

FAMILY LAW SECTION
Respectfully submits the following position on:

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SB 694

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The Family 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 Family 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 Family Law Section is 2,481.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 21. The number who voted in favor to this position was 20. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of section:

Family Law Section

Contact person:

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Bill Number:

[SB 0694](#) (Casperon) 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:

December 6, 2012

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:

20 Voted for position

0 Voted against position

0 Abstained from vote

1 Did not vote

Position:

Oppose And Amend

Explanation of the position, including any recommended amendments:

SB 694 allows the court to take jurisdiction over a family even if there is no unfit condition in the home, if the court anticipates that there will be unfit conditions in the future. Such possible unfit circumstances include allegations against a parent who is absent or has no contact with the juvenile, or the criminality of some other adult, even if the adult is not convicted of any crime. The bill undermines custody awards by allowing the juvenile court to remove children from families at will.

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?2011-SB-0694>