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p 800-968-1442

f 517-482-6248

www.michbar.org

306 Townsend Street

Michael Franck Building

Lansing, MI

48933-2012

The Honorable John Walsh  
Chair, House Judiciary Committee  
State Capitol  
P.O. Box 30014  
Lansing, MI 48909-7514

**Re: HB 4672 & HB 4673 Divorce: Division of Property**

Dear Chairman Walsh:

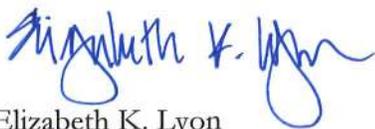
At its July 22, 2011 meeting, the State Bar of Michigan's Board of Commissioners voted to **oppose HB 4672 & HB 4673 as introduced**. The Board supports the current and ongoing efforts to produce revised drafts of the bills that meet the following goals:

1. Incorporation of current statutory law;
2. Clarification of equitable factors relevant to judicial review;
3. Codification of existing case law pertaining to commonly recurring fact patterns;
4. Consideration of existing and pending uniform state laws;
5. Maintenance of judicial discretion;
6. Improving the predictability of outcomes in cases without individual agreements;
7. Identification of the circumstances, if any, under which a private agreement that conflicts with the statutes would be trumped by the statutes.

The State Bar's support for substitute bills reflects a position that positive policy changes can be made regarding the statutory instruction for division of property in divorce proceedings.

Thank you for your willingness to work with the State Bar and other interested stakeholders on this important legislation. We look forward to continuing the discussion already underway and appreciate your leadership in moving forward in a deliberative manner. If you would like to discuss this position in further detail or have questions, please contact me directly at your convenience.

Sincerely,



Elizabeth K. Lyon  
Director of Governmental Relations  
Direct dial: (517) 346-6325  
Email: [elyon@mail.michbar.org](mailto:elyon@mail.michbar.org)

CC. W. Anthony Jenkins, President  
Nell Kuhnmuensch, Governmental Consultant Services, Inc.