

## FAMILY LAW SECTION

Respectfully submits the following position on:

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SB 0980

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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 2,865.

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 19. The number who voted opposed to this position was 0. The number who abstained from voting was 0.

## Report on Public Policy Position

**Name of Section:**

Family Law Section

**Contact person:**

Kent Weichmann

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**Bill Number:**

[SB 0980](#) (Bieda) Civil procedure; appeals; service of papers; provide for alternate service if party is protected by a protective order. Amends secs. 227 & 316 of [1961 PA 236](#) (MCL [600.227](#) & [600.316](#)).

**Date position was adopted:**

September 18, 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:**

19 Voted for position

0 Voted against position

0 Abstained from vote

2 Did not vote

**Position:**

Oppose and Amend

**Explanation of the position, including any recommended amendments:**

SB 980 is part of a package of bills designed to combat domestic violence. This bill seeks to prevent disclosure of a protected party's address on appeal by requiring the appellate court to serve the protected party. The bill doesn't specify how the appellate court will learn the address of the protected party in order to serve them. This mechanism must be specified to provide a workable procedure. The Family Law Section supports the goal of this bill, but opposes it until a proper process for service is set out.

**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-SB-0980>