



Report on Public Policy Position

Name of Section:

Family Law Section

Contact Person:

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Bill Number:

HB 4818 (Steil) Family law; child custody; factors determining best interest of child; include equal time for both parents as a factor. Amends sec. 3 of 1970 PA 91 (MCL 722.23).

Date position was adopted:

June 2, 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:

17 Voted for position

1 Voted against position

0 Abstained from vote

3 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

HB 4818 amends the best interests factors of the child custody act to add a factor: "the extent to which the existing or proposed custodial environment provides substantially equal time with both parents." This provision assumes that substantially equal time with each parent is in the best interests of all children. There is no evidence that one particular custody arrangement is better for children than other custody arrangements. This conflicts with our standing position paper opposing such a presumption. The Family Law Council opposes this bill.

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-4818>