

FAMILY LAW SECTION
Respectfully submits the following position on:

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HB 4336

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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 18. 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:

[HB 4336](#) (Ananich) Family law; child support; age of majority provision regarding child support; expand under certain circumstances. Amends secs. 2 & 5b of [1982 PA 295](#) (MCL [552.602](#) & [552.605b](#)).

Date position was adopted:

March 2, 2013

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:

Oppose

Explanation of the position, including any recommended amendments:

HB 4336 would extend child support indefinitely for adult children who are “mentally retarded” or who suffer from a “developmental disability”. Providing child support to these adults disqualifies them for SSI benefits, SSI eligibility also triggers other important benefits, such as Medicaid eligibility, respite care, additional training and education, etc.. Families with adult disabled children merit this assistance, and these benefits usually outweigh the financial support the other parent could give. In divorce cases, the court may consider the burden of caring for an adult disabled child in creating a spousal support award which would not affect the child’s SSI benefit. This bill would hurt adult disabled children more than it would help them. 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?2013-HB-4336>