

Date: May 9, 2018

To: Executive Committee, Uniform Law Commission

From: Barbara Atwood, Chair, JEB Uniform Family Law

Re: Mid-year Report

The JEB for Uniform Family Law held its annual in-person meeting on October 27, 2017, in Tucson, Arizona. You received a report on that meeting, including the minutes, on November 20, 2017. As you will recall, the JEB recommended the appointment of a study committee to explore the feasibility of a uniform law on the unregulated custody transfers of adopted children. That recommendation was approved by leadership, and a study committee was appointed, headed by Commissioner David Biklen. The study committee will be submitting a recommendation to Scope and Program for the appointment of a drafting committee. We expect that recommendation to be considered at the 2018 annual meeting in Louisville, Kentucky.

At the October 2017, meeting, our agenda included a proposal for a drafting project on age of marriage and forced marriage. At that time, we determined that we should gather more information and consider the proposal in a conference call in the spring of 2018. Accordingly, Reporter Linda Elrod engaged in further research, and we shared the additional information with the JEB members.

The JEB met by conference call on March 27, 2018, to consider the proposal on age of marriage and other matters. After discussion, the consensus was to recommend the appointment of a study committee on age of marriage and forced marriage. A recommendation has been submitted to Scope and Program and is attached to this report for your convenience.

On the same call we considered two other matters. First, Commissioner Martha Walters asked the JEB to consider endorsing a proposed revision to the Interstate Compact on Placement of Children. The proposed revision has been approved by about a dozen states but needs the approval of 35 states in order to go into effect. Some members questioned whether endorsing the proposed ICPC revisions is within the scope of JEB responsibilities. After discussion, the JEB members deferred decision on the matter until the in-person meeting next November. The Reporter and I will provide additional information at that meeting.

We also briefly discussed the posting of a memorandum on adoption jurisdiction prepared by the Reporter. JEB members agreed that a memorandum explaining the inconsistent positions taken by state courts and state legislatures on adoption jurisdiction would be of benefit to judges and attorneys. We also agreed that the memorandum should not recommend a change in any existing uniform family laws. The Reporter is finalizing the memorandum for posting.

The membership of the JEB has changed slightly. Commissioner Suzanne Reynolds has stepped down due to the demands of her deanship at Wake Forest School of Law. Commissioner Lorie Fowlke has joined the JEB to replace Suzanne. In addition, Commissioner Harry Tindall's term as chair emeritus expired, and Commissioner Paul Kurtz has joined as member emeritus.

Our next in-person meeting will be November 16, 2018.