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March 1, 2018

Larry Royster
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

306 Townsend Street
Michael Franck Building
Lansing, MI
48933-2012

RE: ADM File No. 2016-09: Proposed Amendments of Rules 3.804, 3.971, and 3.977 and Addition of New Rule 3.809 of the Michigan Court Rules

Dear Clerk Royster:

At its February 13, 2018 meeting, the State Bar of Michigan Executive Committee considered the above-referenced proposed rule amendments published by the Court for comment.¹ As part of its review, the Executive Committee considered recommendations from the Access to Justice Policy Committee, Family Law Section, and Public Policy Committee.

After this review, the Executive Committee voted unanimously to support the proposed amendment of MCR 3.804, 3.971, and 3.977 and the addition of MCR 3.809. The additional notice requirements set forth in the proposal will help ensure that all interested parties understand that ongoing child support obligations continue even after a parent voluntarily terminates his or her parental rights until a subsequent order is entered or other action is taken. These amendments will help prevent parents from acting under the mistaken assumption that child support obligations automatically end when they voluntarily terminate their parental rights.

We thank the Court for the opportunity to convey the State Bar's position on this rule proposal.

Sincerely,

Janet K. Welch
Executive Director

cc: Anne Boomer, Administrative Counsel, Michigan Supreme Court
Donald G. Rockwell, President, State Bar of Michigan

¹ Under Article III, §9 of the State Bar of Michigan Bylaws, "[t]he Executive Committee may take a position on a proposed Court Rule if the deadline for a response does not allow for consideration by the Board, provided the position is not inconsistent with policies adopted by the Board or Representative Assembly."