

FAMILY LAW SECTION

Respectfully submits the following position on:

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SB 0258

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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 3,085.

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 14. The number who voted opposed to this position was 0. The number who abstained from voting was 1.

Report on Public Policy Position

Name of section:

Family Law Section

Contact person:

Kent Weichmann

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Bill Number:

[SB 0258](#) (Warren) Children; protection; factors determining best interest of child; modify in cases of domestic violence. Amends sec. 3 of [1970 PA 91](#) (MCL [722.23](#)).

Date position was adopted:

June 6, 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:

14 Voted for position

0 Voted against position

1 Abstained from vote

6 Did not vote (absent)

Position:

Oppose

Explanation of the position, including any recommended amendments:

SB 258 amends factor (j) of the Child Custody Act to clarify that a parent's willingness to facilitate and encourage a close parent child relationship with the other parent might be inappropriate where if the child needs to be protected from an abusive parent. The Family Law Section believes that this is already the standard for this factor and that the child custody factors should not be modified absent a compelling need. 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-SB-0258>