

# Minutes of the Fall Meeting of the Joint Editorial Board for Uniform Family Law Acts

Chicago, Illinois

November 11, 2005

The meeting was called to order at approximately 8:00 a.m. Present at the meeting were Harry Tindall, Chair, Paul Kurtz, Tom Bolt [Division Chief for NCCUSL] Robert Spector, Reporter, Linda Elrod, and Doreen Marcus [from AAML]. Also attending were Michael Kerr and Jack Sampson.

1. After approving the minutes from the last meeting without objection, the board discussed several ongoing NCCUSL projects.
2. The same day meeting joint meeting with the Joint Editorial Board for Trust and Estates was first discussed. Four agenda items had been set for discussion.

First, the Guardianship Jurisdiction project was reported on by Bob Spector. This drafting project is underway and Spector attended the first meeting to make certain children were excluded from the new drafting project and to help coordinate adult guardianship jurisdiction as much as possible with the jurisdictional standards of the Uniform Child Custody Jurisdiction and Enforcement Act.

Second the Board discussed the proposal for a drafting committee to update the intestacy provisions of the Uniform Probate Code. The Board was unanimous in support this project.

Third, the Board discussed the proposal from Scope and Program Committee to see if a study committee should be appointed for a non-traditional family act. After considerable discussion, it was decided the proposal would need additional study. Paul Kurtz suggested that the Board work on a proposal that emphasizes the need to protect children, especially relationships children form with individuals that the law usually does not recognize, such as stepparents, siblings, and the like.

Fourth, the Board discussed whether we should urge a study committee for a uniform post-nuptial agreement act. After discussion of same, the Board voted not to recommend a study committee.

3. Harry Tindall and Mike Kerr reported on the drafting projects currently underway for Uniform Child Abduction Prevention Act and the Uniform Representation of

Children in Abuse and Neglect and Child Custody Proceedings Act. Both Acts have gone through first reading and are scheduled for final reading in Summer 2006 in Hilton Head, South Carolina. NCCUSL has two approved study committees currently examining family law projects: Study Committee on Relocation headed by Debra Lehrmann and Study Committee on Collaborative Law headed by Harry L. Tindall. Neither study committee has made a recommendation and any drafting committee would most likely not get started until 2007.

4. Mike Kerr led a discussion on status of current acts. UCCJEA has approximately 44 enactments, 16 jurisdictions have adopted the 2001 version of UIFSA, and 6 states have adopted Uniform Parentage Act. Mike also reported on the efforts to secure passage of UPA in Illinois. There was brief discussion about the Uniform Child Witness Act and the Interstate Compact on Placement of Children. On the international scene, NCCUSL may be asked to draft implementing legislation for the Hague Convention on Support and perhaps other acts.

The meeting of the JEB-UFL was concluded at approximately 11:30 a.m. on November 11, 2005.

Respectfully submitted,

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Harry L. Tindall, Chair  
Joint Editorial Board for Uniform Family Law