

Report on Public Policy Position**Name of section:**

Family Law Section

Contact person:

Kent Weichmann

E-mail:weichmann@earthlink.net**Bill Number:**

[SB 0569](#) (Jansen) Family law; child custody; child custody disputes that have been arbitrated; require courts to resolve in accordance with domestic relations arbitration provisions of the RJA. Amends sec. 4 of [1970 PA 91](#) (MCL [722.24](#)).

Date position was adopted:

June 6, 2009

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

1 Voted against position

0 Abstained from vote

2 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

SB 569 amends MCL 722.24 to authorize the Circuit Court to review an arbitrator's award pursuant to the Domestic Relations Arbitration Act. The amendment says "In all actions involving dispute of a minor child's custody, the court shall declare the child's inherent rights and establish the rights and duties as to the child's custody, support, and parenting time in accordance with this act and chapter 50b of the revised judicature act of 1961, 1961 PA 236, MCL 600.5070 to 600.5082. This bill resolves one of the issues raised by the Supreme Court in *Harvey v Harvey*, 470 Mich 186 (2004) and will allow the Domestic Relations Arbitration Act to be effective in these types of cases. The Family Law Section supports 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?2009-SB-0569>