

Report on Public Policy Position

Name of section:

Family Law Section

Contact Person:

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Bill Number:

[HJR NN](#) (Stahl) Family law; parental rights; rights of parents and legal guardians to direct upbringing of children; declare as a fundamental constitutional right. Amends the state constitution by adding sec. 27 to art. I.

Date position was adopted:

February 2, 2008

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:

15 Voted for position

0 Voted against position

6 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

HJR NN proposes a constitutional amendment declaring that parents have a fundamental right to direct the care, education and upbringing of their children, and restricts the ability of the government to interfere with this right. It is unclear what benefit this is intended to provide. It would endanger all laws dealing with children, including mandatory education and prohibitions of child abuse. As with any constitutional amendment, it may have other unpredictable effects. The Family Law Section opposes this resolution.

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?2008-HJR-NN>