

Report on Public Policy Position

Name of section:

Family Law Section

Contact Person:

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Bill Number:

[SB 645](#) (Cherry) Family law; child support; use of substitute service for complaint under family support act; allow. Amends sec. 1 of [1966 PA 138](#) (MCL [552.451](#)).

Date position was adopted:

December 1, 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

0 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

SB 645 deals with service of process in family support cases. It would permit service on non-resident defendant's by publication, posting notice in the courthouse, or any other method reasonably calculated to give the defendant actual notice of the action. These methods would not assure the court of the in personam jurisdiction necessary to sustain a support order, and could lead to an assertion of jurisdiction deemed unconstitutional under International Shoe and its progeny. 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?2007-SB-0645>