

FAMILY LAW SECTION
Respectfully submits the following position on:

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SB 1005

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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 1.

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

Family Law Section

Contact person:

Kent Weichmann

E-Mail:weichmannk@att.net**Bill Number:**

[SB 1005](#) (Emmons) Juveniles; other; certain child development training for lawyer-guardian ad litem; require, and modify termination of parental rights provisions. Amends secs. 17d & 19b, ch. XIA of [1939 PA 288](#) (MCL 712A.17d & 712A.19b).

Date position was adopted:

April 14, 2012

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:

Oppose and Amend

Explanation of the position, including any recommended amendments:

SB 1005 responds to a new federal directive that states may not mandate reunification of a child with a registered sex offender. The initial draft of the bill provided that registration as a sex offender was an independent ground for termination of parental rights, which would prohibit reunification in all such cases. The House substitute for this bill creates an exception to mandatory reunification when the parent is a registered sex offender, and makes reunification in those cases discretionary with the court.

The Family Law Section opposes the original draft of SB 1005 and supports the House substitute.

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?2012-SB-1005>