

CHILDREN'S LAW SECTION  
Respectfully submits the following position on:

\*

SB 0694

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The Children's Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Children's Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Children's Law Section is 492.

The number of members in the decision-making body is 16. The number who voted in favor to this position was 13. The number who voted opposed to this position was 0.

## Report on Public Policy Position

**Name of section:**

Children's Law Section

**Contact person:**

Jack McKaig

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**Bill Number:**

[SB 0694](#) (Casperson) Children; parental rights; probate court jurisdiction to terminate parental rights of a parent who commits a criminal offense against a child; provide for. Amends sec. 2, ch. XIII A of 1939 PA 288 (MCL 712A.2).

**Date position was adopted:**

February 16, 2012

**Process used to take the ideological position:**

Other vote.

**Number of members in the decision-making body:**

16

**Number who voted in favor and opposed to the position:**

13 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote

**Position:**

Oppose

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

The Children's Law Section of the Michigan State Bar OPPOSES Senate Bill 694. The Council vote was 13-0 against the bill.

The bill is a radical change to the purposes and procedures for establishing family court jurisdiction over children. It authorizes the state to intervene in a currently safe family based on a possibility that a bad parent or caretaker might reappear some day and harm a child. Allowing government involvement in a family based on a speculation of future harm is unnecessary, unwise, and unconstitutional.

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?2011-SB-0694>