



Report on Public Policy Position

Name of Section:

Family Law Section

Contact Person:

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Bill Number:

HB 4245 (Hummel) Family law; child support; treatment of payment in excess of support; clarify. Amends sec. 5c of 1982 PA 295 (MCL 552.605c).

Date position was adopted:

March 5, 2005

Process used to take the ideological position:

Voted on by Family Law Council at their monthly meeting on March 5, 2005

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

Voice vote

FOR SECTIONS ONLY:

- ✓ This subject matter of this position is within the jurisdiction of the section.
- ✓ The position was adopted in accordance with the Section's bylaws.
- ✓ The requirements of SBM Bylaw Article VIII have been satisfied.

If the boxes above are checked, SBM will notify the Section when this notice is received, at which time the Section may advocate the position.

Position:

HB 4245, sponsored by Rep. Hummel and referred to Judiciary, sets forth a specific method for handling all overpayments of child support. The council noted that overpayments were a recognized problem that was usually handled manually by the Friend of the Court. The problem is already on the list of programming needs for MICSES. The Council feared that this bill, if enacted, would become a programming mandate for MICSES, and force it to displace other far more urgent programming matters. The council voted to oppose this bill.

The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4245>