

**Public Policy Position
HB 5149**

The Family Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 2,453 members. The Family Law Section is not the State Bar of Michigan and the position expressed herein is that of the Family Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Family Law Section has a public policy decision-making body with 21 members. On November 2, 2019, the Section adopted its position after a discussion and vote at a scheduled meeting. 18 members voted in favor of the Section's position on HB 5149, 0 members voted against this position, 2 members abstained, 1 member did not vote.

Support

Explanation:

HB 5149 amends sec. 136c of 1931 PA 328 (MCL 750.136c) which prohibits transfers of custody to another for money or other valuable consideration and creates an exception for adoption attorneys to be paid for their services in court-supervised adoptions. Under the current act, such compensation could arguably subject adoption attorneys to criminal prosecution, thus the need for these amendments. Adoption attorneys providing services in court-supervised adoptions are entitled to be paid for their services and the existing statute fails to expressly state that such compensation is permissible.

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