

FAMILY LAW SECTION
Respectfully submits the following position on:

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HB 5473

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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 0.

Report on Public Policy Position

Name of Section:

Family Law Section

Contact person:

Kent Weichmann

E-Mail:

weichmannk@att.net

Bill Number:

[HB 5473](#) (Lori) Family law; paternity; court refusal to enter an order setting aside a paternity determination revoking an acknowledgment of parentage; allow under certain circumstances. Amends sec. 13 of [2012 PA 159](#) (MCL [722.1443](#)).

Date position was adopted:

May 3, 2014

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

0 Voted against position

0 Abstained from vote

3 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

HB 5473 amends the Revocation of Paternity Act to allow the court to consider equitable factors in deciding whether to set aside an Acknowledgment of Parentage. Currently the court may only consider equitable factors in deciding whether to set aside Orders of Filiation or the presumption of paternity due to marriage. This corrects a probable oversight in the original bill.

The 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?2014-HB-5473>