

FAMILY LAW SECTION

Respectfully submits the following position on:

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HB 4733

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The Family Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Family Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Family Law Section is 2,792.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 21. The number who voted in favor to this position was 18. The number who voted opposed to this position was 0. The number who abstained from voting was 0.

Report on Public Policy Position

Name of section:

Family Law Section

Contact person:

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Bill Number:

[HB 4733](#) (Courser) Family law; marriage and divorce; government facilitated marriage licenses; eliminate, restore common law marriage, and only allow clergy to solemnize marriages. Amends title & secs. 1, 2, 3, 4, 6 & 8 of [1887 PA 128](#) (MCL [551.101](#) et seq.); adds sec. 1a & repeals secs. 3a & 5 of 1887 PA 128 (MCL [551.103a](#) & [551.105](#)).

Date position was adopted:

September 12, 2015

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

18 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote (absent)

Position:

Oppose

Explanation of the position, including any recommended amendments:

This is part of a 3 bill package (HB 4731-4733) that would eliminate marriage licenses and civil ceremonies, substituting marriages certificates issued by religious practitioners and affidavits of common law marriage. HB 4733 eliminates the requirements of a license and ceremony, and substitutes an affidavit of marriage filed with the clerk as sufficient to establish a marriage. The Family Law Section believes that marriage brings a significant change in rights and responsibilities for a couple and that a license and ceremony help signify that change.. The Family Law Section opposes this bill.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report. <http://legislature.mi.gov/doc.aspx?2015-HB-4733>