



Report on Public Policy Position

Name of Section:

Family Law Section

Contact Person:

Kent Weichmann

Email:

weichmann@earthlink.net

Bill Number:

SB 506 (McManus) Family law; paternity; circumstances under which putative father may sue to establish paternity of a child born to a married woman; establish. Amends secs. 1, 4 & 6 of 1956 PA 205 (MCL 722.711 et seq.).

Date position was adopted:

June 2, 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:

18 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

SB 506 is a reintroduction of last year's SB 436, which council supported last year. This bill would allow a biological father standing to challenge the paternity of a child born or conceived while the mother was married to another man. The action must be brought within a year of the child's birth and must satisfy one of three conditions: 1) The mother agrees that the petitioner is the biological father, and the petitioner presents a DNA test establishing that he is the father, 2) the mother was not married at the time of conception, or was legally separated from the presumed father, and the petitioner consents to a DNA test, or 3) the mother has acknowledged the biological relationship in writing, the petitioner has had parenting time with the child by agreement of the mother, and he consents to DNA testing. The bill addresses the situations where there is a broad consensus that standing is appropriate. The Family Law Council supports 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://legislature.mi.gov/doc.aspx?2007-SB-0506>