



## Report on Public Policy Position

**Name of Section:**

Family Law Section

**Contact Person:**

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**Bill Number:**

**SB 476** (Jansen) Family law; child custody; court review of arbitrator's decision on custody; allow court to gather additional evidence. Amends sec. 5080 of 1961 PA 236 (MCL 600.5080).

**Date position was adopted:**

May 5, 2007

**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:**

17 Voted for position

0 Voted against position

0 Abstained from vote

4 Did not vote

**Position:**

Support with recommended amendments

**Explanation of the position, including any recommended amendments:**

SB 476 and SB 477 are designed to fix the Domestic Relations Arbitration Act so that it would work the way that it was originally intended to work. SB 476 clarifies that the Court may review an arbitration award regarding custody, parenting time or child support based on the record created in the arbitration hearing. The court does not have to honor an award that the court feels is adverse to the child. The Council supports this bill and suggests that domicile changes pursuant to MCL 722.31 be included in the higher standard of review.

**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://legislature.mi.gov/doc.aspx?2007-SB-0476>