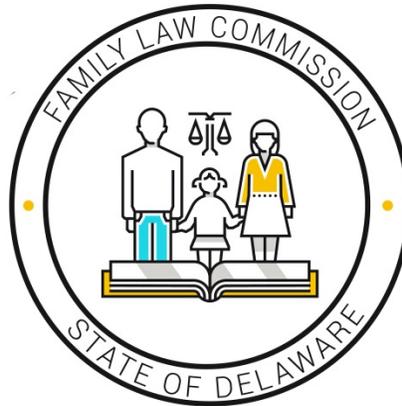


Draft Family Law Commission Minutes

Meeting of Thursday, Sept. 20, 2018

Senate Hearing Room, Second Floor, Legislative Hall, Dover, Delaware

(Note: These minutes have not yet been approved and are subject to change)



Members Present

Curtis Bounds, Esq., Chair
Senator David G. Lawson
William Walls, Esq.
Ms. Aimee String
Mr. James Morning
Ms. Raetta McCall
Judge Peter Jones

Staff Members

Dick Carter, Senate staff
Jennifer Parrish, Senate staff
Colinda Marker, Division of Research

Meeting Summary

Chairman Bounds called the meeting to order at 6:35 p.m.

The draft 2017 Annual Report was approved as amended. The minutes for the April and May, 2018 meetings were approved.

Mr. Bounds suggested that the commission devote part of an upcoming meeting to consideration of how the present Family Law Commission enabling statute might be adjusted and modernized, noting that the statute has not been overhauled since it was originally enacted “except for minor tweaks.”

(Note: The Family Law Commission enabling statute is Section 2001 of Chapter 20, Title 13 of the Delaware Code. The original legislation is found at 64 Del. Laws, c. 481, § 1, approved Sept. 29, 1984)

Mr. Bounds said that there is a need to look at possible changes that may be helpful. He suggested that this discussion take place at the commission’s February meeting.

He also suggested taking time at an upcoming meeting to plan the 2019 meeting schedule and topics to be discussed at those meetings.

Mr. Bounds said that rather than bringing in experts on various subjects to talk to the commission during 2019, he would like to use 2019 for the commission to do something to amend its enabling statute. He added that looking carefully into the existing statutory provisions and possible changes will increase commission members’ knowledge of the statute.

He said he also feels the commission should discuss the implementation of proven ideas from other states into our Family Court system.

Mr. James Morning said that he would like have the commission devote one meeting to a consideration of the need for prosecution of false allegations, noting that this topic has been a frequent point of discussion by members of the public. He spoke about allegations of perjury and the failure of the Dept. of Justice to prosecute anyone for it.

Mr. Morning also expressed the view that legislation is needed to mandate DNA tests to establish fatherhood.

The commission also discussed holding all of its 2019 meetings during the legislative session between January and July 1, rather than holding September and November meetings as has been done in recent years.

It was noted that the commission’s function as a sounding board seems to have passed.

The meeting was adjourned at 7:37 p.m.

The next Commission meeting will be held in the Senate Hearing Room on the 2nd floor of Legislative Hall on Thursday morning, Nov. 15, 2018, from 9:30-11:30 a.m.

(NOTE: The Nov. 15, 2018 meeting was postponed due to inclement weather. The commission having already held the statutorily-required number of meetings for the year, it was decided that the commission would not meet again until the January 24, 2019 public hearing).