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April 13, 2006

The Honorable Ron Jelinek
State Senator
State Capitol
P.O. Box 30036
Lansing, MI 48909-7536

306 Townsend Street
Michael Franck Building
Lansing, MI
48933-2083

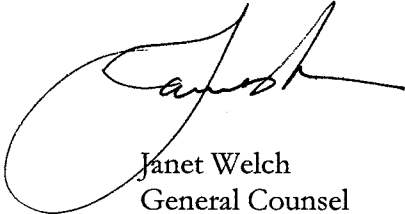
Re: SB 535 Child Custody: Best Interests

Dear Senator Jelinek:

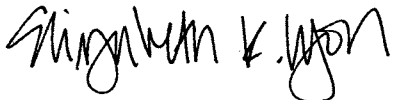
At its April 7, 2006 meeting, the Board of Commissioners voted to **oppose in principle¹ SB 535**. This position was adopted after consideration of a recommendation made by the Family Law Section. It was the consensus of the Board that a judge already has the ability to consider factors of drug use history and conviction under existing statute, and in current practice the factors are considered. To impose specific guidelines to the existing general guidelines would improperly limit judicial discretion.

If you would like to discuss this position in further detail or have questions, please contact Janet Welch directly at (517) 346-6375, jwelch@mail.michbar.org; or Elizabeth Lyon directly at (517) 346-6325, elyon@mail.michbar.org.

Sincerely,



Janet Welch
General Counsel



Elizabeth K. Lyon
Public Policy Program Analyst

CC. Thomas W. Cranmer, President
John T. Berry, Executive Director
Nell Kuhnmuensch, Governmental Consultant Services, Inc.

¹ Definition of oppose in principle: pending legislation that the State Bar opposes, but that is not the subject of active lobbying effort. The State Bar is on record on this position and will explain it upon request.