

p 517-346-6300

July 31, 2007

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The Honorable Glenn Steil
State Representative
State Capitol
P.O. Box 30014
Lansing, MI 48909-7514

306 Townsend Street

Michael Franck Building

Lansing, MI

48933-2012

Re: HB 4564 Mandatory Joint Custody

Dear Representative Steil:

At its July 20, 2007 meeting, the State Bar of Michigan's Board of Commissioners unanimously voted to **oppose in principle*** HB 4564. This position was adopted after consideration of recommendations made by the Family Law Section and mirrors the position adopted by the State Bar of Michigan in the 2005-2006 legislative session.

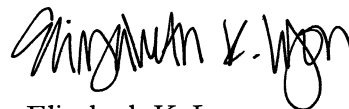
The State Bar has a long-standing position of opposing any measure that would limit judicial discretion, which HB 4564 would effectively do by eliminating a judge's ability to weigh the facts and circumstances surrounding a custody hearing before entering a judgment on custody arrangement. The ability to consider "best interest" factors versus imposing a single type of custody is important in custody proceedings.

If you would like to discuss this position in further detail or have questions, please contact Janet Welch directly at (517) 346-6331, jwelch@mail.michbar.org; or Elizabeth Lyon directly at (517) 346-6325, elyon@mail.michbar.org.

Sincerely,



Janet Welch
Executive Director



Elizabeth K. Lyon
Director, Governmental Relations

CC. Kimberly M. Cahill, President
Nell Kuhnmuensch, Governmental Consultant Services, Inc.

* Definition of oppose in principle: pending legislation that the State Bar opposes, but which is not the subject of active lobbying effort. The State Bar is on record on this position and will explain it upon request.