



Report on Public Policy Position

Name of Section:

Family Law Section

Contact Person:

Kent Weichmann

Email:

weichmann@earthlink.net

Bill Number:

HB 4521 (Byrum) Family law; marriage and divorce; certain inclusion of personal information in judgment; prohibit unless required by law. Amends 1846 RS 84 (MCL 552.1 - 552.45) by adding sec. 40.

HB 4522 (Byrum) Family law; paternity; inclusion of personal information in order of filiation; prohibit unless required by law. Amends sec. 2 of 1956 PA 205 (MCL 722.712).

HB 4523 (Byrum) Family law; child support; inclusion of personal information in an order under the family support act; prohibit unless required by law. Amends sec. 2 of 1966 PA 138 (MCL 552.452).

Date position was adopted:

May 5, 2007

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:

16 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

Position:

Support with recommended amendments

Explanation of the position, including any recommended amendments:

HB 4521 is part of a package of identity theft prevention bills. HB 4521 applies to divorce judgments and orders, HB 4522 applies to orders of filiation, and HB 4523 applies to family support orders. These bills would prohibit the inclusion of personal identifying information (as defined in MCL 445.63(o) in any order filed with the court, unless it was required by state or federal law, rule, or regulation or by a court order or rule. This information may still be disclosed to the Friend of the Court or to another person. The Council supports these bills and suggests an additional provision that would allow the Court to redact offending information as an alternative to refusing to enter the order.

The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:

<http://legislature.mi.gov/doc.aspx?2007-HB-4521>

<http://legislature.mi.gov/doc.aspx?2007-HB-4522>

<http://legislature.mi.gov/doc.aspx?2007-HB-4523>