, and highlights the many obstacles that immigrant women face, including language and cultural barriers. Presented by Pangea World Theater, The Advocates for Human Rights and Battered Women's Justice Project.

– Mary Ellison & Beatriz Menanteau

#### 53. Interstate and International Custody and Parenting Time Issues

**Repeat of session 2**

– Gary A. Debele

3:15 – 3:30 p.m.

BREAK

3:30 – 4:30 p.m.

### BREAKOUT SESSION G

#### Journey to Safety (cont.)

#### 54. Answers to 20 Common Questions About IV-D Child Support Cases and the Expedited Process

Have you ever wondered why the County Attorney's Office keeps calling you about the language you are using in the stipulation you are drafting to address support? Do you ever question whether you have to serve the county with your motion to change custody? How do you determine whether to file your motion in the Expedited Process? How is a Driver's License or a Passport connected to payment of Child Support? What is a ROP anyway? There are approximately 247,000 open IV-D Child Support Cases in Minnesota. Since any case involving child support can become a IV-D case anytime during the life of that case, chances are, you will touch a case or ten that involves the IV-D system in your family law practice over the next year. Come learn about the IV-D system and the Expedited Process from two local experts. Many questions will be answered as part of their presentation, but participants are invited to ask their own questions as well.

– Theresa A. Farrell-Strauss &

Melissa A. Rossow

# Institute Schedule At-a-Glance

Use this handy chart to plan your Family Law Institute experience!

## 55. Immigration, Marriage Brokers and Human Trafficking

The speakers will discuss what human trafficking and marriage brokering are, how they are implicated in family law cases, and what the state and national trends are. They will also offer tips on immigration issue spotting; including VAWA, U and T Visas, and Affidavits of Support.  
– Kirsten L. Olson & Tracy L. Reid

## 56. What Happens to the Children of Same-Sex Couples When They Break Up?

Legal developments in Minnesota and other jurisdictions regarding custody, parenting time, and related issues that are unique to children of same sex couples, including insights on the Minnesota Supreme Court case, *Soohee v. Johnson*, 731 N.W.2d 815 (Minn.2007).  
– David E. Ahlvers & Michael Perlman

## 57. Overcoming Procrastination – How to Kick the Habit

**1.0 law office management credit applied for**

Procrastination creates undue stress. Delaying work can be a form of self-sabotage, affect productivity and result in errors. This session will focus on helping lawyers to complete work with more control and less crisis management. Attendees will learn: how to recognize your individual style of procrastination and overcome it; how to break down legal work into component parts so it doesn't appear so overwhelming; and, how to focus on what you really need to accomplish.  
– Irwin Karp

## 58. Division of Business Goodwill in Light of Baker v. Baker

**Repeat of session 8**  
– Patrick K. Schmidt

Day 1 – March 23

TRACK	BREAKOUT A	BREAKOUT B	BREAKOUT C	BREAKOUT D
<b>BASICS</b>	Basics of Client Relations: Handling the Initial Client Call and Meeting	Basics of Child Support	Basics of Spousal Maintenance	Basics of Property Division
<b>CHILDREN, CUSTODY &amp; CHILD SUPPORT</b>	Interstate and International Custody and Parenting Time Issues	Judges' Panel on Joint Physical Custody	Smokescreen or Fire: Assessing Allegations of Sexual Abuse During Parenting Disputes	
<b>CURRENT ISSUES</b>	How, What and When Parents Should Tell Children About Their Divorce	Dealing with Bullying Family Lawyers and Clients: Why Do They Act That Way and What Can I Do About It?	Recognizing and Working with the Victim of Stalking	
<b>CURRENT ISSUES</b>	Health Care Coverage and Family Law – Complicated Enough Without Any Federal Reform	The Impact of Divorce on Medical Assistance and Estate Planning	Watch Out for Potholes – 10 Commonly Missed Issues in Property Awards of Retirement Benefits and the QDROs that Follow	Status Report on Health Care Reform and Its Potential Impact on Family Law
<b>CURRENT ISSUES</b>	The Rules of Family Court Procedure: Are They Changing?	Keynote Follow-Up: Personality Disorders Workshop	Co-Parent Court: A New Hennepin County Initiative for Low-Income, Unmarried Parents	Dealing with Difficult People
<b>ADR</b>	Effective Use of Neutrals	Hot Topics in Family Law ADR	Update on Early Neutral Evaluation Programs Around MN	How to Effectively Represent Clients in Early Neutral Evaluations
<b>FINANCIAL</b>	A New Regime in Power: 2010 Tax Law Update for Family Lawyers	Bankruptcy and Divorce: Winning Strategies for Dealing with Debt	Dealing with Foreclosure, Short Sales and Deeds in Lieu of Foreclosure in Minnesota	Identifying and Resolving Tax Controversies with the IRS
<b>ADVANCED</b>	Division of Business Goodwill in Light of <i>Baker v. Baker</i>	What Happens to Spousal Maintenance When an Obligor Retires?	Family Law Confidential: Sealing Court Files and Protecting Sensitive Information	2010 Nonmarital Case Law Update
<b>TRIAL</b>	Evidence for Family Lawyers			Managing Documents in Complex Litigation
<b>SPECIAL CREDITS</b>	When Bad Things Happen to Good Lawyers	Enough is Enough: The Ethics of Closing a File	Hot Ethics Issues for Family Lawyers: Fees, Retainers, Credit Cards and More	

Day 2 – March 24

TRACK	BREAKOUT E	BREAKOUT F
<b>BASICS</b>	Basic Family Law Math: Financial Calculations in Divorce Cases	The Basics of Document Drafting in Divorce Cases
<b>CHILDREN, CUSTODY &amp; CHILD SUPPORT</b>	Child Support and Expedited Process Panel	
<b>FINANCIAL</b>	Debt Collection Tips for Family Lawyers	Getting Paid in Troubled Economic Times
<b>CURRENT ISSUES</b>	7 Things Family Lawyers Should Know About Assisted Reproduction Technology Law	Grandparent Visitation in Minnesota
<b>CURRENT ISSUES</b>	Domestic Violence: Family Law and Beyond	Understanding and Making Use of Mental Health Testimony in Family Court
<b>PRACTICE MANAGEMENT &amp; TECHNOLOGY</b>	The Portable Law Office: How to Be Productive, Profitable and Location-Independent	Social Networking for Family Lawyers
<b>NON-TRADITIONAL FAMILIES</b>	Cohabitation Agreements and Other Planning Issues for Non-Traditional Families	The New Majority: Unmarried Parents in Family Law
<b>SPECIAL CREDITS</b>	The Ethics of Limited Scope Representation	Elimination of Bias: Jour
<b>TIME MANAGEMENT</b>	Managing E-mail Overload	
<b>ENCORE</b>	How, What and When Parents Should Tell Children About Their Divorce	Interstate and International Custody and Parenting Time Issues

# Registration Information

## COURSE MATERIALS

Your registration fee includes the Family Law Institute manual on a fully searchable CD-ROM, plus handouts for the sessions you attend. At the close of the Institute, you may return your CD-ROM for a hardcopy Institute manual, which will be mailed to you.

## HOTEL ACCOMMODATIONS

Minnesota CLE has negotiated special rates for Institute attendees at the following hotels. Be sure to mention the Minnesota CLE Family Law Institute to receive these special rates. Make reservations early to ensure room/rate availability.

- **Best Western Kelly Inn – \$89 per night**  
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- **Holiday Inn St. Paul Downtown – \$109 per night**  
175 West Seventh Street; 651-225-1515
- **Crowne Plaza Riverfront – \$119 per night**  
11 East Kellogg Boulevard; 651-292-1900
- **The Saint Paul Hotel – \$145 per night**  
350 Market Street; 651-292-9292

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Parking is available at the Saint Paul RiverCentre parking ramp for \$10 per day. Visit the RiverCentre website at [www.rivercentre.org](http://www.rivercentre.org) for directions and parking maps. For information on Park and Ride lots and bus schedules, call Metro Commuter Services at 651-602-1602.

## CREDITS

Minnesota CLE is applying to the State Board of CLE for **11.5 total CLE credits**. Minnesota CLE also has applied for the following special credits:

- **1.0 ethics credit each** for sessions #9, #19, #28 and #43
- **2.0 elimination of bias credits** for session #52
- **1.0 law office management credit each** for sessions #41, #44, #50 and #57
- **2.5 law office management credits** for the Time Management session on the morning of Day 2

You may claim up to 6.0 law office management credits toward your 45-credit reporting requirement every three years.

In addition to regular CLE credits, sessions #6, #15, #25 and #35 also qualify as ADR credits which can be applied toward your state ADR roster reporting requirement.

**The maximum number of total CLE credits an attendee may report for attending this Institute is 11.5 CLE credits.**

## CANCELLATION / NO-SHOW POLICY

Paid registrants who cancel their registration at least 72 hours before the program will receive a full credit on their account; if fewer than 72 hours, a \$25 administrative fee will be deducted. Paid registrants who fail to attend will receive the materials. Passholders may purchase the materials at 50% of the full retail price.

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If you have a disability and need an accommodation in order to attend, please contact us at least one week in advance of the program. For further assistance contact Minnesota CLE, 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call 651-227-8266 or 800-759-8840.

## QUESTIONS?

Call Minnesota CLE at **651-227-8266** or **800-759-8840**. Or, visit us online at [www.minncle.org](http://www.minncle.org).

# The 2010 Family Law Institute

March 23 & 24, 2010 • Saint Paul RiverCentre

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