

FAMILY LAW SECTION

Respectfully submits the following position on:

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HB 4188 – HB 4190

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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 3,086.

The position was adopted after a discussion and vote at a scheduled meeting. The number of members in the decision-making body is 21. The number who voted in favor of this position was 19. 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 4188](#) (LaFontaine) Children; adoption; objection to placements by child placing agency based on religious or moral convictions; allow. Amends [1973 PA 116](#) (MCL [722.111](#) - [722.128](#)) by adding secs. 14e & 14f.

[HB 4189](#) (Santana) Children; adoption; objection to placements by child placing agency based on religious or moral convictions; allow. Amends [1939 PA 288](#) (MCL [710.21](#) - 712B.41) by adding sec. 23g to ch. X.

[HB 4190](#) (Leutheuser) Children; adoption; licensure of child placing agency that objects to placements on religious or moral grounds; allow. Amends [1939 PA 280](#) (MCL [400.1](#) - [400.119b](#)) by adding sec. 5a.

Date position was adopted:

March 7, 2015

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:

19 Voted for position

0 Voted against position

0 Abstained from vote

2 Did not vote (absent)

Position:

Oppose

Explanation of the position, including any recommended amendments:

HBs 4188-90 prevent any adverse action against a child placement or adoption agency that chooses to discriminate based on its sincerely held religious beliefs. The prohibited adverse actions include denying the agency's application for funding or cancelling the agency's funding. In essence, the bill requires Michigan taxpayers to fund discriminatory actions based on religious principles. The Family Law Section believes that a private faith based agency can decide

for itself how it wants to handle placements of children voluntarily placed with agency. The Family Law Section does not believe that public funds can be used to support discriminatory actions.

The Family Law Section opposes these bills.

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?2015-HB-4188>

<http://legislature.mi.gov/doc.aspx?2015-HB-4189>

<http://legislature.mi.gov/doc.aspx?2015-HB-4190>